

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

-----)
In re:) Chapter 11
)
CAESARS ENTERTAINMENT) Case No. 15-01145 (ABG)
OPERATING COMPANY, INC. *et al.*,¹) (Jointly Administered)
)
Debtors.) Hon. A. Benjamin Goldgar
)
-----) Re: Docket No. 2834

**AMENDED ORDER TEMPORARILY AUTHORIZING THE FILING OF
REDACTED VERSIONS OF THE EXAMINER'S REPORT AND
CERTAIN DOCUMENTS AND RELATED PROCEDURES**

Upon consideration of the *Examiner's Motion for Order Temporarily Authorizing the Filing of the Examiner's Report and Certain Documents Under Seal and Related Procedures* (the "Motion"),² the responses to the Motion, and the responses and objections to the proposed order; a hearing having been held to consider the Motion (the "Hearing"); and the Court being fully advised in the premises; it is hereby

ORDERED:

1. The Motion is GRANTED to the extent set forth herein.
2. The Examiner is authorized and directed initially to file a version of the Final Report on the public docket in the above-captioned case that is redacted to exclude all references to information and documents that are designated as Confidential, Advisors' Eyes Only or Privilege – Examiner's Eyes Only pursuant to the Agreed Protective Order entered May

¹ The last four digits of Caesars Entertainment Operating Company, Inc.'s tax identification number are 1623. Due to the large number of Debtors in these jointly-administered chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is available at <https://cases.primeclerk.com/CEOC>.

² Capitalized terms used but not defined herein have the meaning ascribed to them in the Motion.

18, 2015 [Docket No. 1575]. On the filing date, the Examiner must deliver to all parties subject to the Protective Order, including counsel for the statutory committees, a version of the Final Report redacted only for material designated Privilege – Examiner’s Eyes Only. The Examiner and the Designating Parties must work in good faith to minimize the number of redactions and related disputes over privilege and confidentiality that may need to be resolved by the Court.

3. Notwithstanding the terms of Paragraph 16 of the Protective Order, the Examiner is authorized and directed to employ the following process in order to minimize the redactions in the final version of the Final Report:

- a. Within 14 days of the filing of the redacted Final Report, the Examiner must provide to each designating party (or the party in which the confidentiality and/or privilege is asserted to reside) (each, a “Designating Party”) a letter detailing the proposed documents and/or information that the Examiner wishes to publicly disclose as contained in the Final Report (the “Disclosure Letter”), including:
 - i. Information, such as BATES stamp or relevant transcript excerpts, sufficient for the party to identify the document(s) and/or information at issue; and
 - ii. Excerpts from the draft Final Report in which the document(s) or information is cited or quoted.

In the event the Examiner wishes to publicly disclose the Comenity Documents (as defined in the Agreed Protective Order (Docket No. 1575)) and/or any information expressly derived from the Comenity Documents, then the Examiner will provide the Disclosure Letter via e-mail to Comenity Bank

(c/o Eric L. Robinson at eric.robinson@alliancedata.com) and counsel for Comenity Bank (c/o Robert B. Berner at robert.berner@baileycavalieri.com and Matthew T. Schaeffer at matthew.schaeffer@baileycavalieri.com).

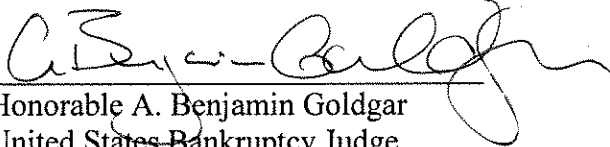
- b. Within 14 days of receipt of a Disclosure Letter, each Designating Party must provide a written response to the proposed disclosures stating with specificity the grounds for any objection to the proposed disclosures. Any objections not raised with specificity and in writing within 14 days of receipt of a Disclosure Letter will be deemed waived by the Designating Party.
- c. If after receiving a timely written response as described in paragraph 3(b), the Examiner is unable to negotiate an arrangement with a Designating Party under which the Examiner may publicly disclose the documents and/or information in his Final Report, he must notify the Designating Party in writing of the Examiner's intention to disclose the disputed material in the Final Report. The Examiner must give the notice no later than 14 days after receiving the Designating Party's objection. The Designating Party then has seven days from service of the Examiner's notice to file a motion for protective order. The motion for protective order cannot rely on assertions of privilege must be supported by evidence that proves the claimed privilege applies. In the absence of evidence, the motion will be denied. Notice of any such motion will not be governed by the Case Management Procedures in these Chapter 11 Cases; instead, the notice requirements for motions pursuant to Local Bankruptcy Rule 9013-1 will apply. Any such motion must be noticed for hearing on the next available day the court hears motions in

chapter 11 cases (i.e., on the next available Monday or Wednesday at 9:30 a.m. CST). Any Designating Party who fails to file such a motion within seven days of service of the Examiner's notice under this paragraph will be deemed to have waived any objection to the disclosure of the disputed material.

- d. On the date a motion for protective order is filed, the Designating Party filing the motion must submit to chambers the asserted confidential materials for the Court's *in camera* review and consideration.

4. The Examiner (in person or through counsel) must report to the Court at each omnibus hearing concerning his progress in resolving disputes subject to this order and in arriving at a truly final Final Report.

Dated: _____ ~~01 FEB 2016~~



Honorable A. Benjamin Goldgar
United States Bankruptcy Judge