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Attorneys for Fire Victim Claimants with
approximately 2,088 timely-filed claims

1 UNITED STATES COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3	In re:	)	Case No. 3:19-cv-05257-JD
4	PG&E CORPORATION and	)	Bankruptcy Case
5	PACIFIC GAS AND ELECTRIC	)	No. 19-30088 (DM)
	COMPANY,	)	Chapter 11
6	Debtors.	)	(Lead Case) (Jointly Administered)
7	<input type="checkbox"/> Affects PG&E Corporation	)	JOINT REPORT REGARDING
8	<input type="checkbox"/> Affects Pacific Gas and Electric Company	)	THE STATUS OF THE VOTE
	<input checked="" type="checkbox"/> Affects both Debtors	)	Date: April 30, 2020
9	*All papers shall be filed in the Lead Case,	)	Time: 2:00 p.m. (Pacific Time)
10	No. 19-30088 (DM)	)	Judge: Hon. James Donato
		)	Place: Telephonic Only: (877) 402-9753,
11		)	access code 5266369
12		)	[Re Dkt. Nos. 308, 311, 342]

13 TO THE COURT, ALL PARTIES, AND ALL ATTORNEYS OF RECORD

14 The Singleton Law Firm, APC (“SLF”), Marshack Hays LLP, and their co-counsel
15 (“Singleton”) represent approximately 7,000 victims of the 2015 Butte Fire, the 2017 North Bay Fires,
16 and the 2018 Camp Fire. Watts Guerra LLP, and their co-counsel (“Watts Guerra”), represent more
17 than 16,000 individual victims of the 2017 North Bay Fires and the 2018 Camp Fire. Together, the
18 Frantz Group, APLC, and Bridgford, Gleason & Artinian, and their co-counsel (“Frantz/Bridgford”)
19 represent approximately 4,300 victims of the 2017 North Bay Fires and the 2018 Camp Fire. Robins
20 Cloud LLP, and their co-counsel (“Robins”) represent approximately 2,088 victims of the 2017 North
21 Bay Fires and the 2018 Camp Fire. Additionally, other Counsel is known to represent over 2,000
22 individual fire claimants.¹ Collectively, these firms represent at least 31,388 unique claimants who
23 timely-filed Notices of Claim by the Bankruptcy Court’s Bar Date.

24 The Motion for Estimation filed by the PG&E Corporation and Pacific Gas and Electric
25 Company (“Debtors”) has been noticed for hearing on May 21, 2020. During this Court’s April 16,
26 2020 status conference, the Court inquired, “how are people voting?” in regards to the status of the
27

28 ¹See Declaration of Gerald Singleton at ¶18.

1 ongoing vote by the individual fire victim creditors. ECF #33, April 16 Status Conference Hearing
 2 Transcript, p. 23, lines 8-9. Consequently, the undersigned hereby provide this Court their Joint Report
 3 Regarding the Status of the Vote.

4 Voting by the class of Fire Victim Claimants on whether to approve the Debtors' Plan of
 5 Reorganization ("Plan") is now underway and will conclude on May 15, 2020. The undersigned
 6 provides the Court the following summary, backed up by the declarations of each:

7 **SUMMARY OF STATUS OF THE VOTE**

8 <u>Individual</u>	9 <u># of Clients w/</u>	10 <u>How</u>	11 <u># of "ACCEPT"</u>	12 <u># of "REJECT"</u>	13 <u>%</u>
14 <u>Law</u>	15 <u>Timely Filed</u>	16 <u>Votes</u>	17 <u>Votes Received</u>	18 <u>Votes Received</u>	19 <u>of</u>
20 <u>Firm</u>	21 <u>Notice of Claim</u>	22 <u>Collected</u>	23 <u>Thus Far</u>	24 <u>Thus Far</u>	25 <u>Total</u>
26 WATTS					
27 GUERRA ²	16,095	Electronic & Mail	13,329	148	98.90%
28 SINGLETON ³	7,000	Electronic & Mail	3,232	39	98.81%
FRANTZ/ BRIDGFORD ⁴	4,300	Electronic & Mail	2,083	26	98.77%
ROBINS ⁵	2,088	Electronic & Mail	1,017	22	97.88%
OTHER ⁶	2,000	Electronic & Mail	568	37	93.88%
TOTAL	31,388	Electronic & Mail	20,229	272	98.67%

18 The undersigned will attend this Court's April 30, 2020 telephonic status conference and be
 19 prepared to answer any questions this Court has concerning the status of the vote.

20 Furthermore, in response to attorney Tosdal's filing with this Court (Doc. #342, Case 3:19-cv-
 21 05257-JD, filed 04/27/20), the undersigned wish to inform this Court as to the method they are using
 22 to solicit, collect and report votes cast by their respective clients.

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24
 25 ² Declaration of Mikal Watts, attached hereto as Exhibit "A."

26 ³ Declaration of Gerald Singleton, attached hereto as Exhibit "B."

27 ⁴ Declaration of Richard Bridgford, attached hereto as Exhibit "C." and Declaration of James
 Frantz, attached hereto as Exhibit "E."

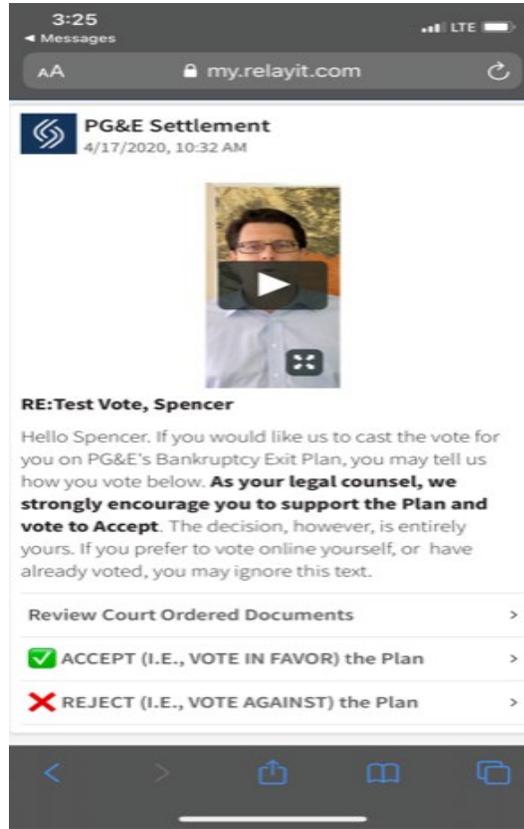
28 ⁵ Declaration of Bill Robins, attached hereto as Exhibit "D."

⁶ See Declaration of Gerald Singleton at ¶18.

1 1. Pursuant to the Restructuring Support Agreement (Doc. #5038-1; Case: 19-30088,
2 Entered 12/09/19, p. 6, ¶2(g)), each firm has used “reasonable efforts to advise and recommend to its
3 existing and future clients’ (who hold Fire Victim Claims) to support and vote to accept the Amended
4 Plan.”

5 2. As authorized by both the Restructure Support Agreement (ECF # 5038-1, p. 4;
6 ¶2(a)(ii)) (“the Debtors shall... seek approval by the Bankruptcy Court of procedures to allow
7 distribution of solicitation materials and casting of ballots for holders of Fire Victim Claims by digital
8 means”) and by Order of the Bankruptcy Court Establishing and Approving Plan Solicitation and
9 Voting Procedures (ECF #6340, p. 12, ¶13(a)) (Each firm selecting the Master Ballot Solicitation
10 Method... shall ... “provide the Disclosure Statement, either in hard copy or electronic format, to its
11 Fire Victim Clients”), our firms have been soliciting and collecting votes both electronically and by
12 mail.

13 3. A true and correct copy of a template text ballot format through which our firms sent
14 each of our clients the required court-ordered documents, including the Disclosure Statement, is
15 included herein for the Court’s review:
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15 4. The client recipient of the text may first click on a line entitled “Review Court Ordered
16 Documents,” and cause each of the Court-ordered documents to be revealed in a PDF format for
17 review. Next, the client recipient of the text may then click on either “ACCEPT (I.E., VOTE IN
18 FAVOR) the Plan” or “REJECT (I.E., VOTE AGAINST) the Plan.”

19 5. These text votes are electronically delivered to our firms, and tabulated on a daily basis.
20 Some of our firms have also elected to have Prime Clerk send the required court-ordered disclosure
21 documents directly to our clients and have also made these documents available for review on our
22 respective websites.

23 6. Regarding Exhibit 1 of ECF 342 filed by Tosdal on April 27, 2020, our law firms have
24 not told our clients that we “will vote ‘yes’ for them but to call the firms if any client disagrees with a
25 ‘yes’ vote.”

26 7. Regarding Exhibit 2 of ECF 342 filed by Tosdal on April 27, 2020, our law firms have
27 not “solicit[ed] a ‘yes’ vote by text but require[ed] a different method to register a ‘no’ vote.”

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1 8. Regarding Exhibit 3 of ECF 342 filed by Tosdal on April 27, 2020, our law firms have
2 not “provid[ed] a client with an easy click to vote ‘yes’ but requiring a client type in ‘no.’”

3 9. Regarding Exhibit 4 of ECF 342 filed by Tosdal on April 27, 2020, our law firm have
4 not “request[ed] a client’s agreement for the firm to vote for the client but not recognizing a ‘no’
5 answer to the request.” We have not and will not cast a ballot for a client who has failed to vote either
6 “ACCEPT” or “REJECT.”

7 10. Regarding Exhibit 5 of ECF 342 filed by Tosdal on April 27, 2020, our law firms have
8 not sought to have our clients vote by email without giving a client the ability to cast either an
9 “ACCEPT” or a “REJECT” vote.

10 11. The undersigned will attend this Court’s April 30, 2020 status conference, and be
11 prepared to answer any questions this Court has concerning the manner in which votes are being
12 solicited, collected and reported.

13 12. Finally, we note for the record that issues regarding voting are properly directed to
14 Judge Montali, rather than this Court. The Bankruptcy Court has jurisdiction over Debtors’
15 bankruptcy cases pursuant to 28 U.S.C. §§ 157 and 1334. Confirmation of the Plan is a “core
16 proceeding” pursuant to 28 U.S.C. § 157(b)(2)(L) and the Bankruptcy Court has jurisdiction to
17 determine whether the (a) Debtors’ Plan complies with the applicable provisions of the Bankruptcy
18 Code, (b) to determine whether the Plan should be confirmed and (c) to enter and enforce a final order
19 with respect hereto. As such, it is the Bankruptcy Court’s duty (not this Court’s) to determine that
20 proper methods were utilized to convince creditors to vote for or against a plan of reorganization, and
21 this extends to any issues with solicitation or plan voting. Indeed, the Bankruptcy Court specifically
22 retained such jurisdiction in the approved disclosure statement. *See*, Dk. No. 6353, in Case No. 19-
23 30088, Article XI.

24 13. While undersigned counsel certainly do not object to advising this Court on the status
25 of the vote, counsel respectfully request that this Court instruct counsel to raise any issues they may
26 have with voting in the Bankruptcy Court, as it is the proper forum for hearing these issues.

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1 Respectfully submitted,

2 Dated: April 28, 2020

MARSHACK HAYS, LLP

3 By: /s Richard Marshack
4 Richard A. Marshack, Esq.
5 D. Edward Hays, Esq.
6 Laila Masud, Esq.

7 SINGLETON LAW FIRM, APC
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10 WATTS GUERRA LLP
11 Mikal C. Watts
12 Paige Boldt

13 FRANTZ LAW GROUP, APLC
14 Jim Frantz

15 BRIDGFORD, GLEASON & ARTINIAN
16 Richard Bridgford

17 ROBINS CLOUD LLP
18 Bill Robins

19 Attorneys for approximately 31,388 Fire Victim
20 Claimants
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