

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

In re:

**CBC RESTAURANT CORP. *et al.***,<sup>1</sup>  
Debtors

Chapter 11

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

**Original Hearing Date:**  
June 1, 2023, at 1:30 p.m. (ET)

**Continued Hearing Date:**  
June 7, 2023, at 12:30 p.m. (ET)

**SIXTH AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON JUNE 7, 2023, AT 12:30 P.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 via **Zoom only**.

**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/vJIsde6spjgjHEDR\\_yx3S\\_ser-laLuu3-pk](https://debuscourts.zoomgov.com/meeting/register/vJIsde6spjgjHEDR_yx3S_ser-laLuu3-pk)

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.

**RESOLVED MATTERS**

1. 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

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include CBC Restaurant Corp. (0801), Corner Bakery Holding Company (3981), and CBC Cardco, Inc. (1938). The Debtors' service address is 121 Friends Lane, Suite 301, Newtown PA 18940.



Tunc Effective as of May 31, 2023; and (2) Granting Related Relief [Filed: 5/8/23] ([D.I. No. 433](#))

Response Deadline: May 22, 2023, at 4:00 p.m. (ET).

Responses Received:

- A. Limited Objection of 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 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: 5/22/23] ([D.I. No. 482](#))
- B. Joinder of Brinker International, Inc. and its Affiliates to Limited Objection of 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 Debtors' Second Omnibus Motion for Entry of an Order: (I) Authorizing the Rejection of Certain Unexpired Leases and Abandonment of Certain Personal Property with Certain Rejections and Abandonments Effective Nunc Pro Tunc As of the Petition Date; and (II) Granting Related Relief [D.I. 482] [Filed: 5/22/23] ([D.I. No. 489](#))
- C. 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: 5/22/23] ([D.I. No. 501](#))

Related Documents:

- A. Notice of Withdrawal of 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: 5/28/23] ([D.I. No. 536](#))

Status: The motion has been withdrawn without prejudice.

2. Debtors' Motion for Entry of an Order: (I) Pursuant to Section 365(D)(4) of the Bankruptcy Code, Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property; and (II) for Related Relief [Filed: 5/18/23] ([D.I. No. 464](#))

Response Deadline: May 25, 2023, at 4:00 p.m. (ET).

Responses Received: An informal objection was received from 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, and their response to file an objection was extended to May 26, 2023.

Related Documents:

- A. Certification of Counsel Regarding Debtors' Motion for Entry of an Order: (I) Pursuant to Section 365(D)(4) of the Bankruptcy Code, Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property; and (II) for Related Relief [Filed: 5/30/23] ([D.I. No. 540](#))
- B. [SIGNED] Order: (I) Pursuant to Section 365(D)(4) of the Bankruptcy Code, Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property; and (II) for Related Relief [Filed: 5/30/23] (D.I. No. [542](#))

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

- 3. Motion of the Debtors (I) 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) for Related Relief [Filed: 5/18/23] ([D.I. No. 463](#))

Response Deadline: May 25, 2023, at 4:00 p.m. (ET).

Responses Received: None.

Related Documents:

- A. Certificate of No Objection [Filed: 5/28/23] ([D.I. No. 534](#))
- B. [SIGNED] Objection of Order Granting Motion of the Debtors (I) 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) for Related Relief [Filed: 5/28/23] (D.I. No. [538](#))

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

**CONTINUED MATTERS**

- 1. 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, 2020 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: N/A

Status: The parties have agreed to continue the hearing on this matter until the next omnibus hearing date.

## **MATTERS GOING FORWARD**

2. 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](#))

Response Deadline: May 18, 2023 at 4:00 p.m. (ET). The response deadline with respect to the motion has been extended to Tuesday, May 30, 2023 for the State of Texas Comptroller.

Responses Received: Informal comments to the sale motion have been received from the Office of the U. S. Trustee; the Comptroller of the State of Texas, ACE American Insurance Company, Westchester Fire Insurance Company; Brothers Produce of Austin, Inc.; Brothers Produce of Dallas, Inc.; and PJK Food Service, LLC d/ba/ Keany Produce and Gourmet (collectively, the "PACA Creditors").

- A. Limited Joint Objection of the Texas Taxing Authorities to the 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 (C) 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) Granted Related Relief (Filed by Bexar County, Collin County Tax Assessor/Collector, Carrollton-Farmers Branch ISD, City of Frisco, City of Highland Village, City of McAllen, City of University Park, Dallas County, Frisco ISD, Gregg County, Harris County, Harris County Municipal Utility District #345, Hidalgo County, Highland Park ISD, Irving ISD, Lewisville ISD, Montgomery County, Nueces County, Plano ISD, Richardson ISD, Smith County, Tarrant County, The County of Denton, Texas, The County of Williamson, Texas, Travis County [Filed: 5/22/23] ([D.I. No. 496](#)))

Related Documents:

- A. Order (I) Approving Bidding Procedures in Connection With the Sale of Substantially All of Debtors' Assets, (II) Scheduling Bid Deadlines and the Auction, (III) Approving Form and Manner and Notice Thereof, and (IV) Granting Related Relief [SIGNED: 4/20/23] (D.I. No. [361](#))
- B. Notice of Sale, Bidding Procedures, Auction, and Sale Hearing [Filed: 4/22/23] (D.I. No. [375](#))
- C. Notice of Successful Bidder and Backup Bidder [Filed: June 1, 2023] (D.I. [551](#))
- D. Notice of Filing of Proposed Asset Purchase Agreement [Filed June 1, 2023] (D.I. [552](#))
- E. Notice of Submission of Schedule 2.6(d) and 2.12 to the Proposed Asset Purchase Agreement by and Among the Debtors and SSCP Restaurant Investors, LLC [Filed: June 5, 2023] (D.I. [582](#))
  - a. **Notice of Submission of Amended Schedule 2.6(d) and 2.12 to the Proposed Asset Purchase Agreement By and Among the Debtors and SSCP Restaurant Investors, LLC [Filed: June 6, 2023] (D.I. [596](#))**
- F. **Notice of Submission of Proposed Transition Services Agreement [Filed: June 6, 2023] (D.I. [595](#))**
- G. Notice of Submission of Order Authorizing CBC Restaurant Corp. and Its Affiliated Debtors to (I) Sell Substantially All of the Debtors Assets Free and Clear of All Liens, Claims, Permitted Liens, and Interests, (II) Authorizing and Approving the Debtors Performance Under the APA, (III) Authorizing and Approving the Assumption and Assignment of Certain of the Debtors Executory Contracts, Unexpired Leases, and Permits Related Thereto, and (IV) Granting Related Relief [Filed June 1, 2023] (D.I. [557](#))
  - a. Notice of Submission of Revised Order Authorizing CBC Restaurant Corp. and Its Affiliated Debtors to (I) Sell Substantially All of the Debtors Assets Free and Clear of All Liens, Claims, Permitted Liens, and Interests, (II) Authorizing and Approving the Debtors Performance Under the APA, (III) Authorizing and Approving the Assumption and Assignment of Certain of the Debtors Executory Contracts, Unexpired Leases, and Permits Related Thereto, and (IV) Granting Related Relief [Filed: June 5, 2023] (D.I. [557](#))
  - b. **Notice of Submission of Further Revised Order Authorizing CBC Restaurant Corp. and Its Affiliated Debtors to (I) Sell Substantially All of the Debtors Assets Free and Clear of All Liens, Claims, Permitted Liens, and Interests, (II) Authorizing and Approving the Debtors Performance Under the APA, (III) Authorizing and Approving the Assumption and Assignment of Certain of the Debtors Executory Contracts, Unexpired Leases, and Permits Related Thereto, and (IV) Granting Related Relief [Filed: June 6, 2023] (D.I. [597](#))**

- H. Notice of Proposed Sua Sponte Order Requiring SSCP Restaurant Investors, LLC to Escrow Purchase Price as Condition Precedent to Closing Sale Transaction Under Sale Order [Filed: June 5, 2023] ([D.I. 581](#))
- I. Notice of Continued Hearing [Filed: June 5, 2023] ([D.I. No. 571](#))
- J. **Notice of Continued Hearing [Filed: June 6, 2023] ([D.I. No. 593](#))**
- K. 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 to the assumption and cure notice have been received from: Brothers Produce of Austin, Inc., Brothers Produce of Dallas, Inc., PJK Food Service, LLC d/ba/ 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, and The Irvine Company, LLC.

- 1) Limited Objection of Dallas College to Schedule of Cure Amounts (Filed by Dallas College) [Filed: 5/17/23] (D.I. No. [456](#))
- 2) 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](#))
- 3) Objection to Debtors' Designated Cure Amount (Filed by AmCap Northpoint II LLC) [Filed: 5/18/23] (D.I. No. [460](#))
- 4) 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](#))
- 5) 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](#))
- 6) 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](#))



- 7) 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](#))
- 8) 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](#))
- 9) 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](#))
- 10) 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](#))
- 11) 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](#))
- 12) 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](#))

- 13) Objection to Debtors' Proposed Cure Amount (Filed by Orchard Lake Forest CA LP) [Filed: 5/2/23 (D.I. No. [484](#))
- 14) 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](#))
- 15) 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](#))
- 16) 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](#))
- 17) 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](#))
  - a) 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](#))
- 18) 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](#))
- 19) Objection of Ecolab, Inc. to Possible Assumption and Assignment of Contracts (Filed by Ecolab, Inc.) [Filed: 5/22/23 (D.I. No. [493](#))
- 20) 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](#))
- 21) 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](#))



- 22) 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](#))
- 23) 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](#))
- 24) 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](#))
- 25) 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](#))
- 26) 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](#))
- 27) 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](#))
  - a) 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](#))
- 28) 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](#))
- 29) 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](#))

- 30) 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](#))
- 31) Limited Objection of LPF Geneva Commons, LLC to the Debtors' Motion for Entry of Orders: (I)(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](#))

**Status: SSCP, the objecting landlords, tax agencies, the Office of the United States Trustee, and the debtors have resolved substantially all of the comments and objections that have been received and are continuing to work though the remaining issues. The matter is going forward at this time.**

Dated: June 6, 2023  
Wilmington, Delaware

*/s/ Mette H. Kurth*  
Mette H. Kurth (DE Bar No. 6491)  
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