

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

 In re:)
)
) PROMESA
 THE FINANCIAL OVERSIGHT AND)
) Title III
 MANAGEMENT BOARD FOR PUERTO RICO)
)
) Case No. 17-BK-03283 (LTS)
 as representative of)
)
) **Re: ECF No. 16321**
 THE COMMONWEALTH OF PUERTO RICO, *et al.*,)
)
)
 Debtors.¹)
)

 In re:)
)
) PROMESA
) Title III
 THE FINANCIAL OVERSIGHT AND)
)
 MANAGEMENT BOARD FOR PUERTO RICO,)
) Case No. 17-BK-03566 (LTS)
 as representative of)
)
) **Re: ECF No. 1122**
 THE EMPLOYEES RETIREMENT SYSTEM OF THE)
)
 GOVERNMENT OF THE COMMONWEALTH OF)
)
 PUERTO RICO,)
)
)
 Debtor.)
)
)

----- X

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

LIMITED JOINDER OF THE OFFICIAL COMMITTEE OF RETIRED EMPLOYEES TO THE REPLY IN SUPPORT OF URGENT JOINT MOTION TO STAY CERTAIN CONTESTED MATTERS AND ADVERSARY PROCEEDINGS RELATED TO THE BONDS ISSUED BY THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO

To the Honorable United States District Judge Laura Taylor Swain:

The Official Committee of Retired Employees (the “**Retiree Committee**”) hereby joins, in part, the *Reply In Support Of The Urgent Joint Motion To Stay Certain Contested Matters And Adversary Proceedings Related To The Bonds Issued By The Employees Retirement System Of The Government Of The Commonwealth Of Puerto Rico* [Commonwealth Dkt. 16373] filed by the Financial Oversight and Management Board for Puerto Rico (the “**Oversight Board**”) as the sole representative of Debtor Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“**ERS**”), and states as follows:

1. Although the Retiree Committee disagrees with certain arguments the Oversight Board made in the previous dispute with the Creditors Committee over a stay of litigation in the PREPA case, it joins in the Oversight Board’s request for a stay. The Retiree Committee represents approximately 167,000 government retirees; the vast majority of whom received their pre-petition pension payments from ERS. As such, the Retiree Committee has a vested interest in the resolution of any dispute regarding the ERS Bonds or the claims of holders of those bonds. Given that a global resolution of the ERS Bondholder claims has been achieved and that approval of that resolution soon will be brought for the Court’s consideration through the plan approval process, it is not in anyone’s interest to continue to engage in protracted and expensive litigation over the very matters the Oversight Board now seeks approval to resolve. And, as the Joint Motion seeking the stay notes, in the event a plan that satisfies the terms of the ERS Stipulation is not confirmed,

any party could seek to continue litigation of the Pending Actions once again. [Commonwealth Dkt. 16321 at ¶ 5.]

2. Further, as the Oversight Board notes in its Reply, the Creditors Committee concedes that this Court's previous rulings defeats their objection to the proposed stay of all ERS bondholders litigation and that the Creditors Committee has filed their objection to preserve it for appeal. [Commonwealth Dkt. 16373 at ¶1.] That should be the end of the matter and the Creditors Committee's objection should be overruled.

Dated: April 9, 2021

JENNER & BLOCK LLP

BENNAZAR, GARCÍA & MILIÁN, C.S.P.

By:

By:

/s/ Robert Gordon

/s/ A.J. Bennazar-Zequeira

Robert Gordon (admitted *pro hac vice*)
Richard Levin (admitted *pro hac vice*)
919 Third Ave
New York, NY 10022-3908
rgordon@jenner.com
rlevin@jenner.com
212-891-1600 (telephone)
212-891-1699 (facsimile)

A.J. Bennazar-Zequeira
Héctor M. Mayol Kauffmann
Francisco del Castillo Orozco
Edificio Union Plaza,
1701 Avenida Ponce de León #416
Hato Rey, San Juan
Puerto Rico 00918
ajb@bennazar.org
hector.mayol@bennazar.com
787-754-9191 (telephone)
787-764-3101 (facsimile)

Catherine Steege (admitted *pro hac vice*)
Melissa Root (admitted *pro hac vice*)
Landon Raiford (admitted *pro hac vice*)
353 N. Clark Street
Chicago, IL 60654
csteege@jenner.com
mroot@jenner.com
lraiford@jenner.com
312-222-9350 (telephone)

Counsel for The Official Committee of Retired Employees of Puerto Rico