

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	Chapter 11
)	
Benitago Inc., <i>et al.</i> , ¹)	Case No. 23-11394 (SHL)
)	
Debtors.)	Jointly Administered
)	

ORDER AUTHORIZING THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF BENITAGO INC., ET AL. TO RETAIN AND EMPLOY DECHERT LLP AS COUNSEL EFFECTIVE AS OF SEPTEMBER 19, 2023

Upon consideration of the application (the “Application”)² of the Official Committee of Unsecured Creditors (the “Committee”) of Benitago Inc., *et al.* (collectively, the “Debtors”) for entry of an order, pursuant to sections 328(a) and 1103(a) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 2014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and Rule 2014-1 of the Local Bankruptcy Rules for the Southern District of New York (the “Local Rules”), authorizing the Committee to retain and employ Dechert LLP (“Dechert”) as counsel in connection with the Debtors’ chapter 11 cases (the “Chapter 11 Cases”), and upon the declaration of Douglas Mannal, a partner in the financial restructuring group of Dechert, dated October 13, 2023 (the “Mannal Declaration”) and the declaration of Stefana Veronica Sticlaru, in her capacity as authorized representative of the Committee, dated

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: Benitago, Inc. (4084); Acrux LLC (9391); Aludra Limited (4147); Algedi LLC (3835); Biham LLC (4095); Canopus LLC (8124); Denebola LLC (5430); Errai LLC (7652); Felis LLC (4176); Ginan LLC (2439); Hamal LLC (1775); Izar LLC (6010); Jabbah LLC (0658); Kamuy LLC (8461); Lich LLC (2892); Maasym LLC (9332); Nusakan LLC (1861); Okab LLC (6499); Phact LLC (3663); Chechia LLC (N/A); Dalim LLC (4741); Segin LLC (8849); Taiyi LLC (N/A); Veritate LLC (6416); Wazn LLC (7193); Yildun LLC (3017); Bharani LLC (1732); Alhena LLC (7613); and Revati LLC (0170). The location of the Debtors’ service address for purposes of these chapter 11 cases is: 1 Liberty Street, Ste. 320, New York, New York 10006.

² Each capitalized term used but not otherwise defined herein shall have the meaning ascribed to it in the Application.

October 14, 2023 (the “Sticlaru Declaration” and, together with the Mannal Declaration, the “Declarations”); and it appearing that the attorneys of Dechert who will perform services on behalf of the Committee in the Chapter 11 Cases are duly qualified to practice before this Court; and this Court finding, based on the representations made in the Application and the Declarations, that Dechert does not hold or represent any interest adverse to the Debtors’ estates with respect to the matters upon which it is to be engaged, that it is a “disinterested person” as defined in section 101(14) of the Bankruptcy Code, and that Dechert does not represent any entity having an adverse interest in connection with the case as required by section 1103 of the Bankruptcy Code; and finding that adequate notice of the Application having been given; and it appearing that no other notice need be given; and after due deliberation and sufficient cause appearing therefore, it is hereby **ORDERED THAT**:

1. The relief requested in the Application is granted as set forth herein;
2. In accordance with Bankruptcy Code sections 328(a) and 1103(a), Bankruptcy Rule 2014(a) and Local Bankruptcy Rule 2014-1 the Committee is hereby authorized and empowered to retain and employ Dechert as its counsel to represent it in these cases under chapter 11 of the Bankruptcy Code on the terms set forth in the Application and the Declarations, effective as of September 19, 2023;
3. Dechert shall be compensated in accordance with the procedures set forth in Bankruptcy Code sections 330 and 331, the applicable Bankruptcy Rules, the applicable Local Rules and any other applicable order of the Court. Subject to the Court’s approval, Dechert shall be compensated for its services and reimbursed for its reasonable and necessary expenses in accordance with the ordinary and customary rates in effect on the date the services are rendered or expenses incurred. Dechert shall maintain detailed, contemporaneous records of time

expended and expenses incurred in connection with rendering legal services to the Committee. For the avoidance of doubt, under no circumstances shall any of the compensation or expense reimbursement obligations approved by the Court be an obligation of, or paid by, the Committee or any of its members;

4. In connection with any increases in Dechert's rates, Dechert shall provide ten (10) business days' notice to the Committee, the Debtors, and the U.S. Trustee prior to filing a fee statement or fee application reflecting an increase in such rates and shall file such notice with the Court. The notice shall set forth the requested rate increases, explain the basis for the requested rate increases, and certify that the Committee has consented to the requested rate increases. The U.S. Trustee shall retain all rights to object to any rate increase on all grounds, including the reasonableness standard set forth in section 330 of the Bankruptcy Code, and the Court retains the right to review any rate increase pursuant to section 330 of the Bankruptcy Code;

5. The Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application;

6. To the extent any provision of the Application is inconsistent with this Order, the terms of this Order shall govern;

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry; and

8. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: November 22, 2023
White Plains, New York

/s/ Sean H. Lane
THE HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE

NO OBJECTION:

UNITED STATES TRUSTEE
Region 2

By: /s/ Richard C. Morrissey
Richard C. Morrissey
Trial Attorney
October 27, 2023