

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

In re:	§	Chapter 11
	§	
	§	Case No. 20-43597-399
	§	
BRIGGS & STRATTON CORPORATION, <i>et al.</i> ,	§	(Jointly Administered)
	§	
Debtors.	§	Hearing Date: September 15, 2020
	§	Hearing Time: 9:30 a.m. (Central Time)
	§	Hearing Location: Courtroom 5-North

**AMENDED PROPOSED AGENDA FOR HEARING
ON SEPTEMBER 15, 2020 AT 9:30 A.M. (PREVAILING
CENTRAL TIME) AND INSTRUCTIONS FOR TELEPHONIC HEARING**

Parties may appear in person or by telephone conferencing for the Briggs & Stratton hearing scheduled at **9:30 a.m. Central Time on Tuesday, September 15, 2020.**

Location of Hearing: United States Bankruptcy Court for the Eastern District of Missouri, Thomas F. Eagleton U.S. Courthouse, before the Honorable Barry S. Schermer, **Courtroom 5-North**, 111 South 10th Street, St. Louis, MO 63102

**Instructions for
Telephonic & Video
Hearing:**

Appearances by telephone will be through CourtSolutions: <https://court-solutions.com>. **Parties must schedule hearing reservations by 12:00 p.m. Central Time on Monday, September 14, 2020.**

All Parties who do not anticipate speaking must select the Listen Only option. All phones must be placed on mute. Do not place phones on “hold” or use speakerphones. Persons who wish to speak must select the “Hand Raised” feature. Parties may not speak unless directed by Judge Schermer. When speaking, please keep all background noise to a minimum so it does not interfere with the Judge and other parties in being able to hear you.

If there is a problem connecting to the teleconference system, please disconnect your line and re-dial. If a connection cannot be made please e-mail Ms. McCoy at Shontelle_McCoy@moeb.uscourts.gov promptly and we will work on resolving the issue.



Appearances by video will be through Cisco Webex. All persons appearing by video must turn their cameras off except when speaking. A separate Cisco Webex invitation will be sent to all parties who registered through CourtSolutions and to those who have contacted Ms. McCoy regarding the September 15, 2020 Briggs & Stratton hearing.

The Court's official announcement will be posted on the Court's website: <https://www.moeb.uscourts.gov/update-concerning-telephonic-hearings-bankruptcy-court>. Instructions for appearances may also be found on <http://www.kccllc.net/briggs>.

Item Number	Motion	Attorney Presenting
1	<p>Motion of Debtors for Entry of an Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and Stalking Horse Bid Protections, (C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale, Auction, and Sale Hearing, and (E) Assumption and Assignment Procedures; (II) Authorizing (A) Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests, and Encumbrances and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Docket No. 53]</p> <p>Related Documents:</p> <p>Supplemental Declaration of William G. Peluchowski in Support of Motion of Debtors for Entry of an Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and Stalking Horse Bid Protections, (C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale Auction, and Hearing, and (E) Assumption and Assignment Procedures and (II) Granting Related Relief [Docket No. 459]</p> <p>Declaration of Jeffrey Ficks in Support of Motion of Debtors (1) for Entry of an Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and</p>	Ronit J. Berkovich

	<p>Stalking Horse Bid Protections, (C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale Auction, and Hearing, and (E) Assumption and Assignment Procedures and (II) Granting Related Relief and (2) for Interim and Final Orders (I) Authorizing Debtors to Obtain Postpetition Financing, (II) Authorizing Debtors to Use Cash Collateral, (III) Granting Liens and Superpriority Claims, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling Final Hearing and (VII) Granting Related Relief [Docket No. 460]</p> <p>Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and Stalking Horse Bid Protections,(C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale, Auction, and Sale Hearing, and (E) Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment and (II) Granting Related Relief [Docket No. 505]</p> <p>Notice and of Sale, Bidding, Procedures, Auction and Sale Hearing [Docket No. 527]</p> <p>Supplement to Motion of Debtors Authorizing a Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests, and Encumbrances Pursuant to 11 U.S.C. §§ 363(f) and 105(a) [Docket No. 628] - ADJOURNED</p> <p>Declaration of Mark Schwertfeger in Support of Motion of Debtors Authorizing a Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests, and Encumbrances [Docket No. 629] - ADJOURNED</p> <p>Declaration of William G. Peluchowski in Support of Motion of Debtors Authorizing a Sale of Debtors' Assets and Equity Interests</p>	
--	---	--

	<p>Free and Clear of Liens, Claims, Interests, and Encumbrances [Docket No. 630] – ADJOURNED</p> <p>Certificate of Publication of Notice and of Sale, Bidding, Procedures, Auction and Sale Hearing in The Wall Street Journal, National Edition [Docket No. 699]</p> <p>Notice of Cancellation of Auction and Designation of the Stalking Horse Bid as the Successful Bid [Docket No. 679]</p> <p>Objections:</p> <p>Limited Objection of Jones Plastic & Engineering Company, LLC to Motion of the Debtors for Entry of an Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and Stalking Horse Bid Protections, (C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale, Auction and Sale Hearing, and (E) Assumption and Assignment Procedures; (II) Authorizing (A) Sale of Debtors' Assets and Equity Interest Free and Clear of Liens, Claims, Interests, and Encumbrances and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [Docket No. 301]</p> <p>Limited Objection of Poplar Bluff Tool & Die, Inc. to Motion of the Debtors for Entry of an Order Authorizing the Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests and Encumbrances and Request for Adequate Protection [Docket No. 811]</p> <p>Objection and Request for Adequate Protection of Ataco Steel Products Corporation to Debtors' Motion for Entry of an Order Authorizing Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests, and Encumbrances [Docket No. 813]</p>	
--	---	--

	<p>Century Indemnity Company, Transportation Insurance Company, Inc., Continental Casualty Company, Nationwide Indemnity Company and Employers Insurance of Wausau's Objection to Sale Motion [Docket No. 851] – RESOLVED</p> <p>Limited Objection of the Chubb Companies with Respect to the Motion of Debtors for Entry of an Order (I) Approving (A) Bidding Procedures, (B) Designation of Stalking Horse Bidder and Stalking Horse Bid Protections, (C) Scheduling Auction and Sale Hearing, (D) Form and Manner of Notice of Sale, Auction, and Hearing, and (E) Assumption and Assignment Procedures; and (II) Authorizing (A) Sale of Debtors Assets and Equity Interest Free and Clear of Liens, Claims, Interests, and Encumbrances and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Docket No. 854] – RESOLVED</p> <p>Status: This matter is going forward.</p>	
--	--	--

NOTICES OF CURE COSTS AND PROPOSED ASSUMPTION AND ASSIGNMENT OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES		
Item Number	Motion¹	Attorney Presenting
2	<p>Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (A-C) [Docket No. 513]</p> <p>Objections:</p> <p>Objection of Constellation NewEnergy - Gas Division, LLC to Notice of Cure Costs and Proposed Assumption and Assignment of</p>	Ronit J. Berkovich

¹ Matters resolved: 0712, 0761

Matters withdrawn: 0724, 0755, 0793, 0794

Matters proceeding as to adequate assurance and/or assignment/assumption only: 0734, 0735, 0763, 0769, 0837

Matters adjourned: 0643, 0702, 0745, 0746, 0749, 0750, 0755, 0756, 0758, 0765, 0766, 0770, 0771, 0808, 0809, 0812, 0819, 0824, 0825, 0831, 0833, 0834, 0839, 0853, 0855, 0856, 0858, 0861, 0862, 0866, 0869, 0875

	<p>Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 643] – ADJOURNED</p> <p>Objection of Cigna to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 712] – RESOLVED</p> <p>Accenture LLP's Objection to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 749] – ADJOURNED</p> <p>Objection of Creditor Catamount Constructors, Inc. to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 765] – ADJOURNED</p> <p>Objection and Reservation of Rights of Boyd Corporation and Wholly Owned Subsidiaries Aavid Thermalloy, LLC and A.B. Boyd Co. to Debtors' Proposed Cure Amount and Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 766] – ADJOURNED</p> <p>Objection and Reservation of Rights of Ataco Steel Products Corporation to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 809] – ADJOURNED</p> <p>AT&T Corp.'s Limited Objection to Notice of Potential Assumption of Executory Contracts or Unexpired Leases and Cure Amounts [Docket No. 831] – ADJOURNED</p>	
--	--	--

	<p>Stanley Black & Decker, Inc., Black & Decker (U.S.), Inc. and Their Affiliates' Objection to Notice of Cure Costs, Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases and Proposed Sale Order [Docket No. 837] – GOING FORWARD (ON ASSUMPTION/ASSIGNMENT ONLY)</p> <p>Status: This matter is going forward.</p>	
<p>3</p>	<p>Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (D-J) [Docket No. 514]</p> <p>Objections:</p> <p>Objection of Jones Plastic & Engineering Company, LLC to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 734] – GOING FORWARD (ON ADEQUATE ASSURANCE AND ASSUMPTION/ASSIGNMENT)</p> <p>Objection of Davis Tool & Die Co., Inc. and Poplar Bluff Tool & Die Co., Inc. to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 735] – GOING FORWARD (ON ADEQUATE ASSURANCE AND ASSUMPTION/ASSIGNMENT)</p> <p>Response and Reservation of Rights of Elofic Industries Limited with Respect to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 761] – RESOLVED</p> <p>Limited Objection of Infor (US), Inc. to Proposed Sale of Substantially All of the Debtors' Assets and Proposed Assumption</p>	<p>Ronit J. Berkovich</p>

	<p>and Assignment of Executory Contracts [Docket No. 763] – GOING FORWARD (ON ASSUMPTION/ASSIGNMENT ONLY)</p> <p>Objection of Hoffer Plastics Corporation and Reservation of Rights in Response to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 825] – ADJOURNED</p> <p>Husqvarna Professional Products, Inc., Husqvarna Consumer Outdoor Products N.A., Inc. and Certain of Their Affiliates’ Reservation of Rights with Respect to Notice of Cure Costs [Docket No. 855] – ADJOURNED</p> <p>Deere & Company and its Affiliates’ Limited Objection and Reservation of Rights [Docket No. 858] – ADJOURNED</p> <p>Objection of Georgia Power Company to Proposed Cure Costs [Docket No. 861] – ADJOURNED</p> <p>Objection and Reservation of Rights of The Toro Company to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 866] – ADJOURNED</p> <p>Limited Objection of FR Georgia, LLC to Notice of Potential Assumption of Executory Contracts and Unexpired Leases and Cure Amounts [Docket No. 869] – ADJOURNED</p> <p>Status: This matter is going forward.</p>	
4	<p>Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (K-P) [Docket No. 515]</p>	Ronit J. Berkovich

	<p>Objections:</p> <p>Limited Objection of Microsoft to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 750] – ADJOURNED</p> <p>Limited Objection of Ocean Network Express to Assumption and Assignment and Cure Amounts Listed by Debtors in Their Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases [Docket No. 758] – ADJOURNED</p> <p>Objection of Outfitters, LLC to Debtors' Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 771] – ADJOURNED</p> <p>Objection of Nikki America Fuel Systems, LLC to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 819] – ADJOURNED</p> <p>Oracle's Limited Objection to and Reservation of Rights Regarding (1) Debtors' Motion Authorizing (A) Sale of Debtors' Assets and Equity Interests Free and Clear of Liens, Claims, Interests, and Encumbrances and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief; and (2) Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 833] – ADJOURNED</p> <p>Limited Objection of MSC Industrial Supply Co. to Notice of Potential Assumption of</p>	
--	--	--

	<p>Executory Contracts and Unexpired Leases and Cure Amounts [Docket No. 856] – ADJOURNED</p> <p>Metal Technologies of Indiana LLC’s Reservation of Rights and Limited Objection to Notice of Cure Costs, Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases and Proposed Sale Order [Docket No. 875] – ADJOURNED</p> <p>Status: This matter is going forward.</p>	
5	<p>Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (Q-V) [Docket No. 516]</p> <p>Objections:</p> <p>Objection and Reservation of Rights of UFP Technologies, Inc. to Proposed Cure Amount and to the Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 702] – ADJOURNED</p> <p>Objection of Southworth-Milton, Inc. to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 745] – ADJOURNED</p> <p>Limited Objection of United Parcel Service to Debtors’ Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 756] – ADJOURNED</p> <p>Objection and Reservation of Rights of TI Investors of Germantown I LLC to Notice of Cure Costs and Proposed Assumption and</p>	Ronit J. Berkovich

	<p>Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 808] – ADJOURNED</p> <p>Objection of Thermotech LLC to Debtors' Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 812] – ADJOURNED</p> <p>Objection and Reservation of Rights of SAP America, Inc. and its Affiliates SuccessFactors, Inc., Concur Technologies, Inc., and Ariba, Inc. to the Assumption and Assignment of Certain Executory Contracts Pursuant to the Debtors' Sale Motion and Cure Notice [Docket No. 824] – ADJOURNED</p> <p>Objection of Gannett Satellite Information Network LLC/USA Today Network to Debtors' Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 839] – ADJOURNED</p> <p>Status: This matter is going forward.</p>	
6	<p>Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (W-Z) [Docket No. 537]</p> <p>Objections:</p> <p>Objection of W. W. Grainger, Inc. to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 746] – ADJOURNED</p> <p>Objection of Walbro LLC to Notice of Cure Costs and Proposed Assumption and</p>	Ronit J. Berkovich

	<p>Assignment of Executory Contracts and Unexpired Leases in Connection with Sale, Request for Adequate Assurance of Future Performance, and Reservation of Rights [Docket No. 769] – GOING FORWARD (ON ADEQUATE ASSURANCE ONLY)</p> <p>Limited Objection of Wurth Industry North America LLC to Assumption and Assignment and Cure Amounts Listed by Debtors in Their Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases [Docket No. 770] – ADJOURNED</p> <p>Limited Objection of Wells Fargo Commercial Distribution Finance, LLC to the Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 834] – ADJOURNED</p> <p>Wisecraft Inc.’s Limited Objection to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 853] – ADJOURNED</p> <p>WRWP, LLC’s Limited Objection to Notice of Cure Costs and Proposed Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale [Docket No. 862] – ADJOURNED</p> <p>Status: This matter is going forward.</p>	
--	--	--

Dated: September 14, 2020
St. Louis, Missouri

Respectfully submitted,

CARMODY MACDONALD P.C.

/s/ Robert E. Eggmann

Robert E. Eggmann, #37374MO
Christopher J. Lawhorn, #45713MO
Thomas H. Riske, #61838MO
120 S. Central Avenue, Suite 1800
St. Louis, Missouri 63105
Telephone: (314) 854-8600
Facsimile: (314) 854-8660
Email: ree@carmodymacdonald.com
cjl@carmodymacdonald.com
thr@carmodymacdonald.com

Local Counsel to the Debtors and Debtors in Possession

-and-

WEIL, GOTSHAL & MANGES LLP
Ronit J. Berkovich (admitted *pro hac vice*)
Debora A. Hoehne (admitted *pro hac vice*)
Martha E. Martir (admitted *pro hac vice*)
767 Fifth Avenue
New York, New York 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007
Email: Ronit.Berkovich@weil.com
Debora.Hoehne@weil.com
Martha.Martir@weil.com

Counsel to the Debtors and Debtors in Possession