




CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed March 21, 2019


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re: § Chapter 11
§
ROCKIES REGION 2006 LIMITED §
PARTNERSHIP and ROCKIES REGION § Case No. 18-33513-sgj-11
2007 LIMITED PARTNERSHIP,¹ § (Jointly Administered)
§
Debtors. §

AGREED SCHEDULING ORDER

This Agreed Scheduling Order is entered into by and among (i) the above-captioned debtors and debtors in possession (the “Debtors”); (ii) the Dufresne Family Trust, the Schulein Family Trust, the Michael A. Gaffey and Joanne M. Gaffey Living Trust, March 2000, the Glickman Family Trust dated August 29, 1994, the William J. and Judith A. McDonald Living Trust dated April 16, 1991 (collectively, the “Plaintiffs”); and (iii) PDC Energy, Inc. (and together with the Debtors and Plaintiffs, the “Parties” or each individually a “Party”) regarding the following matters:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Rockies Region 2006 Limited Partnership (9573) and Rockies Region 2007 Limited Partnership (8835).

- Debtors' Application for Order (i) Authorizing the Retention of Harney Management Partners to Provide Responsible Party and Additional Personnel; (ii) Designating Karen Nicolaou as Responsible Party Effective as of the Petition Date; and (iii) Granting Related Relief [Docket No. 12] (the "Retention Application");
- Plaintiffs' Motion for Dismissal of Chapter 11 Case [Docket No. 85] (the "Motion to Dismiss"); and
- any other matters deemed appropriate by the Court.

(collectively, the "Pending Matters"). Upon the representations of counsel and for the reasons set forth on the record at the Scheduling Conference on March 20, 2019, it is hereby

ORDERED that an evidentiary hearing on the Pending Matters shall commence on June 20, 2019 at 9:30 a.m. central time at the U.S. Bankruptcy Court for the Northern District of Texas, Room 1428 Courtroom #1, 14th Floor, 1100 Commerce Street, Dallas, Texas 75242 (the "Evidentiary Hearing"); it is further

ORDERED that the deadline for any party to file an objection to the Motion to Dismiss and any reply to Plaintiffs' objection to the Retention Application [Docket No. 61] shall be April 5, 2019; it is further

ORDERED that the Parties shall submit written document requests or other written discovery on or before April 12, 2019. The Parties shall submit responses and objections to such written document requests and shall produce documents responsive to such written document requests in accordance with the applicable Federal Rules of Civil Procedure as made applicable hereto by Federal Rules of Bankruptcy Procedure, unless otherwise agreed to by the pertinent Parties; it is further

ORDERED that the Parties shall exchange initial witness lists on or before April 12, 2019, at 5:00 p.m.; it is further

ORDERED that the deadline for the Parties to designate experts, if any, and exchange

expert reports is April 22, 2019 at 5:00 p.m. Any rebuttal experts or rebuttal expert reports must be identified and exchanged on or before May 6, 2019 at 5:00 p.m.; it is further

ORDERED that all depositions of any party, including expert witnesses, if any, that will testify at the Evidentiary Hearing shall be concluded by June 7, 2019, unless the Parties agree otherwise; it is further

ORDERED that the Parties shall exchange final witness and exhibit lists and exchange copies of the exhibits by 12:00 p.m. ten (10) days prior to the Evidentiary Hearing. Any witness not previously identified shall be made available, to the extent the Party has such control over such witness, for deposition before the Evidentiary Hearing or such witness shall not be allowed to testify absent the consent of all Parties or permission of the Court; it is further

ORDERED that the Parties shall jointly prepare and file a joint pretrial order (“JPTO”) no later than seven (7) days prior to the Evidentiary Hearing. The JPTO shall be signed by counsel for all Parties and shall specify:

- (a) facts that are stipulated/agreed to and facts that are contested;
- (b) exhibits which (i) the Parties have stipulated are admissible; and (ii) the Parties have objected to as admissible and a summary of the basis for the objection(s) to admissibility; and
- (c) deposition designations, if any, which (i) the parties have stipulated are admissible; and (ii) the Parties have objected to as admissible and a summary of the basis for the objection(s) to admissibility.

The Parties may not, absent good cause shown, offer or introduce any witness or exhibit that was not disclosed in accordance with this Order, except for those used solely for impeachment. The Parties may, by agreement, submit supplemental witness and exhibits in advance of the Evidentiary Hearing; it is further

ORDERED that a courtesy copy of the JPTO and all exhibits shall be delivered to

chambers within one business day after the JPTO is filed. Any subsequent exhibits designated in accordance with the immediately preceding paragraph shall be delivered to the Court within one business day of such designation. Relevant portions of lengthy exhibits may be excerpted and highlighted; it is further

ORDERED that the Court will hold a status conference on May 29, 2019 at 1:30 p.m. at the U.S. Bankruptcy Court for the Northern District of Texas, Room 1428 Courtroom #1, 14th Floor, 1100 Commerce Street, Dallas, Texas 75242 (the “Status Conference”) to address any discovery disputes or other issues relating to the Evidentiary Hearing. Any Party seeking relief at the Status Conference must file a motion with the Court three (3) days prior to such Status Conference; it is further

ORDERED that Each Party may file a pre-hearing brief to any of the Pending Matters on or before 5:00 p.m. at least seven (7) days before the Evidentiary Hearing; it is further

ORDERED that, in the event the Motion to Dismiss is denied, a further status conference is hereby set for July 19, 2019 at 9:30 a.m. (the “Post-Hearing Status Conference”) to discuss the scheduling of the following matters:

- Disclosure Statement for Debtors’ Joint Chapter 11 Plan [Docket No. 58] (the “Disclosure Statement”);
- Debtors’ Motion for Order (i) Approving Disclosure Statement, (ii) Approving Form of Ballots and Solicitation Procedures, (iii) Scheduling certain dates in Connection with Confirmation, and (iv) Granting Related Relief [Docket No. 70] (the “Disclosure Statement Motion”);
- Debtors’ Motion Pursuant to Section 1121(d) of the Bankruptcy Code for Entry of (I) a Bridge Order Extending Exclusivity on an Interim Basis and (II) a Final Order Extending the Period Within Which the Debtors Have the Exclusive Right to Propose a Chapter 11 Plan and Solicit Acceptances Thereof [Docket No. 119] (the “Exclusivity Motion”); and

- any other matters deemed appropriate by the Court.

(collectively, the “Post-Hearing Matters”). The Post-Hearing Matters are hereby continued to the Post-Hearing Status Conference. All responses to the Post-Hearing Matters and related deadlines are abated and will be set at the Post-Hearing Status Conference; it is further

ORDERED that discovery rules set forth in Part VII of the Federal Rules of Bankruptcy Procedure shall apply to the disputes with respect to the Pending Matters; it is further

ORDERED that any changes to this Agreed Scheduling Order may be made by agreement of the Parties (other than changes to hearing dates or deadlines for filing any papers or pleadings with the Court, which must be approved by the Court). Each Party reserves the right to seek relief from the deadlines set forth in this Agreed Scheduling Order if an agreement cannot be reached among the Parties.

END OF ORDER

Agreed to and submitted by:

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GLICKMAN FAMILY TRUST DATED
AUGUST 29, 1994 THE WILLIAM J. AND
JUDITH A. MCDONALD LIVING TRUST
DATED APRIL 16, 1991**