

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

THE GOVERNMENT DEVELOPMENT
BANK FOR PUERTO RICO,

Applicant.

PROMESA

Title VI

Case No. 18-1561-LTS

ORDER SETTING FURTHER PROCEDURES FOR THE QUALIFYING MODIFICATION HEARING

The Court has received and reviewed the Joint Report (Docket Entry No. 246) filed by Siemens Transportation Partnership Puerto Rico, S.E. (“Siemens”), the Government Development Bank for Puerto Rico (“GDB”), and the Puerto Rico Fiscal Agency & Financial Advisory Authority (“AAFAF”). In connection with the objection filed by Siemens to the proposed Qualifying Modification (Docket Entry No. 192), the Joint Report (i) identifies the disputed issues material fact, (2) provides a list of witnesses that the parties wish to present at the November 6, 2018 hearing on GDB’s application for approval of the proposed Qualifying Modification (the “Hearing”); and (3) sets forth their expectations as to the time allocations for the Hearing. GDB’s objection to the presentation of testimony by José (“Pepe”) Espada is hereby sustained.

The parties are hereby directed to file on CM/ECF, no later **than Sunday, November 4, 2018 at 12:00 p.m. (Atlantic Time)**, copies of all exhibits and testimonial materials the parties intend to introduce at the Hearing (including all documents, affidavits, declarations and deposition excerpts constituting direct the testimony of the witnesses listed on Paragraph 6 of Joint Report). In addition, such filing must include all such materials related to the objection filed by Fidelity and Deposit Company of Maryland and Zurich American Insurance Company (Docket Entry No. 203). The parties must also deliver two (2) bound copies and one (1) electronic copy of such materials on a DVD-R or CD to the Puerto Rico Chambers of the Honorable Laura Taylor Swain by **Monday, November 5, 2018 at 9:00 a.m. (Atlantic Time)** at the following address:

United States District Court for the District of Puerto Rico
150 Carlos Chardón Street
Federal Building, Office 150
San Juan, P.R. 00918-1767

The Court will review the testimonial materials in advance of the Hearing. The live testimonial presentation will be limited cross-examination and redirect examination of José Santiago Ramos in connection with the Siemens objection, as requested in the Joint Report and any such examination requirements identified in the forthcoming joint status report concerning the Fidelity/Zurich objection.

Following the presentation of evidence and argument on the objections to the proposed Qualifying Modification, the Court will hear up to **10 minutes** of remarks concerning the stipulation resolving the Unsecured Creditors Committee's objection to the Qualifying Modification motion, and will then hear general oral argument on the merits of the Qualifying Modification application. Counsel for the proponent will be allocated **45 minutes** for the presentation of such argument.

The Hearing will be conducted on Tuesday November 6, 2018, from 10:00 a.m. to 12:00 p.m., and from 1:00 p.m. to 5:00 p.m. (Atlantic Time), in Courtroom 3.

The parties are hereby directed to review the procedures outlined by the U.S. District Court for the District of Puerto Rico regarding the Jury Evidence Recording System (JERS). Such procedures are available on the following website:
https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/ajax/JERS_PROMESA.pdf

SO ORDERED.

Dated: November 2, 2018

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