

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.<sup>1</sup>

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3567-LTS  
(Joint Administration Requested)

THE PUERTO RICO HIGHWAYS AND  
TRANSPORTATION AUTHORITY (HTA),

Debtor.

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*[Caption continued on next page]*

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<sup>1</sup> 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).

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3566-LTS  
(Joint Administration Requested)

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

Debtor.

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ORDER APPOINTING MEDIATION TEAM

No objections have been received to the appointment of any of the proposed members of the Mediation Team for these Title III cases and related proceedings, as announced in the Court's June 14, 2017, order and notice of the preliminary designation of the Mediation Team. A concern was raised concerning the availability of appropriate substantive expertise to the Mediation Team through the appointment of advisors or otherwise; necessary resources will be made available to the Mediation Team.

Accordingly, pursuant to 11 U.S.C. § 105, made applicable to these Title III cases and related proceedings 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 appoints the following Mediation Team for these Title III cases and related proceedings, and for each additional Title III case filed for any affiliate of the Commonwealth of Puerto Rico and proceedings related to such additional Title III cases, if any (collectively, the "Title III cases and proceedings"). Each of the members of this team, which is appointed to facilitate confidential settlement negotiations of any and all issues and proceedings arising in the Title III cases and proceedings, has been designated through the intercourt assignment procedures of the Judicial Conference of the United States to serve as a judicial mediator as needed in the Title III cases and proceedings through December 22, 2017, with potential for renewal as needed.

The Honorable Barbara Houser, Mediation Team Leader  
Chief Bankruptcy Judge  
United States Bankruptcy Court for the Northern District of Texas

The Honorable Thomas Ambro  
United States Circuit Judge  
United States Court of Appeals for the Third Circuit

The Honorable Nancy Atlas  
Senior United States District Judge  
United States District Court for the Southern District of Texas

The Honorable Victor Marrero  
Senior United States District Judge  
United States District Court for the Southern District of New York

The Honorable Christopher Klein  
United States Bankruptcy Judge  
United States Bankruptcy Court for the Eastern District of California

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 members of the Mediation Team and in the submission of confidential mediation statements. This 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. The members of the Mediation Team may issue orders as necessary to facilitate their work with parties in interest in accordance with these principles.

In order to insure the integrity of both the adjudicative process and the mediation process, the undersigned, as the judge presiding over the Title III cases and 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 the Title III cases and proceedings.

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First appeared as part of the conference materials for the  
41<sup>st</sup> Annual Jay L. Westbrook Bankruptcy Conference session  
"Judicial Mediation"