

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,
et al.,

(Jointly Administered)

Debtors.¹

In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3567-LTS

THE PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY (HTA),

Debtor.

[Caption continued on next page]

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); and (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of Federal Tax ID: 8474).

In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3566-LTS

THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO (ERS),

Debtor.

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ORDER AND NOTICE OF PRELIMINARY DESIGNATION OF MEDIATION TEAM
SETTING DEADLINE FOR OBJECTIONS TO MEMBERSHIP

Pursuant to 11 U.S.C. § 105, made applicable to these cases by section 301 of PROMESA, 48 U.S.C. § 2161, and to further the goal of the successful, consensual resolution of the issues raised in these debt adjustment proceedings, the Court hereby announces that it has designated a team of distinguished sitting federal judges who will be available to facilitate confidential settlement negotiations of any and all issues and proceedings arising in these cases. Each of these dedicated public servants has substantial judicial and other professional experience in complex financial matters, including insolvency proceedings, and will be designated, through the intercircuit assignment procedures of the Judicial Conference of the United States, to serve as a judicial mediator as needed in these cases.

The Mediation Team is led by Chief Judge Barbara Houser of the United States Bankruptcy Court for the Northern District of Texas. Judge Houser is joined by Circuit Judge Thomas Ambro of the United States Court of Appeals for the Third Circuit, Senior District Judge Nancy Atlas of the United States District Court for the Southern District of Texas, Bankruptcy Judge Christopher Klein of the United States Bankruptcy Court for the Eastern District of California, and Senior District Judge Victor Marrero of the United States District Court for the Southern District of New York. More detailed biographies of the mediators are attached to this Order and Notice.

Judge Houser will explain the mediation process in further detail at the Omnibus Hearing on June 28, 2017, in San Juan, Puerto Rico. Thereafter, the Mediation Team will identify the issues to be addressed and the sequence in which those issues will be addressed after

consulting with all interested parties and after considering confidential mediation statements that will be requested from the parties. Mediation sessions will be held as necessary, and both the participants and the mediators will be bound by confidentiality. Participation in mediation sessions will be voluntary, although all interested parties will be required to engage in good faith in preliminary discussions with representatives of the Mediation Team and in the submission of confidential mediation statements, which will allow the Mediation Team to develop a list of issues to be addressed in mediation and the sequence in which those issues will be addressed after assessing the relative priority of the issues to a resolution of the cases.

In order to insure the integrity of both the adjudicative process and the mediation process, the undersigned, as the judge presiding over these Title III cases and related proceedings, will not participate in the mediation process and the mediators will not provide any information about the positions taken by parties, or the substance of the mediation process, to the undersigned. The mediation process will remain confidential and separate from, and will proceed concurrently with, the adjudication of issues and proceedings in these Title III cases.

Any party in interest having an objection to the appointment of any member or members of the Mediation Team must lodge such objection confidentially, in writing, with the undersigned via email addressed to swaindprcorresp@nysd.uscourts.gov, no later than **June 20, 2017**. **Objections must not be filed on the public docket.** The objection must state the reason for the objection and provide all relevant supporting material, if any. The undersigned will consider any timely objections and submissions and will make the final appointment of Mediation Team members prior to the June 28, 2017 Omnibus Hearing. No objections will be shared with any member of the Mediation Team.

Pursuant to Local Civil Rule 1(f) of the United States District Court for the District of Puerto Rico, this Order suspends the Court's Local Civil Rule 83J for the specific Title III cases captioned above and their related adversary proceedings.

SO ORDERED.

Dated: June 14, 2017

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge