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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

IN RE: . Chapter 11  
. .  
HRI HOLDING CORP., et al., . Case No. 19-12415 (MFW)  
. .  
. (Jointly Administered)  
. .  
. Courtroom No. 4  
. 824 Market Street  
Debtors. . Wilmington, Delaware 19801  
. .  
. Wednesday, August 3, 2022  
. . . . . 10:30 a.m.

TRANSCRIPT OF HEARING  
BEFORE THE HONORABLE MARY F. WALRATH  
UNITED STATES BANKRUPTCY JUDGE

APPEARANCES:

For the Plan  
Administrator: Michael Busenkell, Esquire  
Ronald Gellert, Esquire  
Amy Brown, Esquire  
Bradley Lehman, Esquire  
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Proceedings recorded by electronic sound recording,  
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MOTIONS:

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of Plan Administrator to Certain	
Proofs of Claim	
[D.I. 915; Filed 6/20/22]	
Court's Ruling:	5

1 (Proceedings commenced at 10:31 a.m.)

2 THE COURT: Good morning. This is Judge Walrath.  
3 We're here in the HRI case.

4 We have one matter on for today. I will turn it  
5 over to counsel for the plan administrator.

6 MS. BROWN: Good morning. Amy Brown on behalf of  
7 the plan administrator.

8 Your Honor, this is the second omnibus objection  
9 of the plan administrator to certain proofs of claim. We did  
10 receive one formal response by the State of Michigan  
11 Department of Treasury, but that has since been withdrawn.  
12 We did receive some informal comments that we were able to  
13 resolve ahead of time.

14 First, being the informal comments received by  
15 Uptown Station. The parties have agreed to disallow Claim  
16 218, 664, and 667. The remaining claim would be 668 and it's  
17 modified to be a general unsecured claim in the amount of  
18 \$449,553.37.

19 THE COURT: Okay.

20 MS. BROWN: There were informal comments received  
21 by Alliance Town Center. The parties agreed to modify Claim  
22 No. 538 to an allowed administrative claim in the amount of  
23 \$7,797.30.

24 With respect to informal comments received by CRG  
25 Financial those have been -- the response deadline has been

1 extended until August 17th. If CRG's matters is not resolved  
2 then the response will be continued until the hearing  
3 scheduled for August 24th.

4 I see that I'm missing something on the agenda --  
5 oh, no, I'm sorry, I skipped something. There were informal  
6 comments received by Constellation NewEnergy, Inc., and  
7 Constellation NewEnergy-Gas Division, LLC. Claim No. 500  
8 filed by Constellation NewEnergy, Inc., is modified to allow  
9 a Section 503(b)(9) claim in the amount of \$17,365 and a  
10 general unsecured claim in the amount of \$27,235.95. The  
11 plan administrator withdraws its objection to Claim No. 515  
12 filed by Constellation NewEnergy.

13 THE COURT: Okay. All right. Well, I had a few  
14 issues with a handful of these in addition. So, why don't I  
15 just go through them. I will use the tabs in the binder, if  
16 that's okay, rather than the claim numbers.

17 Tab No. 2, All-Systems, from our review of the  
18 attachments to the proof of claim it looks like there were  
19 delivered within 20 days of the bankruptcy. So, I would like  
20 you to check on that further.

21 With respect to Tab 5, Aramark, it appears that  
22 there were some post-bankruptcy services, again, as reflected  
23 on the invoices attached.

24 Tab 6, same thing, Arts Refrigeration, post-  
25 bankruptcy services appear to be reflected.

1           Tab 11, Delta Township, they asserted a personal  
2 property -- a lien on personal property. Did the debtor have  
3 any personal property in that district? I am not familiar  
4 with the state law.

5           MS. BROWN: I don't know the answer to that, Your  
6 Honor.

7           THE COURT: All right. If you can just inquire as  
8 to that.

9           MS. BROWN: Sure.

10          THE COURT: Tab 12, Excel Linen, it appears that  
11 the invoices reflect some goods delivered within 20 days of  
12 bankruptcy.

13          Tab 23, SWQ, it was unclear whether the charges  
14 arose post-bankruptcy. It appears that the debtor was  
15 invoiced in January of the following year.

16          Tab 26, Victron, this appears to be a claim for  
17 natural gas delivery and I think that Judge Sontchi has held  
18 in In Re Opco that natural gas is a good, not a service for  
19 purposes of 503(b)(9). So, I am not sure that that should be  
20 reclassified.

21          So, if you want to review those and then file a  
22 further declaration, or a revised form of order, or just  
23 continue them till the, what did you say, August 28th was the  
24 --

25          MS. BROWN: August 24th.

1 THE COURT: August 24th. So, if you file a  
2 certification of counsel, I will review it in light of my  
3 comments; otherwise, I will just continue this to the 24th.

4 MS. BROWN: Okay. Thank you, Your Honor.

5 THE COURT: Thank you. That's the only matter we  
6 have on for today, so we will stand adjourned.

7 (Proceedings concluded at 10:36 a.m.)

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CERTIFICATION

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter to the best of my knowledge and ability.

/s/ Mary Zajackowski

September 19, 2023

Mary Zajackowski, CET-531  
Certified Court Transcriptionist  
For Reliable