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Co-Counsel to Wilmington Trust, N.A., in its capacity as Indenture Trustee

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

In re:

ENVIVA, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 24-10453 (BFK)
)
) (Jointly Administered)
)

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

Wilmington Trust, N.A., as the indenture trustee (“Wilmington Trust” or the “Epes Green Bonds Trustee”) for the Exempt Facilities Revenue Bonds (Enviva Inc. Project), Series 2022 (Green Bonds) (the “Epes Green Bonds” and the holders thereof, the “Epes Green Bondholders”) under the Epes Green Bonds Indenture,² and the Office of the United States Trustee (the “U.S. Trustee” and, together with the Epes Green Bonds Trustee, the “Parties”), by and through their undersigned counsel, hereby enter into this stipulation (the “Stipulation”) for the admission of

¹ Due to the large number of Debtors in these jointly administered chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list 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.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Reconstitution Motion or the *Declaration of Glenn Nunziata in Support of Chapter 11 Petitions* [ECF No. 27] (the “First Day Declaration”), as applicable.



certain joint exhibits into evidence at the hearing to be held May 9, 2024 at 2:00 pm (prevailing Eastern Time) (the “Hearing”) in connection with (A) the *Motion of the Successor Indenture Trustee for the 6.500% Senior Notes Due 2026 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] (the “Reconstitution Motion”), and (B) the Epes Green Bonds Trustee’s *Statement in Support of the Reconstitution Motion and Supplemental Statement*, among other things, requesting that the Epes Green Bonds Trustee be appointed to the Committee [ECF Nos. 228, 334] (together, the “Epes Green Bonds Statements”):

RECITALS

A. Pursuant to the Local Rules of Bankruptcy Procedure, the Parties met and conferred regarding exhibits that be 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 or relating to this Stipulation.

Dated: May 8, 2024

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ Thomas J. McKee, Jr.

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Indenture Trustee for the Epes Green Bonds*

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Dated: May 8, 2024

Respectfully submitted,

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

By: /s/ Nicholas S. Herron

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EXHIBIT A

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

Joint Ex. No.	Date	Exhibit Description	Identified	Admitted
1	5/07/2024	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) (" <u>Nunziata Decl.</u> ")		Yes
3	3/12/2024	Bond Green Bond Restructuring Support Agreement Dated March 12, 2024 (Exhibit B to Nunziata Decl.) (ECF No. 27)		Yes
4	3/12/2024	Enviva Inc. Restructuring Support Agreement Dated March 12, 2024 (Exhibit C to Nunziata Decl.) (ECF No. 27)		Yes
5	7/01/2022	Indenture of Trust for Epes Green Bonds		Yes
6	7/01/2022	Loan and Guaranty Agreement for Epes Green Bonds		Yes
7	3/14/2024	Verified Statement of Ad Hoc Group of Creditors Pursuant to Bankruptcy Rule 2019 (ECF No. 50)		Yes
8	4/26/2024	Enviva Inc. Schedules D, E, and F (ECF No. 386)		Yes
9	3/25/2024	Notice of Appointment of Unsecured Creditors Committee filed by the United States Trustee (ECF No. 173)		Yes
10	3/20/2024	Enviva Inc. Unsecured Creditors Committee Solicitation Questionnaire submitted by the Epes Green Bonds Trustee (with Supplemental Statement)		Yes