

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
Lisa Laukitis
One Manhattan West
New York, New York 10001
Telephone: (212) 735-3000
Fax: (212) 735-2000

– and –

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM (UK) LLP
Peter Newman
Kathlene M. Burke
40 Bank Street
Canary Wharf
London E14 5DS
Telephone: +44 20 7519 7000
Fax: +44 20 7519 7070

Justin M. Winerman (admitted *pro hac vice*)
Anthony R. Joseph (admitted *pro hac vice*)
155 North Wacker Drive
Chicago, Illinois 60606-1720
Telephone: (312) 407-0700
Fax: (312) 407-0411

Counsel to the Foreign Representatives

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

MARKEL CATCO REINSURANCE FUND
LTD., *et al.*,

Debtors in Foreign Proceedings.¹

Chapter 15

Case No. 21-11733 (LGB)

(Jointly Administered)

AGENDA FOR NOVEMBER 4, 2021 HEARING
REGARDING RECOGNITION OF FOREIGN MAIN PROCEEDINGS

¹ The Debtors are Bermuda companies registered with the Registrar of Companies in Bermuda. The Debtors' respective registration numbers are as follows: Markel CATCo Reinsurance Fund Ltd. (50599); CATCo Reinsurance Opportunities Fund Ltd. (44855); Markel CATCo Investment Management Ltd. (50576); Markel CATCo Re Ltd. (50602). Each of the Debtors has its registered office located at Crawford House, 50 Cedar Avenue, Hamilton HM11, Bermuda.

Time and Date of Hearing: November 4, 2021 at 10:00 a.m. (prevailing Eastern Time).

Please take notice that the Recognition Hearing will be conducted remotely using Zoom video. Any parties wishing to appear at the Recognition Hearing must follow the procedures set forth in the *Protocol for Judge Beckerman's Hearing Being Held by Zoom Video on November 4, 2021*, attached hereto as **Exhibit A**.

Location of Hearing: The Honorable Judge Lisa G. Beckerman
United States Bankruptcy Court
for the Southern District of New York
Alexander Hamilton Custom House
One Bowling Green, Courtroom 601
New York, New York 10004

Copies of Pleadings: Copies of the Verified Petition and other filings in this case may be obtained free of charge by visiting the case website at <https://catcobuyout.alixpartners.com>. You may also obtain copies of any pleadings by visiting the Bankruptcy Court's website at <http://ecf.nysb.uscourts.gov> (a PACER login and a password are required to retrieve a document), or upon written request to the Foreign Representative's United States counsel addressed to: Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, NY 10001, Attn: Lisa Laukitis *and* 155 North Wacker Drive, Chicago, Illinois 60606-1720, Attn: Justin M. Winerman and Anthony R. Joseph.

I. Uncontested Matters Going Forward:

1. ***Verified Petition.*** Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representatives, and (III) Certain Related Relief [Docket No. 2]

Objection Deadline: October 28, 2021, at 4:00 p.m. (prevailing Eastern Time)

Responses Received: None

Related Documents:

- A. Chapter 15 Petition for Recognition of Foreign Proceeding for Markel CATCo Reinsurance Fund Ltd. [Case No 21-11733, Docket No. 1]
- B. Chapter 15 Petition for Recognition of Foreign Proceeding for CATCo Reinsurance Opportunities Fund Ltd. [Case No 21-11734, Docket No. 1]
- C. Chapter 15 Petition for Recognition of Foreign Proceeding for Markel CATCo Investment Management Ltd. [Case No 21-11735, Docket No. 1]
- D. Chapter 15 Petition for Recognition of Foreign Proceeding for Markel CATCo Re Ltd. [Case No 21-11736, Docket No. 1]
- E. Motion for Entry of an Order (I) Directing Joint Administration of the Debtors' Chapter 15 Cases and (II) Authorizing the Foreign Representatives to File Consolidated Lists of Information [Docket No. 3]
- F. Declaration of Kehinde George in Support of the Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representatives, and (III) Certain Related Relief [Docket No. 4]
- G. Declaration of Simon Appell in Support of the Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representatives, and (III) Certain Related Relief [Docket No. 5]
- H. Motion for Entry of an Order (I) Scheduling Recognition Hearing and (II) Specifying Form and Manner of Service of Notice of the Notice Documents and Other Documents Filed in the Chapter 15 Cases [Docket No. 8]
- I. Order (I) Directing Joint Administration of the Debtors' Chapter 15 Cases and (II) Authorizing the Foreign Representatives to File Consolidated Lists of Information [Docket No. 9]

- J. Order (I) Scheduling Recognition Hearing and (II) Specifying Form and Manner of Service of Notice of the Notice Documents and Other Documents Filed in the Chapter 15 Cases [Docket No. 12]
- K. Notice of Filing and Hearing on the Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representatives, and (III) Certain Related Relief [Docket No. 13]
- L. Certificate of Service [Docket No. 14]
- M. Notice of Publication of Recognition Hearing Notice [Docket No. 15]
- N. Notice of Commencement of Schemes [Docket No. 16]
- O. Amended Notice of Filing and Hearing on the Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representatives, and (III) Certain Related Relief [Docket No. 17]
- P. Certificate of Service [Docket No. 19]

[Remainder of Page Intentionally Left Blank]

Status: The hearing on this matter is going forward.

Dated: November 3, 2021
New York, New York

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP

/s/ Lisa Laukitis

Lisa Laukitis
One Manhattan West
New York, New York 10001
Telephone: (212) 735-3000
Fax: (212) 735-2000

– and –

Justin M. Winerman (admitted *pro hac vice*)
Anthony R. Joseph (admitted *pro hac vice*)
155 North Wacker Drive
Chicago, Illinois 60606-1720
Telephone: (312) 407-0700
Fax: (312) 407-0411

– and –

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM (UK) LLP

Peter Newman
Kathlene M. Burke
40 Bank Street
Canary Wharf
London E14 5DS
Telephone: +44 20 7519 7000
Fax: +44 20 7519 7070

Counsel to the Foreign Representatives

EXHIBIT A

Protocol for Judge Beckerman's Hearing Being Held by Zoom Video on November 4, 2021

**PROTOCOL FOR JUDGE BECKERMAN'S HEARING BEING HELD BY ZOOM
VIDEO ON NOVEMBER 4, 2021**

This Court will hold a hearing by Zoom video (the "Hearing") for all matters on the docket scheduled to be heard on November 4, 2021 at 10:00 a.m. (ET). Pursuant to Rule 43 of the Federal Rules of Civil Procedure, made applicable here by Rule 9017 of the Federal Rules of Bankruptcy Procedure, the current COVID-19 pandemic provides good cause in compelling circumstances to allow this Hearing to be conducted remotely using audio and video conferencing solutions. Accordingly, pursuant to this Court's General Order M-543 regarding the COVID-19 pandemic, and after due deliberation, this Court adopts the following virtual hearing procedures which provide appropriate safeguards in relation to the Hearing.

PROCEDURES

1. **Audio and Videoconferencing Solutions.** The Hearing shall take place virtually using both audio and videoconferencing solutions as set forth herein. The Court shall utilize Zoom for Government (for audio and video purposes). The Zoom link shall be provided by the Court to the list of persons identified by the parties as Zoom participants in accordance with Section 2 below, and to other attorneys, parties in interest, or members of the public who provide notice to the Court in accordance with Section 3 below.

2. **Prior Notice of Intent to use Zoom.** All attorneys appearing before the Court must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than **4:00 p.m. one business day before the Hearing**. The Court will circulate the Zoom link to such persons by email shortly after 4:00 p.m. one business day before the Hearing. Parties will not be admitted to the Hearing if registration is received after 4:00 p.m. one business day before the Hearing. Parties are strictly forbidden from circulating or sharing the Zoom link.

3. **Attendance at the Hearing by Other Attorneys, Parties in Interest, and the Public.** All other attorneys, parties in interest, or members of the public who wish to hear or observe the Hearing must register for the Hearing through the Electronic Appearance Portal located on the Court's website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than 4:00 p.m. (ET) one business day before the Hearing. Parties shall indicate that they are requesting listen-only access when registering their appearance. Failure to register by the

specified deadline will result in the party not being admitted to the Hearing. The Court will circulate by email prior to the Hearing the Zoom link to such persons who wish to hear or observe the Hearing via Zoom. Parties are strictly forbidden from circulating or sharing the Zoom link.

4. **Courtroom Formalities.** Although being conducted using audio and videoconferencing on Zoom, the Hearing constitutes a court proceeding, and any recording other than the official court version is prohibited. No participant or attendee of the Hearing may record images or sounds of the Hearing from any location. All parties appearing before the Court must situate themselves in such a manner as to be able to view the video screen and be seen by the Court. For purposes of this Hearing, the formalities of a courtroom must be observed, except that the Court will permit counsel in this Hearing to be attired in business casual clothing.

5. **Submission of Exhibits to Court.** If any of these parties intend to offer any exhibits at the Hearing, such party shall provide the Court (and file on ECF) a copy of the exhibits it will seek to use during the Hearing (either by offering it in evidence or using it for demonstrative purposes) no later than the deadline set forth in Judge Beckerman's Chambers Rules or the applicable scheduling or pretrial order but in any event at least 24 hours before the Hearing.

6. **Checking in for Hearing.** Because of the Court's security requirements for participating in a Zoom for Government audio and video hearing, all persons seeking to attend the Hearing must connect to the Hearing beginning half an hour prior to the scheduled start of the Hearing. Failure to connect to the Hearing at the indicated time may result in significant delays to the start of the Hearing. When signing into Zoom for Government, participants must type in the first and last name that will be used to identify them at the hearing, and the party they represent (*i.e.*, Jane Doe, Debtor's Counsel). Participants that type in only their first name, a nickname, or initials will not be admitted into the hearing. When seeking to connect for video participation in a Zoom for Government hearing, participants will first enter a waiting room ("Waiting Room") in the order in which the participants seek to connect. Court personnel will admit each person to the Hearing from the Waiting Room after confirming the person's name (and telephone number, if a telephone is used to connect) provided to the Court in accordance

with Sections 2 and 3 above. You may experience a delay in the Waiting Room before you are admitted to the Hearing. Once admitted, please turn off video and mute the microphone on Zoom until the matter is called by the Court.

7. **Retention of Jurisdiction.** The Court retains jurisdiction with respect to all matters arising from or related to these procedures.