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*Co-Counsel and Proposed Co-Counsel
to the Debtors and Debtors in Possession*

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

In re:

ENVIVA INC., *et al.*,Debtors.¹

Chapter 11

Case No. 24 – 10453 (BFK)

(Jointly Administered)

CONSENT ORDER GRANTING MOTIONS TO SEAL

Upon: (i) the *Motion for Authority to File Under Seal (I) Portions of the Supplemental Objection*; (II) *Portions of the Declaration of Mike Genereux*; and (III) *Certain Exhibits Submitted in Support of the Supplemental Objection Under Seal* [Docket Nos. 392 and 418] (the “***Motion to Seal – Supplemental Objection***”); and (ii) the *Motion for Authority to File Under Seal (I) the Motion in Limine*; and (II) *Exhibits submitted in Support of the Motion in Limine* [Docket Nos. 402 and 421] (the “***Motion to Seal – Motion in Limine***” and together with the Motion to Seal –

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.kcellc.net/enviva. The location of the Debtors' corporate headquarters is: 7272 Wisconsin Avenue, Suite 1800, Bethesda, MD 20814.



Supplemental Objection, the “**Motions**”), each filed by The Official Committee of Unsecured Creditors (the “**Committee**”), seeking to file certain documents and pleadings under seal; and it appearing that the Committee, the above-referenced debtors and debtors in possession (collectively, the “**Debtors**”) and the Office of the United States Trustee (the “**Trustee**”) have reached an agreement regarding the Motions; and the Court having jurisdiction to grant the relief requested herein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the relief requested herein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing the resolution reached herein is otherwise in the best interest of the Debtors’ estates; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED:

1. The Motions are granted in part and denied in part, each as more specifically set forth herein.
2. The following items shall be publicly filed on the docket by the Committee:
 - a. The Committee’s *Motion in Limine to Exclude Debtors’ Board Minutes and Materials as Evidence of Debtors’ Business Judgment* [Docket No. 400] (the “**Motion in Limine**”);
 - b. Exhibits 1 through 4 to the Motion in Limine;
 - c. The Committee’s unredacted *Supplemental Objection to Debtors’ Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Liens and Providing Superpriority Administrative Expense Claims, (III) Granting Adequate Protection to Prepetition Secured Parties, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief* [Docket No. 390] (the “**Supplemental DIP Objection**”)
 - d. Exhibits 4 and 7 to the Supplemental DIP Objection; and
 - e. The unredacted *Declaration of Mike Genereux in Support of the Supplemental DIP Objection* [Docket No. 391].

3. Exhibits 5, 6, and 8 through 11 to the Supplemental DIP Objection shall remain filed under seal and, to the extent not previously filed, shall only be filed with the Court under seal.

4. For purposes of resolving the Motions, the Committee does not object to the sealing of the documents identified as exhibit 5, 6, 8-11 to the Supplemental DIP Objection, but going forward, reserves all rights to challenge any confidentiality and attorney-eyes-only designations by the Debtors in any documents or information produced in this case.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: May 9 2024
Alexandria, Virginia

/s/ Brian F Kenney
THE HONORABLE BRIAN F. KENNEY
UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: May 9 2024

WE ASK FOR THIS:

/s/ Jeremy S. Williams

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SEEN AND AGREED:

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Office of the United States Trustee

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/Jeremy S. Williams