

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

In re

BURGESS BIOPOWER, LLC, *et al.*¹

Debtors.

Chapter 11

Case No. 24-10235 (LSS)

(Jointly Administered)

**NOTICE OF RESCHEDULED SALE HEARING
AND CONFIRMATION HEARING**

PLEASE TAKE NOTICE that on March 25, 2024, the United States Bankruptcy Court for the District of Delaware (the “Court”) entered the *Order (I) Approving Bid Procedures Relating to the Sale of All or Substantially All of the Debtors' Assets; (II) Scheduling a Hearing to Consider the Sale; (III) Approving the Form and Manner of Notice of Sale by Auction; (IV) Establishing Procedures for the Assumption and/or Assumption and Assignment of Contracts and Leases and Approving the Form and Manner of Notice Thereof; and (V) Granting Related Relief* [D.I. 288] (the “Bid Procedures Order”) in the chapter 11 cases of the above-captioned debtors and debtors in possession (the “Debtors”).

PLEASE TAKE FURTHER NOTICE that on April 15, 2024, 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;*

¹ 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.

and (E) Granting Related Relief [D.I. 320] (the “Disclosure Statement Order” and together with the Bid Procedures Order, the “Orders”).²

PLEASE TAKE FURTHER NOTICE that the Debtors, in an exercise of their rights pursuant to the Bid Procedures Order and in consultation with the Senior Secured Lenders, have rescheduled the Sale Hearing from a date to be determined to **July 12, 2024 at 11:00 a.m. (ET)**.

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, have rescheduled the Confirmation Hearing from a date to be determined to **July 12, 2024 at 11:00 a.m. (ET)**.

PLEASE TAKE FURTHER NOTICE that the Sale Hearing and Confirmation Hearing will commence on **July 12, 2024 at 11:00 a.m. (ET)**, before the Honorable Laurie Selber Silverstein, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6th Floor, Courtroom No. 2, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that, in accordance with the Orders, the Debtors reserve their right to modify all dates and deadlines set forth therein.

PLEASE TAKE FURTHER NOTICE that a copy of the Bid Procedures Order, 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>.

² Capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Bid Procedures Order and Disclosure Statement Order, as applicable.

Dated: June 20, 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

Telephone: (973) 596-4500

Email: rmalone@gibbonslaw.com

kmcevilly@gibbonslaw.com

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

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, 25th Floor

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*