

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:

CBCRC Liquidating Corp. et al.,¹

Debtors

Chapter 11

Case No. 23-10245 (KBO)
(Jointly Administered)

Hearing Date:

July 6, 2023, at 9:30 a.m. (ET)

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON
JULY 6, 2023, AT 9:30 A.M. (ET) BEFORE THE HONORABLE KAREN B. OWENS OF
THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF
DELAWARE**

ZOOM INSTRUCTIONS

This hearing will be conducted in person. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person court proceeding using Zoom is allowed only in the following circumstances: (i) counsel for a party or a pro se litigant files a responsive pleading and intends to make only a limited argument; (ii) a party or a representative of a party is interested in observing the hearing; (iii) a party is proceeding in a claims allowance dispute on a pro se basis; (iv) an individual has a good faith health-related reason to participate remotely and has obtained permission from chambers to do so; or (v) other extenuating circumstances that warrant remote participation as may be determined by the Court.

Please Note: All individuals participating by video must register at least two hours prior to the hearing at the following link.

<https://debuscourts.zoomgov.com/meeting/register/vJIsdeCsrlwjHmt0rNarmVcJITbwuHxwDEM>

After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing. You must use your full name when logging into Zoom or you will not be allowed into the meeting.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include **CBCRC Liquidating Corp.** (0801), **CBHC Liquidating Company** (3981), and **CBCCI Liquidating Inc.** (1938). The Debtors' service address Corner Bakery, c/o CR3 Partners, Attn: Greg Baracato, Chief Restructuring Officer, 12255 Noel Road, Suite 2005, Dallas TX 75240.



ADJOURNED MATTERS

1. Interim Application for Compensation for Services Rendered and for Reimbursement of Expenses of Tucker Ellis LLP as Counsel to the Official Committee of Unsecured Creditors for the period March 21, 2023 to April 30, 2023 (First) [Filed: 5/30/23] ([D.I. No. 545](#))

Response Deadline: June 9, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))

Related Documents:

- A. First Application for Compensation for Services Rendered and for Reimbursement of Expenses of Tucker Ellis LLP as Counsel to the Official Committee of Unsecured Creditors for the period March 21, 2023 to April 30, 2023 [Filed: 5/30/23] ([D.I. No. 543](#))
 - 1) Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))

Status: The Committee has advised the Debtors that it is adjourning the hearing on this matter.

2. Interim Application for Compensation for Services Rendered and for Reimbursement of Expenses of Potter Anderson & Corroon LLP as Delaware Counsel to the Official Committee of Unsecured Creditors for the period March 21, 2023 to April 30, 2023 (First) [Filed: 5/30/23] ([D.I. No. 546](#))

Response Deadline: June 9, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))

Related Documents:

- A. First Application for Compensation for Services Rendered and for Reimbursement of Expenses of Potter Anderson & Corroon LLP as Delaware Counsel to the Official Committee of Unsecured Creditors for the period March 21, 2023 to April 30, 2023 [Filed: 5/30/23] ([D.I. No. 544](#))

- 1) Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))

Status: The Committee has advised the Debtors that it is adjourning the hearing on this matter.

3. Interim Application for Compensation for Services Rendered and for Reimbursement of Expenses Incurred by Berkeley Research Group, LLC as Financial Advisor to the Official Committee of Unsecured Creditors for the period from March 21, 2023 to April 30, 2023 (First) [Filed: 5/30/23] ([D.I. No. 548](#))

Response Deadline: June 9, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))

Related Documents:

- A. First Application for Compensation for Services Rendered and for Reimbursement of Expenses Incurred by Berkeley Research Group, LLC as Financial Advisor to the Official Committee of Unsecured Creditors for the period from March 21, 2023 to April 30, 2023 [Filed: 5/30/23] ([D.I. No. 547](#))

- 1) Limited Objection and Reservation of Rights of SSCP Restaurant Investors LLC to Fee Applications Filed by the Official Committee of Unsecured Creditors' Professionals [Filed: 6/9/23] ([D.I. No. 613](#))
- 2) Certificate of No Objection - No Order Required Regarding Combined First Monthly Application of Berkeley Research Group, LLC for Compensation for Services Rendered and Reimbursement of Expenses Incurred as Financial Advisor to the Official Committee of Unsecured Creditors for the Period From March 21, 2023 Through April 30, 2023 [Filed: 6/21/23] ([D.I. No. 640](#))

Status: The Committee has advised the Debtors that it is adjourning the hearing on this matter.

CONTINUED MATTERS

4. Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtor [Filed: 5/1/23] (D.I. No. [418](#))

Response Deadline: May 22, 2023, at 4:00 p.m. (ET). The response deadline was ultimately extended to May 26, 2023, for Lakewood Galleria Partners LLC; SOT 120 S. LaSalle LLC;

Trizechahn Regional Pooling LLC; 1301 East Gladstone Street Investors LLC; Loomis U.S. Inc.; Pender L.L.C.; Rancho Mall, LLC; Microsoft, Inc.; Door Dash, Inc. and Half Baked LLC, and Bella Terra Associates LLC.

Responses Received: Informal comments and objections to the assumption and cure notice have been timely received from: Brookfield Properties, Bayside SVTC, LLC, DS Fountain Valley LP, Enterprise Fleet Management, Inc., Greenway – Restaurant Complex Partners, L.P., Irvine Market Place II, LLC, IVT Dallas Prestonwood, LLC, MacArthur Park, LP, McKinght Park Central LLC, SOT 120 LaSalle, LLC, South Coast Plaza (d/b/a SCP Village), Town Square Ventures, LP, Pacific Castle Colima, LP and Master K. Investment, LLC, Pota JV, LLC, Door Dash, Inc, Property Works, Brothers Produce of Austin, Inc., Brothers Produce of Dallas, Inc., PJK Food Service, LLC d/b/a/ Keany Produce, Gourmet, Google, Inc, Bayside SVTC, LLC, Enterprises Fleet Management Inc, Irvine Market Place II, LLC, IVT Dallas Prestonwood, LLC, Laguna Niguel Investors No. 1, POTA JV, LLC, Rancho Mall, LLC, South Coast Plaza, The Irvine Company, and The Irvine Company, LLC.

- A. Limited Objection of Dallas College to Schedule of Cure Amounts (Filed by Dallas College) [Filed: 5/17/23] (D.I. No. [456](#))
- B. Response of Peachtree Square Holdings, LLC to Debtor's Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases (Filed by Peachtree Square Holdings, LLC) [Filed: 5/18/23] (D.I. No. [459](#))
- C. Objection to Debtors' Designated Cure Amount (Filed by AmCap Northpoint II LLC) [Filed: 5/18/23] (D.I. No. [460](#))
- D. Objection of Westfield, LLC and its Landlord Affiliates to the Proposed Assumption and Assignment of Westfield Leases Pursuant to the Assumption and Assignment Procedures (Filed by Westfield, LLC and its Affiliates Montgomery Mall Owner, LLC & Mission Valley Shoppingtown, LLC) [Filed: 5/18/23] (D. I. No. [461](#))
- E. Request of Eagle Green, LP, for Allowance and Payment of Administrative Expense Claim (Filed by Eagle Green, LP) [Filed: 5/18/23] (Doc. No. [462](#))
- F. Objection and Reservation of Rights of MacArthur Park, LP to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by MacArthur Park, LP) [Filed: 5/19/23] (D.I. No. [466](#))
- G. Objection and Reservation of Rights of John D. and Catherine T. MacArthur Foundation to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by John D. and Catherine T. MacArthur Foundation) [Filed: 5/19/23] (D.I. No. [467](#))
- H. Objection Bella Terra Associates, LLC's Objection to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by Bella Terra Associates, LLC) [Filed: 5/19/23] (D.I. No. [468](#))

- I. Objection and Reservation of Rights of Greenway-Restaurant Complex Partners, L.P. to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by Greenway-Restaurant Complex Partners, L.P.) [Filed: 5/19/23] (D.I. No [471](#))
- J. Limited Objection of Brinker International, Inc. and its Affiliates to Cure Amounts Set Forth in Debtors' Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors Filed in Conjunction with Debtors' Sale Motion [Docket Nos. 289 And 418] (Filed by Brinker International, Inc., Maggiano's Holding Corporation, Maggiano's Texas Inc., Maggiano's of Tyson's, Inc., Maggiano's, Inc.) [Filed: 5/22/23] (D.I. No [480](#))
- K. Brixmor Operating Partnership L.P.; CNI One Cal Plaza Owner, LLC; CPF 801 Tower, LLC; Deutsche Asset & Wealth Management; Federal Realty OP LP, GMV (Mall) Owner LLC; LA Retail 1, LLC; Weitzman; and Wexford-UCSC 3737, LLC to (1) Debtors' Motion for Entry of Orders: (I)(A) Approving Bidding Procedures for the Sale of All or Substantially All of the Debtors' Assets; (B) Authorizing the Debtors to Enter Into a Stalking Horse Agreement; (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (D) Approving Assumption and Assignment Procedures; and (E) Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief and (2) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by LA Retail 1, LLC, CPF 801 Tower, LLC, CNI One Cal Plaza Owner, LLC, Brixmor Operating Partnership L.P., Deutsche Asset & Wealth Management, Federal Realty OP LP, GMV (Mall) Owner LLC, Weitzman, Wexford-UCSC 3737, LLC) [Filed: 5/22/23] (D.I. No. [481](#))
- L. Objection of DS Fountain Valley LP to (1) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (2) Motion for Entry of Orders (I)(A) Approving Bidding Procedures for Sale of All or Substantially All of the Debtors' Assets; (B) Authorizing the Debtors to Enter Into Stalking Horse Agreement; (C) Scheduling an Auction and Approving the Form and Manner and Notice Thereto; (D) Approving the Assumption and Assignment Procedures; and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II) (A) Approving the Sale of Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances; and (III) Granting Related Relief; and Joinder and Reservations of Rights (Filed by DS Fountain Valley LP) [Filed: 5/22/23] (D.I. No. [483](#))
- M. Objection to Debtors' Proposed Cure Amount (Filed by Orchard Lake Forest CA LP) [Filed: 5/2/23 (D.I. No. [484](#))
- N. Limited Objection of Wells-Washington L.L.C. to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by Wells-Washington L.L.C.) [Filed: 5/22/23} (D.I No [485](#))

- O. Limited Objection of Pender, L.L.C. to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by Pender, L.L.C.) [Filed: 5/22/23] (D.I. No. [487](#))
- P. Limited Objection of Garfield I, LLC to Schedule of Cure Amounts (Filed by Garfield I, LLC) Court Docket: [Filed: 5/22/23] (D.I. No. [488](#))
- Q. Objection and Reservation of Rights of Nationwide Theatres West Flagler, LLC to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by Nationwide Theatres West Flagler, LLC as Successor-in-Interest to Main Street Concourse, LLC) [Filed: 5/22/23] (D.I. No. [490](#))
 - 1) Amended Objection and Reservation of Rights of Nationwide Theatres West Flagler, LLC to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets [Filed: 5/26/23] (D.I. No. [530](#))
- R. Objection and Reservation of Rights of Parcel D Property LLC to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by Parcel D Property LLC) [Filed: 5/22/23] (D.I. No. [491](#))
- S. Objection of Ecolab, Inc. to Possible Assumption and Assignment of Contracts (Filed by Ecolab, Inc.) [Filed: 5/22/23] (D.I. No. [493](#))
- T. Objection of Certain Landlords to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by Nuveen Real Estate, Regency Centers, LP) [Filed: 5/22/23] (D.I. No. [494](#))
- U. Objection of SOT 120 S LaSalle LLC to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors (Filed by SOT 120 S LaSalle LLC) [Filed: 5/22/23] (D.I. No. [495](#))
- V. Limited Objection of Edens Plaza SC Owner LLC to Proposed Assumption and Assignment of Potential Executory Contracts and Unexpired Leases and Reservation of Rights with Respect to Debtors' Motion Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances (Filed by Edens Plaza SC Owner LLC) [Filed: 5/22/23] (D.I. No. [498](#))
- W. Cure Objection and Reservation of Rights of 360 NM Holdings, LLC to Schedule of Cure Amounts (Filed by 360 NM Holdings, LLC) [Filed: 5/22/23] (D.I. No. [499](#))
- X. Objection of NuCo2 LLC to (I) the Debtors' Proposed Cure Amount and Objection and Reservation of Rights of NuCo2 LLC to (II) the Second Omnibus Motion of the Debtors for Entry of an Order: (1) Authorizing the Rejection of Certain Unexpired Leases and the Abandonment of Certain Personal Property Nunc Pro Tunc Effective as

- of May 31, 2023; and (2) Granting Related Relief (Filed by NuCo2 LLC) [Filed: 5/22/23] (D.I. No. [501](#))
- Y. Objection and Reservation of Rights of Loomis Armored US, LLC to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets (Filed by Loomis Armored US, LLC) [Filed: 5/23/23] (D.I. No. [512](#))
- Z. Limited Objection of Microsoft to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors [Filed: 5/24/23] (D.I. No. [520](#))
- AA. Objection and Reservation of Rights of Half Baked, LLC to the (I) Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors' Assets [Filed: 5/24/23] (D. I. No. [521](#))
- 1) Supplemental Objection and Reservation of Rights of Half Baked, LLC to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors and (II) Proposed Sale of Substantially All of the Debtors Assets [Filed 6/1/23] (D.I. No. [556](#))
- BB. Objection to Debtors' Designated Cure Amount and Declaration of Matt Kaiser in Support of Objection to Debtors' Designated Cure Amount [Filed: 5/25/23] (D.I. No. [525](#))
- CC. Joinder of Garfield I, LLC in Supplemental Objection of Westfield, LLC and Its Landlord Affiliates to the Proposed Assumption and Assignment of Westfield Leases Pursuant to the Assumption and Assignment Procedures and Notice of Selection of Proposed Stalking Horse Purchaser (Corbak Acquisition LLC) and Filing of Proposed Stalking Horse Asset Purchase Agreement [Filed: 5/25/23] (D.I. No. [527](#))
- DD. Limited Objection of 1301 East Gladstone Street Investors LLC to Notice of Possible Assumption and Assignment with Respect to Executory Contracts and Unexpired Leases of the Debtors [Filed: 5/26/23] (D.I. No. [531](#))
- EE. Limited Objection of LPF Geneva Commons, LLC to the Debtors' Motion for Entry of Orders: (1)(A) Approving Bidding Procedures of the Sale of All or Substantially All of the Debtors' Assets; (B) Authorizing the Debtors to Enter Into Stalking Horse Agreement; (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (D) Approving the Assumption and Assignment Procedures; and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 5/31/23] (D.I. No. [550](#))

Related Documents:

- A. Debtors' Motion for Entry of Orders: (I)(A) Approving Bidding Procedures for the Sale of All or Substantially All of the Debtors' Assets; (B) Authorizing the Debtors to Enter Into a Stalking Horse Agreement; (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (D) Approving Assumption and Assignment Procedures; and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief (Filed by CBC Restaurant Corp.) [Filed: 4/7/23] ([D.I. No. 289](#))

Status: On June 27, 2023, SSCP contacted the objecting and commencing landlords to request a continuance of this hearing until August 3, 2023, at 9:30 a.m., which is the next scheduled omnibus hearing date, so that can continue to work out issues with the counterparties for agreements that SSCP may seek the assumption and assignment of. The counterparties have either affirmatively consented, or not responded, to the requested continuance. Accordingly, SSCP and the Debtors request that the Court continue the hearing on this matter until August 3rd.

5. Motion of Ecolab, Inc. for Relief from the Automatic Stay [Filed: 6/14/23] ([D.I. No. 630](#))

Response Deadline: Continued to July 27, 2023 at 4:00 p.m. (ET).

Responses Received: None

Related Documents: None

Status: Ecolab, Inc. and SSCP Restaurant Investors, LLP have entered into negotiations regarding the assignment of the Ecolab contract or execution of a new contract. Accordingly, Ecolab, SSCP, and the Debtors request that the Court continue the hearing on this motion until August 3, 2023, the next scheduled omnibus hearing date.

RESOLVED MATTERS

6. **Motion for Entry of an Order Approving Stipulation Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action** [Filed: 5/5/23] ([D.I. No. 429](#))

Response Deadline: May 19, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. **Objection to Motion for Entry of an Order Approving Stipulation Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action** [Filed: 5/26/23] ([D.I. No. 532](#))

Related Documents:

A. Notice of Continued Hearing [Filed: 6/6/23] ([D.I. No. 593](#))

B. Notice of Withdrawal of Motion for Entry of an Order Approving Stipulation Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action [Filed: 7/5/23] ([D.I. No. 681](#))

Status: This matter has been withdrawn and is therefore not going forward.

7. Motion of the Debtors for Entry of an Order: (1) Authorizing the Rejection of Certain Executory Contracts; and (2) Granting Related Relief [Filed: 6/22/23] ([D.I. No. 649](#))

Response Deadline: June 29, 2023, at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

A. Certificate of No Objection Regarding Motion of the Debtors for Entry of an Order: (1) Authorizing the Rejection of Certain Executory Contracts; and (2) Granting Related Relief [Filed: 7/3/23] ([D.I. No. 679](#))

1) [ENTERED] Order: (1) Authorizing the Rejection of Certain Executory Contracts; and (2) Granting Related Relief [Entered: 7/5/23] ([D.I. No. 682](#))

Status: The order has been entered; this matter is not going forward.

8. Motion of the Debtors for Entry of an Order Approving Settlement Stipulation by the Debtors and Get Fresh Produce [Filed: 6/22/23] ([D.I. No. 644](#))

Response Deadline: June 29, 2023, at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

A. Certificate of No Objection Regarding Motion of the Debtors for Entry of an Order Approving Settlement Stipulation by the Debtors and Get Fresh Produce [Filed: 7/3/23] ([D.I. No. 676](#))

1) [ENTERED] Order Approving Settlement Stipulation by the Debtors and Get Fresh Produce [Filed: 7/5/23] ([D.I. No. 684](#))

Status: The order has been entered; this matter is not going forward.

9. Debtors' Motion for Entry of an Order (I) Approving Case Caption Change and (II) Granting Related Relief [Filed: 6/22/23] ([D.I. No. 648](#))

Response Deadline: June 29, 2023, at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

A. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order (I) Approving Case Caption Change and (II) Granting Related Relief [Filed: 7/3/23] ([D.I. No. 678](#))

1) [ENTERED] Order (I) Approving Case Caption Change and (II) Granting Related Relief [Filed: 7/5/23] ([D.I. No. 685](#))

Status: The order has been entered; this matter is not going forward.

MATTERS FOR WHICH COC'S OR CNO'S HAVE BEEN SUBMITTED

10. Third Omnibus Motion of the Debtors for Entry of an Order: (1) Authorizing the Rejection of Certain Unexpired Leases of Nonresidential Real Property and the Abandonment of Certain Personal Property Nunc Pro Tunc to June 30, 2023, and (2) Granting Related Relief [Filed: 6/16/23] ([D.I. No. 635](#))

Response Deadline: July 3, 2023, at 9:00 a.m. (ET) for landlord counterparties to the subject leases; June 29, 2023, at 4:00 p.m. (ET) for all other parties.

Responses Received: None

Related Documents:

A. Notice of Submission of Further Amended Schedule 2.12 to the Proposed Asset Purchase Agreement By and Among the Debtors and SSCP Restaurant Investors, LLC [Filed: 6/29/23] ([D.I. No. 670](#))

B. Certification of Counsel re Third Omnibus Motion of the Debtors for Entry of an Order: (1) Authorizing the Rejection of Certain Unexpired Leases of Nonresidential Real Property and the Abandonment of Certain Personal Property Nunc Pro Tunc to June 30, 2023; and (2) Granting Related Relief [Filed: 7/3/23] ([D.I. No. 675](#))

1) [FILED] Order: (1) Authorizing the Rejection of Certain Unexpired Leases of Nonresidential Real Property and the Abandonment of Certain Personal Property Nunc Pro Tunc to June 30, 2023, and (2) Granting Related Relief [Filed: 7/3/23] (D.I. No. N/A)

Status: The order has been submitted under Certification of Counsel, and the Debtors request entry of the order attached thereto. No hearing is necessary unless the Court has questions for the parties.

11. Motion of the Debtors for Entry of an Order Approving Settlement Stipulation by the Debtors and Boerman Moving & Storage, Inc. [Filed: 6/22/23] ([D.I. No. 645](#))

Response Deadline: June 29, 2023, at 4:00 p.m. (ET)

Responses Received: None

Related Documents:

- B. Certificate of No Objection Regarding Motion of the Debtors for Entry of an Order Approving Settlement Stipulation by the Debtors and Boerman Moving & Storage, Inc. [Filed: 7/3/23] ([D.I. No. 677](#))

- 1) [FILED] Order Approving Settlement Stipulation by the Debtors and Boerman Moving & Storage, Inc. [Filed: 7/3/23] (D.I. No. N/A)

Status: The order has been submitted under Certificate of No Objection, and the Debtors request entry of the order attached thereto. No hearing is necessary unless the Court has questions for the parties.

MATTERS GOING FORWARD

12. Motion of the Official Committee of Unsecured Creditors for Entry of an Order: (1) Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action; and (2) Extending Challenge Period Pending Consideration of Request for Derivative Standing [Filed: 5/19/23] ([D.I. No. 476](#))

Response Deadline: June 6, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. Objection of SSCP Restaurant Investors LLC to Motion of the Official Committee of Unsecured Creditors for Entry of an Order: (1) Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute, and Resolve Certain Claims and Causes of Action; and (2) Extending Challenge Period Pending Consideration of Request for Derivative Standing [Filed: 6/23/23] ([D.I. No. 653](#))
- B. Reply of the Official Committee of Unsecured Creditors in Support of Motion for Entry of an Order: (1) Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action; and (2) Extending Challenge Period Pending Consideration of Request for Derivative Standing [Filed: 7/2/23] ([D.I. No. 673](#))

Related Documents:

- A. Notice of Hearing Regarding Motion of the Official Committee of Unsecured Creditors for Entry of an Order: (1) Granting Derivative Standing to the Official Committee of Unsecured Creditors to Commence, Prosecute and Resolve Certain Claims and Causes of Action; and (2) Extending Challenge Period Pending Consideration of Request for Derivative Standing [Filed: 5/23/23] ([D.I. No. 516](#))

Status: This matter is going forward.

- 13. [SEALED] Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim [Filed: 5/19/23] ([D.I. No. 474](#))

Response Deadline: June 16, 2023, at 4:00 p.m. (ET)

Responses Received:

- A. Objection of SSCP Restaurant Investors LLC to Committees Motion to Limit Credit Bid Claim [Filed: 6/23/23] ([D.I. No. 652](#))
- B. Reply in Support of Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim [Filed: 7/2/23] ([D.I. No. 675](#))

Related Documents:

- A. Motion to File Under Seal the (A) Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim; and (B) Complaint Against SSCP Restaurant Investors LLC for Reduction of its Claim, Declaratory Relief, Disallowance of its Claim, and Equitable Subordination [Filed: 5/19/23] ([D.I. No. 478](#))
 - 1) [REDACTED] Notice of Filing Proposed Redacted Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim [Filed: 5/19/23] ([D.I. No. 475](#))
- B. Notice of Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim [Filed: 6/2/23] ([D.I. No. 566](#))
- C. Notice of Scheduling Conference Regarding Motion for an Order Shortening Notice in Connection with the Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Denying or Limiting the Credit Bid Rights of SSCP Restaurant Investors

LLC and (II) Holding Sale Funds in Escrow Pending Determination of Extent, Priority, and Validity of SSCP's Secured Claim [Filed: 5/22/23] ([D.I. No. 492](#))

- D. Sua Sponte Order Requiring SSCP Restaurant Investors, LLC To Escrow Purchase Price As Condition Precedent To Closing Sale Transaction Under Sale Order [Filed: 6/9/23] ([D.I. No. 610](#))

Status: This matter is going forward.

14. Emergency Motion of the Debtors: (A) for an Order to Show Cause Why Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel Should Not Be Held in Contempt and Why Sanctions Should Not Be Imposed for Failure to Comply With (I) The Court's (I) Order Granting Motion of Debtors to Compel Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations in the Possession and Control of Pandya Management, LLC, and (II) Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing and Approving (I) the Agreement With CR3 Partners, LLC to Provide Greg Baracato to Serve as the Debtors Chief Restructuring Officer and the Temporary Staff; and (II) the Employment of Mr. Baracato and the Temporary Staff, Effective as of March 17, 2023; (B) for and Order Compelling Compliance Therewith; and (C) for Related Relief [Filed: 6/8/2023] ([D.I. No. 604](#))

Response Deadline: Pending

Responses Received:

- A. Joint Reservation of Rights of Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel to Emergency Motion of the Debtors [Filed: 6/13/2023] ([D.I. No 619](#))
- B. Joint Response of Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel to Emergency Motion of the Debtors: (A) for an Order to Show Cause Why Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel Should Not Be Held in Contempt and Why Sanctions Should Not Be Imposed for Failure to Comply With (I) the Court's (I) Order Granting Motion of Debtors to Compel Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations in the Possession and Control of Pandya Management, LLC, and (II) Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing and Approving (I) the Agreement With CR3 Partners, LLC to Provide Greg Baracato to Serve as the Debtors' Chief Restructuring Officer and the Temporary Staff; and (ii) the Employment of Mr. Baracato and the Temporary Staff, Effective as of March 17, 2023; (B) for an Order Compelling Compliance Therewith; and (C) for Related Relief [Filed: 6/14/23] ([D.I. No. 626](#))

Related Documents:

- A. Notice of Hearing Re: Motion of the Debtors: (A) for an Order to Show Cause Why Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel Should Not Be Held in Contempt and Why Sanctions Should Not Be Imposed for

- Failure to Comply With (I) the Court's (I) Order Granting Motion of Debtors to Compel Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations in the Possession and Control of Pandya Management, LLC, and (II) Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing and Approving (I) the Agreement With CR3 Partners, LLC to Provide Greg Baracato to Serve as the Debtors Chief Restructuring Officer and the Temporary Staff; and (II) the Employment of Mr. Baracato and the Temporary Staff, Effective as of March 17, 2023; (B) for an Order Compelling Compliance Therewith; and (C) for Related Relief [Dated: 6/19/23] ([D.I. No. 637](#))
- B. [SIGNED] Stipulation and Agreed Bridge Order Re: Motion of the Debtors: (A) for an Order to Show Cause Why Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel Should Not Be Held in Contempt and Why Sanctions Should Not Be Imposed for Failure to Comply With (I) the Court's (I) Order Granting Motion of Debtors to Compel Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations in the Possession and Control of Pandya Management, LLC, and (II) Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing and Approving (I) the Agreement With CR3 Partners, LLC to Provide Greg Baracato to Serve as the Debtors Chief Restructuring Officer and the Temporary Staff; and (II) the Employment of Mr. Baracato and the Temporary Staff, Effective as of March 17, 2023; (B) for an Order Compelling Compliance Therewith; and (C) for Related Relief [SIGNED: 6/14/2023] ([D.I. No 624](#))
- C. Supplemental Declaration in Support of Emergency Motion of the Debtors: (A) for an Order to Show Cause Why Pandya Management, LLC, Jignesh (Jay) Pandya, Ronak Pandya, and Krupa Patel Should Not Be Held in Contempt and Why Sanctions Should Not Be Imposed for Failure to Comply With (I) The Court's (I) Order Granting Motion of Debtors to Compel Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations in the Possession and Control of Pandya Management, LLC, and (II) Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing and Approving (I) the Agreement With CR3 Partners, LLC to Provide Greg Baracato to Serve as the Debtors Chief Restructuring Officer and the Temporary Staff; and (II) the Employment of Mr. Baracato and the Temporary Staff, Effective as of March 17, 2023; (B) for and Order Compelling Compliance Therewith; And (C) For Related Relief (Greg Baracato) [Filed: 6/14/23] ([D.I. No. 623](#))
- D. Certification of Counsel Regarding Proposed Order For Engage Business Services Private Limited To Comply With The Turnover Of All Books, Records, Systems, And Processes Related To The Debtors And Their Operations [Filed: 6/29/23] ([D.I. No. 671](#))
- i. [SIGNED] Order Directing Engage Business Services Private Limited to Comply With the Turnover of All Books, Records, Systems, and Processes Related to the Debtors and Their Operations [Signed: 7/5/23] ([D.I. No. 683](#))**

Status: The parties request that the Court treat the July 6, 2023, hearing date be set as a status conference. The parties understand that the Court is available for a hearing on this matter on

Sept. 7 & 8 at 9:30 and are discussing hearing dates as well as a discovery and briefing schedule.

15. Complaint Against SSCP Restaurant Investors LLC for Disallowance of a Portion of its Claim, Declaratory Relief, and Equitable Subordination ([Adv. Case No. 23-50386, D.I. No. 1](#))

Response Deadline: Pending

Responses Received:

- A. **SSCP Restaurant Investors LLC's Answer and Affirmative Defenses to the Complaint Against SSCP Restaurant Investors LLC for Reduction of its Claim, Declaratory Relief, Disallowance of its Claim, and Equitable Subordination ([Adv. Case No. 23-50386, D.I. No. 8](#))**

Related Documents:

- A. **Summons and Notice of Pretrial Conference in an Adversary Proceeding ([Adv. Case No. 23-50386, D.I. No. 6](#))**
- B. **Notice of Filing Proposed Scheduling Order Pursuant to Local Rule 7016-1 ([Adv. Case No. 23-50386, D.I. No. 9](#))**

Status: The pretrial conference is going forward.

Dated: July 5, 2023
Wilmington, Delaware

/s/ Mette H. Kurth
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