

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

IN RE:

WHISTLER ENERGY II, LLC,

DEBTOR.

CASE NO. 16-10661

SECTION B

CHAPTER 11

**NOTICE OF OCCURRENCE OF THE EFFECTIVE DATE
UNDER CONFIRMED PLAN**

NOW INTO COURT, through undersigned counsel, come Apollo Franklin Partnership, L.P., Apollo Centre Street Partnership, L.P., Apollo Special Opportunities Managed Account, L.P., Apollo Credit Opportunity Fund III AIV I LP, ANS Holdings (WE), Ltd., and Apollo Management, L.P. (collectively "Apollo"), Whistler Energy II, LLC ("Debtor" or "Whistler"), and the Official Committee of Unsecured Creditors (the "Committee"), who respectfully provide notice of the occurrence of the Effective Date under the *Chapter 11 Plan of Reorganization of Whistler Energy II, LLC Dated October 19, 2016 with Immaterial Modifications* (the "Confirmed Plan") (ECF Doc. 529), confirmed by order of this court ("Confirmation Order") on January 25, 2017 (ECF Doc. 552), as follows:

1. The Confirmed Plan provides a definition of the Effective Date,¹ as follows: "**Effective Date** means the first Business Day that is at least one (1) full Business Day after the Confirmation Order becomes a Final Order and all conditions precedent to the Effective Date have been consummated or waived."

2. On May 12, 2017, all documents and agreements necessary to implement the Confirmed Plan, including all documents related to the Exit Facility and the Litigation Trust,

¹ Unless otherwise defined in this motion the capitalized terms shall have the same meaning as they have in the Confirmed Plan.

were executed and delivered. Additionally, *Nabors Offshore Corporation's (A) Motion for Allowance of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b) for (I) Unpaid Services and Equipment Provided to the Debtor Post-Order for Relief and (II) Demobilization-Related Costs and (B) Gap Period Claim* (ECF Doc. 354) and Apollo's *Objection to Claim No. 48 Filed by Nabors Offshore Corporation* (ECF Doc. 438) were resolved by Final Order (ECF Doc. 600) dated April 17, 2017, wherein this Court granted in part and denied in part Nabors' administrative and gap period claims, and in connection with which this Court denied reconsideration on May 4, 2017 (ECF Doc. 608).

3. Apollo, Whistler and the Committee are satisfied, as of now, that all conditions precedent to the occurrence of the Effective Date have occurred.

4. May 15, 2017 was the first full Business Day after all conditions precedent to effectiveness were consummated, and therefore May 15, 2017 is the Effective Date under the Confirmed Plan.

WHEREFORE Apollo, Whistler and the Committee provide this notice that the Effective Date under the Confirmed Plan was May 15, 2017.

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