

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 24, 2022  
11:30 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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Item 1: Second Omnibus Objection (Substantive)  
of Plan Administrator to Certain  
Proofs of Claim  
[D.I. 915; Filed 6/20/22]

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Court's Ruling:

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Agenda

Item 2: First Omnibus Objection (Non-Substantive)  
of the Plan Administrator to Certain  
Proofs of Claim  
[D.I. 922; Filed 7/6/22]

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1 (Proceedings commenced at 11:30 a.m.)

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

4 I now see you, Ms. Brown. So, let me just tell  
5 you where we are on the second omnibus objection to claims.  
6 I did get the Trustee's supplemental declaration, but I don't  
7 think it answered all of the issues I had. So, do you want  
8 me to just go through those?

9 MS. BROWN: Yes, please.

10 THE COURT: All right. I agree the All Systems  
11 that the declaration dealt with that they are services, not  
12 goods. So, I will sustain that one.

13 Aramark, the Trustee's declaration says they were  
14 for rental. So, its not a 503(b)(9); however, my comment was  
15 that in reviewing the proof of claim that is Tab 5, that  
16 there were about \$32,000 in post-petition services not  
17 prepetition. So, that would be a different priority.

18 Tab 6, Arts Refrigeration the objection is  
19 withdrawn. So, that is okay.

20 Tab 11, the Delta Township, the Trustee just says  
21 to use its books and records for the numbers, but there was  
22 no explanation as to why that should be the case. So, I  
23 still have a problem with that.

24 Tab 12, Excel Linen, the Trustee's declaration  
25 says that it was for rental services not goods. So, I agree

1 it is not a 503(b)(9) claim.

2 Tab 23, the Trustee withdrew his objection.

3 Tab 26, the Victron Energy, I think my comment was  
4 that it appears that this is a natural gas. So, under the  
5 Opco decision that would fit the 503(b)(9) and that's just  
6 not addressed in the supplemental declaration.

7 So, to recap, I still have problems with Tab 5,  
8 Tab 11, and Tab 26.

9 MS. BROWN: So, what would Your Honor propose that  
10 we do?

11 THE COURT: Submit another declaration.

12 MS. BROWN: Okay. Moving onto the first omnibus  
13 objection non-substantive. We received informal comments  
14 from claimants Uptown Station and Synergy Partners, which we  
15 addressed.

16 THE COURT: Didn't I sign that order? I think you  
17 submitted a certification of counsel.

18 MS. BROWN: Yes.

19 THE COURT: I think I signed that order.

20 MS. BROWN: Okay. I haven't seen it yet.

21 THE COURT: Ms. Farrell is telling me I did, so I  
22 will make sure she got it on the docket.

23 MS. BROWN: Okay. Well, then that is all we have  
24 on the agenda for today.

25 THE COURT: Okay. Good. Then we can stand

1 adjourned. Thank you.

2 MS. BROWN: Thank you.

3 (Proceedings concluded at 11:34 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

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