

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

SAGA FORMATIONS, INC., *et al.*,¹
Debtors.

Chapter 11

Case No. 24-11161 (BLS)

(Jointly Administered)

**CHAPTER 11 TRUSTEE’S MOTION FOR ENTRY OF AN ORDER SHORTENING
NOTICE OF HEARING ON CHAPTER 11 TRUSTEE’S MOTION FOR AN
ORDER (A) APPROVING SALE OF TANGIBLE PLAY INC’S REMAINING
ASSETS, INCLUDING CERTAIN INTELLECTUAL PROPERTY,
FREE AND CLEAR OF INTERESTS, AND (B) GRANTING RELATED RELIEF**

Claudia Z. Springer, not individually but as the Chapter 11 Trustee (the “Trustee”) of the estates of Saga Formations, Inc. f/k/a Epic Creations, Inc., Pajeau, Inc. f/k/a Neuron Fuel, Inc., and Tangible Play, Inc. (“Tangible Play,” together with Saga Formations, Inc. f/k/a Epic Creations, Inc. and Pajeau, Inc. f/k/a Neuron Fuel, Inc., collectively the “Debtors” and, each, a “Debtor”), respectfully moves (the “Motion to Shorten”) as follows:

RELIEF REQUESTED

1. By this Motion to Shorten, the Trustee requests, pursuant to section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”), Rules 2002 and 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”) (i) shortening the notice period for the hearing on the *Trustee’s Motion for Entry of an Order (A) Approving Sale of Tangible Play’s Remaining Assets, Including*

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Saga Formations, Inc. (9113); Pajeau, Inc. (8758); and Tangible Play, Inc. (9331).



Certain Intellectual Property, Free and Clear of Interests, and (B) Granting Related Relief (the “Motion”),² filed contemporaneously herewith, *inter alia*, (i) approving and authorizing the sale of Tangible Play’s Remaining Assets to Play Osmo, Inc. (“Play Osmo”) free and clear of all Interests, and (b) granting related relief, and in support hereof.

JURISDICTION

2. The Court has jurisdiction over the Motion to Shorten pursuant to 28 U.S.C. § 1334(b) and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this proceeding and the Motion to Shorten is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory basis for the relief requested herein is section 105 of the Bankruptcy Code, Bankruptcy Rules 2002 and 9006, and Rule 9006-1(e) of the Local Rules.

4. Pursuant to Local Rule 9013-1(f), the Trustee consents to the entry of a final order by the Court if it is determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

BACKGROUND

A. General Background

5. On June 4-5, 2024, GLAS Trust Company LLC, in its capacity as administrative and collateral agent (“GLAS”) under the November 24, 2021, Credit and Guaranty Agreement and certain lenders under the same filed an involuntary chapter 11 petition against each Debtor. [D.I.

1]

² Capitalized terms not defined herein are used as defined in the Motion, which is incorporated herein by reference.

6. On June 27, 2024, this Court entered an order directing joint administration of the Debtors' cases for procedural purposes. [D.I. 61].

7. On September 16, 2024, this Court entered an order for relief in the Debtors' involuntary Chapter 11 Cases and directed the appointment of a chapter 11 trustee as a default sanction based on the Debtors' failure to comply with their discovery obligations to GLAS and the petitioning lender creditors. [D.I. 147]

8. On September 23, 2024, the United States Trustee for Region 3 (the "U.S. Trustee") duly appointed the Claudia Z. Springer as chapter 11 trustee of each Debtor, subject to approval by the Court, *see* D.I. 152, and on October 7, 2024, this Court entered the *Order Approving the Appointment of Claudia Z. Springer as Chapter 11 Trustee*. *See* D.I. 180.

9. On January 31, 2024, the Trustee filed each Debtor's schedules of assets and liabilities and statement of financial affairs. [D.I. 483–488], and the Lease and Guaranty Agreement was listed in the Schedules for Tangible Play.

10. On August 4, 2025, the Trustee filed the *First Amended Combined Disclosure Statement and Chapter 11 Plan for the Estates of Saga Formations, Inc., Pajeau, Inc., and Tangible Play, Inc.* [D.I. 871] (the "Plan") and on August 4, 2025, the Court entered an order [D.I. 866] authorizing the Trustee to solicit votes on the Plan.

11. On October 14, 2025, the Trustee filed the *Second Amended Combined Disclosure Statement and Chapter 11 Plan for the Estates of Saga Formations, Inc., Pajeau, Inc., and Tangible Play, Inc.* [D.I. 971] (as modified, amended, or supplemented from time to time, the "Confirmed Plan") and on October 29, 2025, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming the Second Amended Combined Disclosure Statement and Chapter*

11 Plan for the Estates of Saga Formations, Inc., Pajeau, Inc., and Tangible Play, Inc. [D.I. 1009] (the “Confirmation Order”).

B. Sale Background

12. In August 2025, SC&H received interest from four potential bidders seeking to purchase Tangible Play’s Remaining Assets, and as a result of a private auction and extensive arm’s length negotiations, on November 12, 2025, the Trustee and Play Osmo entered into the Bill of Sale to purchase Tangible Play’s Remaining Assets (the “Bill of Sale”).

13. Play Osmo has advised the Trustee that it desires to close as quickly as possible. Given the circumstances of the Sale, the Trustee believes that emergency relief is appropriate and necessary and will not prejudice any party in interest because the Sale contemplated in the Motion will provide a benefit to the Estate by bringing \$825,000.00 into the Estate prior to the Effective Date (as set forth in the Confirmed Plan). Therefore, the certain circumstances described herein and the lack of prejudice to any party in interest warrant such shortened notice.

CERTIFICATION PURSUANT TO LOCAL RULE 9006-1(e)

14. In accordance with Local Rule 9006-1(e), prior to the filing of this Motion and Motion to Shorten, the Trustee reached out to U.S. Trustee to ascertain if it would oppose permitting the Motion to be heard on November 19, 2025 at 10:30 am (ET). The U.S. Trustee does not take a position with respect to the Motion to Shorten.

BASIS FOR RELIEF

15. Under Bankruptcy Rule 9006, the Court may order time periods set by the Bankruptcy Rules to be reduced “for cause shown.” Fed. R. Bank. P. 9006(c)(1). In exercising such discretion, the court should “consider the prejudice to parties entitled to notice and weigh this against the reasons for hearing the motion on an expedited basis.” *In re Phila. Newspapers, LLC*,

690 F.3d 161, 171–72 (3d Cir. 2012) (noting the commonality of such motions “[g]iven the accelerated time frame of bankruptcy proceedings”). Local Rule 9006-1(e) likewise provides for shortened notice “by order of the Court, on written motion . . . specifying the exigencies justifying shortened notice.” Del. Bankr. L.R. 9006-1(e).

16. Pursuant to section 102(1) of the Bankruptcy Code, the phrase “after notice and a hearing” requires only such notice and opportunity for a hearing as may be appropriate under the circumstances. 11 U.S.C. § 102(1) (2018). Section 105(a) of the Bankruptcy Code provides that the Court “may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions” of the Bankruptcy Code. *Id.* § 105(a).

17. Here, time is of the essence as the Effective Date of the Confirmed Plan is approaching. Therefore, the Trustee respectfully requests the Court to shorten notice of the Motion and submits that shortening notice of the Motion as requested herein is reasonable under the circumstances. Further, granting the requested relief will not unfairly prejudice any of the Debtors’ creditors or other parties in interest because the Sale provides a substantial benefit to the Tangible Play estate.

18. For these reasons, the Trustee respectfully submits that allowing the Motion to be considered on shortened notice at a hearing on November 19, 2025 at 10:30 am (ET), is reasonable and appropriate under the circumstances.

CONCLUSION

WHEREFORE, the Trustee respectfully requests entry of an order, substantially in the form of the proposed order, attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as may be just and proper.

Dated: November 12, 2025
Wilmington, Delaware

**PASHMAN STEIN WALDER
HAYDEN, P.C.**

/s/ Alexis R. Gambale

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Exhibit A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

SAGA FORMATIONS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11161 (BLS)

(Jointly Administered)

**ORDER SHORTENING NOTICE OF HEARING ON CHAPTER 11 TRUSTEE’S
MOTION FOR AN ORDER AUTHORIZING THE ASSUMPTION AND
ASSIGNMENT OF TANGIBLE PLAY LEASE AND GUARANTY AGREEMENT**

Upon the motion (the “Motion to Shorten”)² of Claudia Z. Springer, Esq., in her capacity as Chapter 11 Trustee (the “Trustee”) of Debtors for entry of an order (the “Order”) shortening notice of the *Trustee’s Motion for Entry of an Order (A) Approving Sale of Certain Intellectual Property Free and Clear of Interests, and (B) Granting Related Relief* (the “Motion”), the Court having reviewed the Motion to Shorten and found that the relief requested therein is justified under the circumstances,

IT IS HEREBY ORDERED THAT:

1. The Motion to Shorten is **GRANTED**.
2. The Motion will be considered at the hearing scheduled for November 19, 2025 at 10:30 am (ET) (the “Hearing”).
3. Objections, if any, to the relief requested in the Motion must be filed and served at the time set for the Hearing.

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² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion to Shorten.

4. The Court retains jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this Order.