

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re

BURGESS BIOPOWER, LLC, *et al.*<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-10235 (LSS)

(Jointly Administered)

**NOTICE OF RESCHEDULED CONFIRMATION HEARING, MODIFIED  
CONFIRMATION KEY DATES AND DEADLINES**

**PLEASE TAKE NOTICE** that on April 15, 2024, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered the *Order (A) Approving the Adequacy of the Disclosure Statement; (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the First Amended Joint Plan of Reorganization of Burgess BioPower, LLC and Berlin Station, LLC; (C) Approving the Forms and Ballots and Notices in Connection Therewith; (D) Scheduling Certain Dates with Respect Thereto; and (E) Granting Related Relief* [D.I. 320] (the “Disclosure Statement Order”) <sup>2</sup> in the Chapter 11 Cases of the above-captioned debtors and debtors in possession (the “Debtors”). The Disclosure Statement Order, among other things, established certain dates and deadlines that govern the confirmation process (the “Confirmation Dates”).

**PLEASE TAKE FURTHER NOTICE** that the Debtors, in an exercise of their rights pursuant to the Disclosure Statement Order and in consultation with the Senior Secured Lenders,

---

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number are: Burgess BioPower, LLC (0971) and Berlin Station, LLC (1913). The Debtors’ corporate headquarters are located at c/o CS Operations, Inc., 631 US Hwy 1, #300, North Palm Beach, FL 33408.

<sup>2</sup> Capitalized terms used and not defined herein shall have the meanings ascribed to them in the Disclosure Statement Order.

hereby modify certain Confirmation Dates (the “Modified Confirmation Dates”) with respect to the confirmation of the *First Amended Joint Plan of Reorganization of Burgess BioPower, LLC and Berlin Station, LLC* [D.I. 311] as follows:

Event or Deadline	Modified Date and Time
Plan Reply to Objections Deadline	June 3, 2024 at 4:00 p.m. (ET)
Deadline to File Confirmation Brief	June 3, 2024 at 4:00 p.m. (ET)
Confirmation Hearing	June 6, 2024 at 2:00 p.m. (ET)

**PLEASE TAKE FURTHER NOTICE** that the Debtors reserve their right to further modify any of the Modified Confirmation Dates in accordance with the Disclosure Statement Order.

**PLEASE TAKE FURTHER NOTICE** that a copy of the Disclosure Statement Order and all other pleadings filed in these Chapter 11 Cases are available, free of charge, from the website of the Court-appointed claims agent, Epiq: <https://dm.epiq11.com/case/burgess/info>.

Dated: May 15, 2024  
Wilmington, Delaware

/s/ Katharina Earle

Katharina Earle (No. 6348)  
**GIBBONS P.C.**  
300 Delaware Avenue, Suite 1015  
Wilmington, Delaware 19801  
Telephone: (302) 518-6300  
Email: kearle@gibbonslaw.com

-and-

Robert K. Malone (admitted *pro hac vice*)  
Kyle P. McEvilly (admitted *pro hac vice*)  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102

Kenneth S. Leonetti (admitted *pro hac vice*)  
**FOLEY HOAG LLP**  
155 Seaport Boulevard  
Boston, Massachusetts 02210  
Telephone: (617-)832-1000  
Email: ksl@foleyhoag.com

-and-

Alison D. Bauer (admitted *pro hac vice*)  
William F. Gray, Jr. (admitted *pro hac vice*)  
Jiun-Wen Bob Teoh (admitted *pro hac vice*)  
**FOLEY HOAG LLP**  
1301 Avenue of the Americas, 25<sup>th</sup> Floor

Telephone: (973) 596-4500  
Email: rmalone@gibbonslaw.com  
kmcevilly@gibbonslaw.com

*Attorneys for Debtors Burgess BioPower,  
LLC and Berlin Station, LLC*

New York, New York 10019  
Telephone: (212) 479-6000  
Email: abauer@foleyhoag.com  
wgray@foleyhoag.com  
jteoh@foleyhoag.com

*Attorneys for Debtors Burgess BioPower,  
LLC and Berlin Station, LLC*