

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

MIG, INC.,

Debtor.

Chapter 11

Case No. 09-12118 (KG)

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR TRIAL/HEARING FOR FEBRUARY 10, 2010 BEGINNING AT 9:30 A.M.  
AND FEBRUARY 11 and 12, 2010 BEGINNING AT 9:00 A.M.<sup>1</sup>**

**Location: 6<sup>th</sup> Floor, Courtroom #3**

***PLEASE NOTE: THIS HEARING HAS BEEN CANCELLED AND  
ADJOURNED TO A DATE TO BE DETERMINED.***

**CONTESTED MATTERS GOING FORWARD:**

1. Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause Filed by The Official Committee Of Unsecured Creditors [Docket No. 78, Filed July 23, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*

Related Documents:

- A. Notice of Proposed Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan Filed by The Official Committee Of Unsecured Creditors [Docket No. 89, Filed July 29, 2009]
- B. Order Authorizing the Official Committee of Unsecured Creditors to File Under Seal Certain Portions of its Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 138, Filed August 19, 2009]
- C. Order (I) Determining Admissibility of Certain Documents, (II) Directing Production of Certain Documents, (III)

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<sup>1</sup> To participate in this hearing, parties may request telephonic participation in accordance with the Instructions for Telephonic Appearances (see [www.deb.uscourts.gov](http://www.deb.uscourts.gov)) by contacting CourtCall at 1-866-582-6878 and providing written notice to Debtors' counsel.

Allowing Attendance of Certain Parties at Depositions, (IV) Setting the Deadline to Supplement Responses to Interrogatories, and (V) Directing the Parties to Submit Caselaw to the Court [Docket No. 244, Filed October 9, 2009]

- D. Stipulation and Order Pursuant to Federal Rule of Evidence 502(d) and Federal Rule of Bankruptcy Procedure 9017 by and between Debtor MIG, Inc. and Official Committee of Unsecured Creditors Regarding Certain Documents Produced in Connection with Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 264, Filed October 21, 2009]
- E. Letter to The Honorable Kevin Gross Filed by The Official Committee of Unsecured Creditors [Docket No. 278, Filed October 27, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*
- F. Debtor's Memorandum in Opposition to the Request of the Committee to Exclude Portions of the Report and Testimony of Lazard Freres & Co. LLC, Expert Witness for the Debtor, or to Bifurcate Proceedings [Docket No. 283, Filed October 28, 2009]
- G. Declaration in Support of Casey J. Martin of Memorandum in Opposition to the Request of the Committee to Exclude Portions of the Report and Testimony of Lazard Freres & Co. LLC, Expert Witness for the Debtor, or to Bifurcate Proceedings Filed by the Debtor [Docket No. 284, Filed October 28, 2009]
- H. Order Authorizing the Filing of Expert Reports and Related Documents Under Seal [Docket No. 308, Filed November 3, 2009]
- I. Order Regarding Expert Reports and Related Discovery and Amended Scheduling Order [Docket No. 309, Filed November 3, 2009]
- J. Debtor's Motion to File Under Seal the Supplemental Objection to Committee's Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 542, Filed January 29, 2010]

- K. Final Proposed Pretrial Order [Docket No. 564, Filed February 5, 2010]

Response(s) Received:

- A. Debtor's Preliminary Objection to Official Committee of Unsecured Creditors' Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 214, Filed September 25, 2009]
- B. Debtor's Supplemental Objection to Committee's Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 541, Filed January 29, 2010] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*
- C. Motion to Authorize the Official Committee of Unsecured Creditors to Publicly File the Reply in Support of its Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan, or in the Alternative, Dismissing Chapter 11 Case Filed by The Official Committee Of Unsecured Creditors for Cause [Docket No. 553, Filed February 3, 2010]
- D. Amended Reply in Support of its Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 557, Filed February 3, 2010]

**Status: This matter is being adjourned to a date to be determined.**

- 2. Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing To: (i) Prosecute Actions on Behalf of the Debtor's Estate; and (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief [Docket No. 310, Filed November 3, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*

Related Documents:

- A. Notice of Filing of Exhibits To Exhibit A To The Motion of Official Committee of Unsecured Creditors for Order Granting the Committee Standing to (I) Prosecute Actions

on Behalf of the Debtor's Estate; and (II) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief Filed by The Official Committee Of Unsecured Creditors [Docket No. 340, Filed November 16, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*

- B. Order (with provisions by Court) Authorizing The Official Committee of Unsecured Creditors to File Exhibits E and F to the Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing to:
  - (i) Prosecute Actions On Behalf of the Debtor's Estate; and
  - (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief Under Seal [Docket No. 364, Filed November 19, 2009]
- C. Order Authorizing the Debtor to File Debtor MIG, Inc.'s Objection to Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing To:
  - (i) Prosecute Actions on Behalf of the Debtor's Estate; and
  - (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief Under Seal [Docket No. 366, Filed November 19, 2009]

Response(s) Received:

- A. Debtor's Objection to Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing To: (i) Prosecute Actions on Behalf of the Debtor's Estate; and (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief [Docket No. 326, Filed November 12, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*
- B. Reply in Support of The Motion of The Official Committee of Unsecured Creditors for Order Granting The Committee Standing To: (i) Prosecute Actions on Behalf of the Debtor's Estate; and (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief Filed by The Official Committee Of Unsecured Creditors [Docket No. 343, Filed November 16, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*
- C. Notice of Filing Exhibits A Through X to the Reply in Support of The Motion of Official Committee of Unsecured Creditors for Order Granting the Committee Standing to: (i) Prosecute Actions on Behalf of the Debtors Estate; and (ii) Seek a Temporary Restraining Order, Preliminary

Injunction and Other Related Relief Filed by The Official Committee Of Unsecured Creditors [Docket No. 345, Filed November 16, 2009]

**Status: This matter is being adjourned to a date to be determined.**

3. Debtor's Motion to File Under Seal the Debtor's Supplemental Objection to Committee's Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 542, Filed January 29, 2010]

Related Documents:

- A. Debtor's Supplemental Objection to Committee's Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause [Docket No. 541, Filed January 29, 2010] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*

Response(s) Received: None.

**Status: This matter is being adjourned to a date to be determined.**

4. Debtor's Motion for Leave to File Supplemental Authority in Support of Objection to Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing To: (i) Prosecute Actions on Behalf of the Debtor's Estate; and (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief [Docket No. 544, Filed February 1, 2010]

Related Documents:

- A. Debtor's Objection to Motion of Official Committee of Unsecured Creditors for Order Granting The Committee Standing To: (i) Prosecute Actions on Behalf of the Debtor's Estate; and (ii) Seek a Temporary Restraining Order, Preliminary Injunction and Other Related Relief [Docket No. 326, Filed November 12, 2009] *Redacted Version filed with the Court; Unredacted Version is being provided to the Court Under Seal.*

Response(s) Received: None.

**Status: This matter is being adjourned to a date to be determined.**

5. Motion to Authorize the Official Committee of Unsecured Creditors to Publicly File the Reply in Support of its Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan, or in the Alternative, Dismissing Chapter 11 Case for Cause Filed by The Official Committee Of Unsecured Creditors [Docket No. 553, Filed February 3, 2010]

Related Documents:

- A. Reply in Support of its Motion for Order Pursuant to Sections 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing a Chapter 11 Trustee and Terminating the Debtor's Exclusivity to File a Plan or, in the Alternative, Dismissing Chapter 11 Case for Cause Filed by The Official Committee Of Unsecured Creditors [Docket No. 552, Filed February 3, 2010]

Response(s) Received:

- A. Debtor's Objection To Committee's Motion For An Order Authorizing The Official Committee Of Unsecured Creditors To Publically File Its Reply In Support Of Its Motion For An Order Pursuant To §§ 105(a), 1104(a), 1121(c)(1) and (d)(1) and 1112(b), Appointing A Chapter 11 Trustee And Terminating The Debtor's Exclusivity To File A Plan Or, In The Alternative, Dismissing The Chapter 11 Case For Cause [Docket No. 566, Filed February 8, 2010]

**Status: This matter is being adjourned to a date to be determined.**

6. Motion for Leave to Exceed Page Limit with Respect to its Motion In Limine for Evidentiary Rulings That, as a Matter of Law, the Valuation of the Debtor's Assets Should Incorporate (A) a Lack of Marketability Discount and (B) a Minority Discount [Docket No. 565, Filed February 5, 2010]

Related Documents: None.

Response(s) Received: None.

**Status: This matter is being adjourned to a date to be determined.**

**MATTER SCHEDULED TO GO FORWARD ON FEBRUARY 12, 2010:**

7. Debtor's Motion to Approve Motion for Entry of an Order (I) Approving the Disclosure Statement; (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Plan, Including (A) Approving Form and Manner of Solicitation Procedures, (B) Approving Form and Manner of Notice of the Confirmation Hearing, (C) Establishing Record Date and Approving Procedures for Distribution of Solicitation Packages, (D) Approving Forms of Ballots, (E) Establishing Deadline for Receipt of Ballots and (F) Approving Procedures for Vote Tabulations; (III) Establishing Deadline and Procedures for Filing Objections to (A) Confirmation of the Plan and (B) Proposed Cure Amounts Related to the Assumed Contracts; and (IV) Granting Related Relief [Docket No. 538, Filed January 27, 2010]

Objection Deadline: February 3, 2010 at 4:00 p.m.  
[Extended for the Committee to February 10, 2010]

Related Documents:

- A. Debtor's First Amended Disclosure Statement with respect to the First Amended Chapter 11 Plan of Reorganization [Docket No. 546, Filed February 1, 2010]
- B. Notice of Filing of Blackline Versions of (I) Debtor's First Amended Disclosure Statement with Respect to the First Amended Chapter 11 Plan of Reorganization for MIG, Inc.; and (II) Debtor's First Amended Chapter 11 Plan of Reorganization [Docket No. 550, Filed February 2, 2010]

Response(s) Received:

- A. Committee's Objection to Debtors' First Amended Disclosure Statement with Respect to the First Amended Chapter 11 Plan of Reorganization for MIG, Inc. [Docket No. 563, Filed February 5, 2010]

**Status: This matter is being adjourned to a date to be determined.**

Dated: February 9, 2010

GREENBERG TRAURIG, LLP



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