

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

IN RE:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors.¹

PROMESA
Title III

Case No. 17-bk-03283 (LTS)

(Jointly Administered)

**RESPONSE OF THE RETIREE COMMITTEE TO THE MOTION OF THE CREDITORS'
COMMITTEE FOR ORDER, UNDER BANKRUPTCY RULE 2004,
AUTHORIZING DISCOVERY OF TITLE III DEBTORS, OTHER THAN COFINA,
CONCERNING POTENTIAL AVOIDANCE ACTIONS**

To the Honorable United States Magistrate Judge Judith G. Dein:

The Official Committee of Retired Employees of the Commonwealth of Puerto Rico (the “**Retiree Committee**”) respectfully submits its response to the Motion of Official Committee of Unsecured Creditors (“**UCC**”) for Order, Under Bankruptcy Rule 2004, Authorizing Discovery of Title III Debtors, other than COFINA, Concerning Potential Avoidance Actions [Dkt. No. 4373] (the “**Motion**”).

¹ The Debtors in these jointly-administered PROMESA title III cases (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: (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (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 (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric and Power Authority (Bankruptcy Case No. 17 BK 4780) (Last Four Digits of Federal Tax ID: 3747).

ARGUMENT

1. The Retiree Committee requests that to the extent the Court grants the Motion, the Court also order that the Retiree Committee is entitled to whatever information the UCC receives from its Rule 2004 request. It appears that the Motion contemplates precisely this sharing of information as the Motion states that “[t]he [UCC] will fully share the result of its discovery efforts without restrictions so as to avoid duplicative requests and ensure efficient use of resources.” (Motion at ¶ 23). The Retiree Committee simply seeks the inclusion of this commitment in any order approving the Motion.

2. Moreover, while the Retiree Committee does not presently seek any additional discovery, it reserves its rights to do so in the future.

Dated: December 11, 2018

Respectfully submitted,

JENNER & BLOCK LLP

BENNAZAR, GARCÍA & MILIÁN, C.S.P.

By:

By:

/s/ Robert Gordon

/s/ A.J. Bennazar-Zequeira

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