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Counsel for Wilmington Savings Fund Society, FSB, as the Successor Trustee for the 6.500% Senior Notes Due 2026

IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA **ALEXANDRIA DIVISION**

In re:) Chapter 11
)
ENVIVA INC., et al.,) Case No. 24-10453 (BFK
Debtors. ¹) Jointly Administered
)
)

STIPULATION TO THE ADMISSION INTO EVIDENCE OF JOINT EXHIBITS FOR THE MAY 9, 2024 HEARING

Wilmington Savings Fund Society, FSB, as the successor indenture trustee (the "Indenture Trustee") for the 6.500% Senior Notes due 2026 (the "2026 Notes") issued by Enviva Inc. ("Enviva") and Enviva Partners Finance Corp. (together with Enviva, the "Issuers") and guaranteed by certain of the Issuers' affiliates, and the Office of the United States Trustee (the "U.S. Trustee" and, together with the Indenture Trustee, the "Parties"), by and through their

A complete list of the Debtor entities may be obtained on the website of the Debtors' claims and noticing agent at www.kccllc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.

undersigned counsel, hereby enter into this stipulation (the "Stipulation") for the admission of certain joint exhibits into evidence at the hearing to be held on May 9, 2024, at 2:00 p.m. (prevailing Eastern Time) (the "Hearing") in connection with the *Indenture Trustee's Motion for Entry of an Order Directing the United States Trustee to (I) Reconstitute the Official Committee of Unsecured Creditors and (II) Appoint the Successor Indenture Trustee to the Official Committee of Unsecured Creditors* [ECF No. 193]:

RECITALS

- A. Pursuant to the Local Rules of Bankruptcy Procedure, the Parties met and conferred regarding exhibits that can be admitted into evidence by stipulation for purposes of the Hearing.
- B. On May 8, 2024, the Parties agreed to a list of joint exhibits that may be admitted into evidence by stipulation. A full list of the joint exhibits the Parties have agreed to admit into evidence for purposes of the Hearing is attached as **Exhibit A**.

It is hereby STIPULATED AND AGREED among the Parties that:

- 1. The exhibits listed in Exhibit A are hereby admitted into evidence for the purposes of the Hearing.
- 2. The Parties acknowledge that this Stipulation is the joint work product of the Parties and, in the event of ambiguities, no inferences will be drawn against any Party on the basis of authorship of this Stipulation.
- 3. The Court will retain exclusive jurisdiction over any dispute arising out of or relating to this Stipulation.

Dated: May 8, 2024 Respectfully submitted,

/s/ David R. Ruby

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Counsel for Wilmington Savings Fund Society, FSB, as the Successor Trustee for the 6.500% Senior Notes Due 2026

Dated: May 8, 2024 Respectfully submitted,

Gerard R. Vetter, Acting United States Trustee for Region Four

By: <u>/s/ Nicholas S. Herron</u>

Kenneth N. Whitehurst, III (VSB No. 48919) Assistant United States Trustee

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EXHIBIT A

JOINT EXHIBIT LIST TO BE ADMITTED INTO EVIDENCE BY STIPULATION May 9, 2024 Hearing

Joint Ex.	Date	Exhibit Description	Identified	Admitted
1	5/7/2024	Docket Report from <i>In re: Enviva, Inc., et al.</i> ; Case No. 24- 10453-BFK		Yes
2	3/13/2024	Declaration of Glenn Nunziata in Support of Chapter 11 Petitions with Exhibit A (ECF No. 27)		Yes
3	3/12/2024	Bond Green Bond Restructuring Support Agreement dated March 12, 2024 (Exhibit B to Declaration of Glenn Nunziata in Support of Chapter 11 Petitions) (ECF No. 27)		Yes
4	3/12/2024	Enviva Inc. Restructuring Support Agreement dated March 12, 2024 (Exhibit C to Declaration of Glenn Nunziata in Support of Chapter 11 Petitions) (ECF No. 27)		Yes
5	12/9/2019	Enviva 6.500% Senior Notes Due 2026 Indenture		Yes
6	3/14/2024	Verified Statement Regarding Ad Hoc Group of Creditors Pursuant to Bankruptcy Rule 2019 (ECF No. 50)		Yes
7	4/26/2024	Enviva Inc. Schedules D, E, and F (ECF No. 386)		Yes
8	3/25/2024	Notice of Appointment of Unsecured Creditors Committee filed by the United States Trustee (ECF No. 173)		Yes
9	3/18/2024	Enviva Inc. Unsecured Creditors Committee Solicitation Questionnaire submitted by the Indenture Trustee (with the Indenture Trustee's Rider)		Yes

10	4/10/2024	Com Proportion? Statement in	17
10	4/18/2024	Carr Properties' Statement in	Yes
		Response to Motion of the	
		Indenture Trustee to Reconstitute	
		the Official Committee of	
		Unsecured Creditors (ECF No.	
		345)	
11	5/12/2016	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 4) from	
		In re Penn Va. Holding Corp.,	
		No. 16-32396 (KLP) (Bankr. E.D.	
		Va. 2016)	
12	5/25/2016	Notice of UCC Appointment	Yes
		(ECF No. 137) from <i>In re Penn</i>	
		<i>Va. Holding Corp.</i> , No. 16-32396	
		(KLP) (Bankr. E.D. Va. 2016)	
13	5/7/2020	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 86) from	
		In re Neiman Marcus Grp. LTD	
		<i>LLC</i> , No. 20-32519 (DRJ)	
		(Bankr. S.D. Tex. 2020)	
14	5/19/2020	Notice of UCC Appointment	Yes
		(ECF No. 455) from <i>In re Neiman</i>	
		Marcus Grp. LTD LLC, No. 20-	
		32519 (DRJ) (Bankr. S.D. Tex.	
		2020)	
15	2/1/2023	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 24) from	
		In re Invacare Corp., No. 23-	
		90068 (CML) (Bankr. S.D. Tex.	
		2023)	
16	2/17/2023	Notice of UCC Appointment	Yes
		(ECF No. 194) from <i>In re</i>	
		Invacare Corp., No. 23-90068	
		(CML) (Bankr. S.D. Tex. 2023)	
17	6/14/2021	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 26) from	
		In re Washington Prime Grp.	
		<i>Inc.</i> , No. 21-31948 (MI) (Bankr.	
		S.D. Tex.)	
18	6/25/2021	Notice of UCC Appointment	Yes
		(ECF No. 168) from In re	
		Washington Prime Grp. Inc., No.	
		21-31948 (MI) (Bankr. S.D. Tex.)	

19	5/15/2020	First Day Declaration (with	Yes
1)	3/13/2020	relevant RSA) (ECF No. 14) from	105
		In re Ultra Petroleum Corp., No.	
		20-32631 (MI) (Bankr. S.D. Tex.	
		2020)	
20	5/29/2020	Notice of UCC Appointment	Yes
		(ECF No. 174) from <i>In re Ultra</i>	
		Petroleum Corp., No. 20-32631	
		(MI) (Bankr. S.D. Tex. 2020)	
21	11/02/2020	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 3) from	
		In re CBL & Assocs. Prop., Inc.,	
		No. 20-35226 (DRJ) (Bankr. S.D.	
	11/12/2020	Tex. 2020)	
22	11/13/2020	Notice of UCC Appointment	Yes
		(ECF No. 204) from <i>In re CBL</i> &	
		Assocs. Prop., Inc., No. 20-35226	
22	C/15/2020	(DRJ) (Bankr. S.D. Tex. 2020)	Yes
23	6/15/2020	First Day Declaration (with	res
		relevant RSA) (ECF No. 18) from In re Extraction Oil & Gas, Inc.,	
		No. 20-11548 (CSS) (Bankr. D. Del. 2020)	
24	6/30/2020	Notice of UCC Appointment	Yes
24	0/30/2020	(ECF No. 155) from <i>In re</i>	105
		Extraction Oil & Gas, Inc., No.	
		20-11548 (CSS) (Bankr. D. Del.	
		2020)	
25	3/10/2020	First Day Declaration (with	Yes
		reference to relevant RSA) (ECF	
		No. 17) from <i>In re Foresight</i>	
		Energy LP, No. 20-41308 (KAS)	
		(Bankr. E.D. Mo. 2020)	
26	3/17/2020	Notice of UCC Appointment	Yes
		(ECF No. 157) from <i>In re</i>	
		Foresight Energy LP, No. 20-	
		41308 (KAS) (Bankr. E.D. Mo.	
		2020)	
27	4/6/2018	First Day Declaration (with	Yes
		relevant RSA) (ECF No. 6) from	
		In re Nine W. Holdings, Inc., No.	
		18-10947 (SCC) (Bankr.	
		S.D.N.Y. 2018)	

28	4/19/2018	Notice of UCC Appointment (ECF No. 126) from <i>In re Nine</i> W. Holdings, <i>Inc.</i> , No. 18-10947 (SCC) (Bankr. S.D.N.Y. 2018)	Yes
29	3/19/2018	First Day Declaration (with relevant RSA) (ECF No. 10) from <i>In re Claire's Stores, Inc.</i> , No. 18-10584 (MFW) (Bankr. D. Del. 2018)	Yes
30	3/27/2018	Notice of UCC Appointment (ECF No. 176) from <i>In re</i> <i>Claire's Stores, Inc.</i> , No. 18- 10584 (MFW) (Bankr. D. Del. 2018)	Yes
31	11/7/2018	First Day Declaration (with relevant RSA) (ECF No. 21) from <i>In re PetroQuest Energy, Inc.</i> , No. 18-36322 (DRJ) (Bankr. S.D. Tex. 2018)	Yes
32	11/20/2018	Notice of UCC Appointment (ECF No. 141) from <i>In re</i> <i>PetroQuest Energy, Inc.</i> , No. 18- 36322 (DRJ) (Bankr. S.D. Tex. 2018)	Yes
33	5/16/2016	First Day Declaration (with relevant RSA) (ECF No. 22) from <i>In re SandRidge Energy, Inc.</i> , No. 16-32488 (DRJ) (Bankr. S.D. Tex. 2016)	Yes
34	6/3/2016	Notice of UCC Appointment (ECF No. 173) from <i>In re</i> SandRidge Energy, <i>Inc.</i> , No. 16- 32488 (DRJ) (Bankr. S.D. Tex. 2016)	Yes