IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
Hudson 1701/1706, LLC, *et al.*,[1]	Case No. 25-11853 (KBO)
	(Jointly Administered)
Debtors.	**Hearing Date: October 28, 2026, at 9:30 a.m. (ET)** **Objection Deadline: October 9, 2026, at 4:00 p.m. (ET)**

DEBTORS' FOURTH MOTION FOR ENTRY OF AN ORDER, PURSUANT TO SECTION 1121(d) OF THE BANKRUPTCY CODE, EXTENDING THE EXCLUSIVE PERIODS WITHIN WHICH THE DEBTORS MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF

The above-captioned debtors and debtors-in-possession (the "**Debtors**"), by and through their undersigned counsel, hereby move (the "**Motion**") pursuant to section 1121(d) of title 11 of the United States Code, 11 U.S.C. § 101, *et seq*. (as amended or modified, the "**Bankruptcy Code**"), Rule 9006(b) of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), and Rule 9006-2 of the Local Rules of the United States Bankruptcy Court for the District of Delaware (the "**Local Rules**") for entry of an order, substantially in the form attached hereto as **Exhibit A** (the "**Proposed Order**") further extending the exclusive periods during which only the Debtors may file a chapter 11 plan and solicit acceptances thereof. In support of this Motion, the Debtors respectfully represent as follows:

INTRODUCTION

1. Section 1121(b) of the Bankruptcy Code provides for an initial period of one hundred twenty (120) days after the commencement of a chapter 11 case during which the Debtors have the exclusive right to file a chapter 11 plan (the "**Exclusive Filing Period**"). Furthermore,

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Hudson 1701/1706, LLC (0281) and Hudson 1702, LLC (0190). The Debtors' mailing address is c/o FTI Consulting, Inc. Attn: Alan Tantleff, 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

section 1121(c)(3) of the Bankruptcy Code provides that if the Debtors file a plan within the Exclusive Filing Period, the Debtors have an exclusive period of one hundred eighty (180) days from the commencement of the chapter 11 case to solicit acceptances of and confirm such a plan (the "**Exclusive Solicitation Period**," and together with the Exclusive Filing Period, the "**Exclusive Periods**"). The initial Exclusive Filing Period in these cases extended through February 19, 2026, while the initial Exclusive Solicitation Period extended through April 20, 2026.

2. On February 9, 2026, the Court entered an order extending the Exclusive Periods [Docket No. 306] (the "**First Extension Order**") through and including May 20, 2026, and July 19, 2026, respectively.

3. On May 20, 2026, the Debtors filed a second motion to extend the Exclusive Periods, seeking an extension of 120 days for each Period [Docket No. 493]. On June 12, 2026, the Court entered an order further extending the Exclusive Periods [Docket No. 543] (the "**Second Extension Order**") by 60 days through and including July 20, 2026, and September 17, 2026, respectively. The Second Extension Order was entered following agreement among the Debtors and the Official Committee of Unsecured Creditors (the "**Committee**") to reduce the Exclusive Periods extensions, without prejudice to seeking further extensions. *See* Docket No. 540.

4. On July 20, 2026, the Debtors filed a third motion to extend the Exclusive Periods, seeking an extension of 70 days for each Period [Docket No. 596]. No objections were interposed, and on August 5, 2026, the Court entered an order further extending the Exclusive Periods [Docket No. 620] (the "**Third Extension Order**") by 70 days through and including September 28, 2026, and November 27, 2026, respectively.[2]

[2] Pursuant Local Rule 9006-2, the filing of this Motion prior to the Exclusive Periods serves to extend automatically the Exclusive Periods until such time as the Court rules on this Motion. See Del. Bankr. L.R. 9006-2.

5. Section 1121(d) of the Bankruptcy Code permits the Court to extend the Exclusive Periods "for cause." By this Motion, the Debtors request that (i) the Exclusive Filing Period be further extended by one hundred and nine (109) days, through and including January 15, 2027, and (ii) the Exclusive Solicitation Period be further extended by one hundred and ten (110) days, through and including March 18, 2027, pursuant to section 1121(d) of the Bankruptcy Code. For the reasons set forth herein, the Debtors submit that ample "cause" exists to grant such extensions.

JURISDICTION AND VENUE

6. The United States Bankruptcy Court for the District of Delaware (the "**Court**") has jurisdiction over these chapter 11 cases, the Debtors, property of the Debtors' estates, and these matters under 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated as of February 29, 2012.

7. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A). Pursuant to Local Rule 9013-1(f), the Debtors consent to the entry of a final judgment or order with respect to this Motion if it is determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

8. Venue of these cases in this District is proper under 28 U.S.C. §§ 1408 and 1409.

9. The statutory and legal predicates for the relief requested herein are section 1121(d) of the Bankruptcy Code, Bankruptcy Rule 9006(b), and Local Rule 9006-2.

BACKGROUND

10. On October 22, 2025 (the "**Petition Date**"), the Debtors commenced with the Court voluntary cases (the "**Chapter 11 Cases**") under chapter 11 of the Bankruptcy Code. The Chapter 11 Cases are jointly administered for procedural purposes only pursuant to Bankruptcy Rule 1015(b).

11. The Debtors continue to be in possession of their properties, operate their business, and manage their properties as debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

12. On November 25, 2025, the Office of the United States Trustee appointed the Committee [Docket No. 104]. No trustee or examiner has been appointed in these Chapter 11 Cases.

13. Additional factual background regarding the Debtors, including their business operations, their capital and debt structures and the events leading to the filing of these Chapter 11 Cases is set forth *Amended and Restated Declaration of Alan Tantleff in Support of Debtors' Chapter 11 Petitions and First Day Motions* [Docket No. 60] (the "**First Day Declaration**"), which is fully incorporated herein by reference.[3]

RELIEF REQUESTED

14. By this Motion, the Debtors request the Court enter the Proposed Order, pursuant to section 1121(d) of the Bankruptcy Code, further extending (i) the Exclusive Filing Period by one hundred and nine (109) days, through and including January 15, 2027, and (ii) the Exclusive Solicitation Period by one hundred and ten (110) days, through and including March 18, 2027. The Debtors further request that entry of the Proposed Order be without prejudice to the Debtors' right to seek additional extensions of the Exclusive Periods (or the rights of parties in interest to oppose such additional relief or to seek to shorten or terminate the Exclusive Periods).

BASIS FOR RELIEF

15. The Exclusive Periods under section 1121(d) of the Bankruptcy Code are intended to afford a debtor a full and fair opportunity to formulate and propose a chapter 11 plan and to

[3] Capitalized terms used but not otherwise defined in this Motion shall have the meanings set forth in the First Day Declaration.

solicit acceptances thereof without the disruption that might be caused by the filing of competing plans of reorganization by non-debtor parties. To this end, where the Exclusive Periods prove to be unfeasible timeframes, section 1121(d)(1) of the Bankruptcy Code allows the Court to extend such exclusive periods for "cause."

16. Specifically, section 1121(d)(1) provides: "on request of a party in interest made within the respective periods specified in subsections (b) and (c) of this section and after notice and a hearing, the court may for cause ... increase the 120-day period or the 180-day period referred to in this section." 11 U.S.C. § 1121(d)(1).

17. Although the Bankruptcy Code does not define "cause" for purposes of an extension under section 1121(d), courts have identified several key factors relevant to a determination of whether cause exists under Bankruptcy Code section 1121(d), including the following: (a) the size and complexity of the case; (b) the necessity of sufficient time to permit the debtors to negotiate a plan of reorganization and prepare adequate information; (c) the existence of good faith progress toward reorganization; (d) the fact that the debtors are paying their bills as they become due; (e) whether the debtors have demonstrated reasonable prospects for filing a viable plan; (f) whether the debtors have made progress in negotiations with their creditors; (g) the amount of time which has elapsed in the case; (h) whether the debtors are seeking an extension of exclusivity in order to pressure creditors to submit to the debtors' reorganization demands; and (i) whether an unresolved contingency exists. *See In re Adelphia Commc'ns Corp.*, 336 B.R. 610, 674 (Bankr. S.D.N.Y. 2006); *In re Dow Coming Corp.*, 208 B.R. 661, 664-65 (Bankr. E.D. Mich. 1997).

18. Section 1121(d) of the Bankruptcy Code authorizes a bankruptcy court to extend the Exclusive Periods by as much as eighteen (18) months (to file a plan) and twenty (20) months

(to solicit votes) for cause, based upon the relevant facts and circumstances. *See* 11 U.S.C. § 1121(d). In evaluating whether an extension under section 1121(d) of the Bankruptcy Code is warranted, courts are given maximum flexibility to review the particular facts and circumstances of each case. *See e.g., In re Borders Grp., Inc.*, 460 B.R. 818, 821-22 (Bankr. S.D.N.Y. 2011) ("The determination of cause under section 1121(d) is a fact-specific inquiry and the court has broad discretion in extending or terminating exclusivity"); *In re AMKO Plastics, Inc.*, 197 B.R. 74, 77 (Bankr. S.D. Ohio 1996) ("[A]pplying the 'flexibility' in dealing with the question of extension of exclusivity which the cases suggest …. we hold that debtor has shown cause for the extension ...."); *In re Pub. Serv. Co. of N.H.*, 88 B.R. 521, 534 (Bankr. D.N.H. 1988) ("[T]he legislative intent has been construed to leave the question to the reorganization court in the exercise of its discretion and to promote maximum flexibility to suit various types of reorganization proceedings."). Satisfaction of all the above factors is not required to support a determination to grant an extension of the exclusivity periods. *See e.g., In re Express One Int'l Inc.*, 194 B.R. 98,100-101 (Bankr. E.D. Tex. 1996) (identifying only four of the factors as relevant in determining whether cause exists to support an extension).

19. As explained below, sufficient cause exists in these Chapter 11 Cases to extend the Debtors' Exclusive Periods pursuant to section 1121(d) of the Bankruptcy Code.

20. Moreover, the extensions requested in this Motion are properly tailored to the calendar in these Chapter 11 Cases. Specifically, the trial in the Recharacterization Action (defined below) is currently scheduled for December 2, 3, and 4, 2026. Although many factors could affect the timeframe needed by the Debtors to propose a Plan of Reorganization, depending on the timing and nature of the Court's resolution of the Recharacterization Action, the Debtors submit that an

extension at this time of the Exclusive Filing Period to January 15, 2027, and the corresponding extension of the Exclusive Solicitation Period are reasonable.

A. THE DEBTORS HAVE SHOWN GOOD FAITH PROGRESS IN THESE CHAPTER 11 CASES.

21. The requested extension is reasonable given the Debtors' progress to date and the current posture of these Chapter 11 Cases. Since the Petition Date, the Debtors and their advisors have worked diligently to administer these cases as efficiently as possible. To that end, the Debtors have, among other things: (i) negotiated and obtained Court approval of the Debtors' postpetition financing credit facility and Supplemental DIP Budget; (ii) engaged professionals to address the stop work order for redevelopment and construction of the Hudson Hotel project; (iii) sought discovery from the Debtors' prior owners needed for the administration of these Chapter 11 Cases; (iv) prepared and filed the Debtors' Schedules of Assets and Liabilities and Statements of Financial Affairs; (v) prepared and filed the Debtors' monthly operating reports; (vi) addressed, and resolved in a timely manner, challenges related to the Debtors' businesses and chapter 11 efforts; (vii) responded to creditor inquiries; (viii) successfully engaged in settlement negotiations resolving the interpleader adversary proceeding (A.P. Case No. 25-52468 (KBO)); (ix) moved for and obtained entry of an order by the Court establishing claims bar dates and related procedures; (x) successfully prosecuted their motion for a determination that the purported ground lease, if a lease, is a lease of residential real property governed by section 365(d)(2) of the Bankruptcy Code, including participating in discovery and an evidentiary hearing, resulting in a ruling by the Court granting the motion (the "**Residential Lease Order**"); (xi) prepared and filed an amended complaint in the adversary proceeding seeking, among other things, recharacterization of the purported ground lease as a loan instrument (A.P. Case No. 25-52471 (KBO)) (the "**Recharacterization Action**"), and successfully defended a motion to dismiss the amended complaint; and (xii) prosecuted the

Debtors' Motion for an Order Determining Amount of Prospective Post-Petition Monthly Rent Due as an Administrative Expense Claim [Dkt. No. 524].

22. Most recently, the Debtors filed a *Motion Pursuant to 11 U.S.C. § 363(b) For Authority to Enter Into Preconstruction Services Agreement* [Dkt. No. 659] (the "**PSA Motion")** and obtained authority from the Court [Dkt. No. 694] pursuant thereto to enter into a certain Preconstruction Services Agreement (the "**PSA**") with SFA Holdings, LLC ("**SFA Holdings**"), an entity possessing extensive experience in the financing and development of multi-family housing projects in New York City, including collaborating with the relevant regulatory authorities. The PSA represents a major step in the Debtors' process of identifying a strategic partner to facilitate the Debtors' emergence from the Chapter 11 Cases. The PSA enables SFA Holdings to conduct due diligence and discussions with HPD, Parkview, MSP, and other constituents and to develop a Project completion plan that is anticipated to serve as the foundation for the Debtors' plan of reorganization.[4] On a day-to-day basis, services to be provided by SFA Holdings under the PSA, include, without limitation: (i) acting as the central point of coordination among the Debtors' architect and consultants; (ii) studying, evaluating, and updating the Project's budget and schedule; (iii) coordinating among the various local and state agencies, regulatory authorities and the SRO tenants; (iv) overseeing and coordinating the property manager and specialty contractors to keep critical building systems safe, compliant and operational; (v) coordinating and managing work items related to the LA Fitness space; and (vi) preparing, maintaining and distributing various reporting deliverables including meeting minutes, action-item logs, budgets, cashflows, and tenant trackers.

[4] All capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the PSA Motion.

23. The Debtors have prudently managed the real property that is the subject of the Chapter 11 Cases, including: (a) engaging SFA Holdings pursuant to the PSA; (b) conducting major repairs and property improvements; (c) advancing the development of the LA Fitness commercial space; (d) providing services to residential tenants; (e) conducting as-needed day-to-day repair and maintenance; (f) renewing insurances; and (g) adhering to all local laws governing real estate in New York City.

24. Going forward, the Debtors are in the process of addressing numerous pressing matters, including: (i) conducting a trial in the Recharacterization Action, currently scheduled for early December; (ii) participating in the ground lessor's interlocutory appeal of the Residential Lease Order to the District Court; and (iii) working with SFA Holdings to formulate a Project completion plan that will provide the basis for a plan of reorganization.

25. The Debtors submit that their progress to date, the nature and extent of activity contemplated in the ensuing months, and the narrowly tailored relief requested provide ample cause to extend the Exclusive Periods pursuant to this Motion.

B. THE NEED FOR SUFFICIENT TIME TO NEGOTIATE AND PREPARE ADEQUATE INFORMATION.

26. The relief requested herein will facilitate the Debtors' efforts by providing the Debtors with a bridge to a full and fair opportunity to resolve open case issues, evaluate certain claims, and formulate, draft, propose, and solicit a plan without the potential distraction of ill-formed competing plans. *See In re Energy Conversion Devices, Inc.*, 474 B.R. 503, 507 (Bankr. E.D. Mich. 2012) ("In enacting 11 U.S.C. § 1121, Congress intended to allow the debtor a reasonable time to obtain confirmation of a plan without the threat of a competing plan. It was intended that at the outset of a Chapter 11 case a debtor should be given the unqualified opportunity

to negotiate a settlement and propose a plan of reorganization without interference from creditors and other interests.") (*internal citations and quotations omitted*).

C. AN EXTENSION WILL ADVANCE THESE CHAPTER 11 CASES AND WILL NOT HARM ANY PARTY.

27. The relief requested in this Motion will not unfairly prejudice or pressure the Debtors' creditor constituencies or grant the Debtors any unfair bargaining leverage. Importantly, the Debtors are not seeking an extension to delay administration of these Chapter 11 Cases or to exert pressure on their creditors, but rather to resolve issues related to any potential plan and continue the orderly, efficient, and cost-effective chapter 11 process. Further, the relief requested is without prejudice to the right of any party in interest to seek to shorten or terminate the Exclusive Periods. Accordingly, the Debtors believe that the relief requested in this Motion is warranted and appropriate under the circumstances.

28. Based on the foregoing, the Debtors respectfully submit that cause exists, pursuant to section 1121(d) of the Bankruptcy Code, for the Court to extend (i) the Exclusive Filing Period by one hundred and nine (109) days through January 15, 2027, and (ii) the Exclusive Solicitation Period by one hundred and ten (110) days, through and including March 18, 2027.

WHEREFORE, for the reasons stated herein, the Debtors respectfully request that the Court enter an order, substantially in the form attached hereto, granting the relief requested in the Motion and such other and further relief as is just and proper.

Dated: September 25, 2026
Wilmington, Delaware

CHIPMAN BROWN CICERO & COLE, LLP

/s/ William E. Chipman, Jr.
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Counsel to the Debtors and Debtors in Possession

EXHIBIT A

(*Proposed* Order)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
Hudson 1701/1706, LLC, *et al.*,[1]	Case No. 25-11853 (KBO)
	(Jointly Administered)
Debtors.	**Related Docket No. ____**

ORDER, PURSUANT TO SECTION 1121(d) OF THE BANKRUPTCY CODE, FURTHER EXTENDING THE EXCLUSIVE PERIODS WITHIN WHICH THE DEBTORS MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF

Upon consideration of the Debtors' motion [Dkt. No. ___] (the "**Motion**")[2] for entry of an order, pursuant to section 1121(d) of the Bankruptcy code, Bankruptcy Rule 9006, and Local Rule 9006-2, extending the Debtors' Exclusive Periods to file a chapter 11 plan and solicit acceptances thereof; and upon consideration of all pleadings related thereto; and due and proper notice of the Motion having been given; and it appearing that no other or further notice of the Motion is required; and the Court having jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated as of February 29, 2012; and the Court finding that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that venue of this matter is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it further appearing that the relief requested in the Motion and provided for herein is in the best interest of the Debtors, their creditors, their estates, and all other parties in interest; and sufficient cause appearing therefor;

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Hudson 1701/1706, LLC (0281) and Hudson 1702, LLC (0190). The Debtors' mailing address is c/o FTI Consulting, Inc. Attn: Alan Tantleff, 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

[2] All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.

2. The Debtors' Exclusive Filing Period is hereby extended by one hundred and nine (109) days, through and including January 15, 2027.

3. The Debtors' Exclusive Solicitation Period is hereby extended by one hundred and ten (110) days, through and including March 18, 2027.

4. The entry of this order shall be without prejudice to the rights of the Debtors and their estates to seek further extensions of the Exclusive Periods or to seek other appropriate relief and the rights of any party in interest to oppose such relief or to seek to shorten or terminate the Exclusive Periods.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.

6. The Court shall retain jurisdiction with respect to any matters, claims, rights, or disputes arising from or related to this Order.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
HUDSON 1701/1706, LLC, *et al.*,[1]	Case No. 25-11853 (KBO)
	(Jointly Administered)
Debtors.	Hearing Date: October 28, 2026, at 9:30 a.m. (ET) Objection Deadline: October 9, 2026, at 4:00 p.m. (ET)

NOTICE OF DEBTORS' FOURTH MOTION FOR ENTRY OF AN ORDER, PURSUANT TO SECTION 1121(d) OF THE BANKRUPTCY CODE, EXTENDING THE EXCLUSIVE PERIODS WITHIN WHICH THE DEBTORS MAY FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF

PLEASE TAKE NOTICE that on September 25, 2026, the above-captioned debtors and debtors-in-possession (the "**Debtors**") filed the *Debtors' Fourth Motion for Entry of an Order, Pursuant to Section 1121(d) of the Bankruptcy Code, Extending the Exclusive Periods Within Which the Debtors May File a Chapter 11 Plan and Solicit Acceptances Thereof* (the "**Motion**") with the United States Bankruptcy Court for the District of Delaware (the "**Court**").

PLEASE TAKE FURTHER NOTICE that responses, if any, to the Motion, must filed on or before **October 9, 2026, at 4:00 p.m.** (Eastern Time) (the "**Objection Deadline**") with the Court, 824 North Market Street, Third Floor, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that at the same time, you must serve a copy of the response on (a) co-counsel to the Debtors, (i) Chipman Brown Cicero & Cole LLP, 1313 N. Market Street, Suite 5400, Wilmington, DE 19801 (Attn: William E. Chipman, Jr. and Mark D. Olivere; [chipman@chipmanbrown.com] and [olivere@chipmanbrown.com] and (ii) Boies Schiller Flexner LLP, 55 Hudson Yards, 20th Floor, New York, NY 10001 (Attn: Robert D. Gordon and Michael M. Fay; [rgordon@bsfllp.com] and [mfay@bsfllp]; and (b) the Office of the United States Trustee for Region 3, J. Caleb Boggs Federal Building, 844 King Street, Lockbox 35, Wilmington, Delaware 19801 (Attn: Linda Casey; [linda.casey@usdoj.gov]), so as to be received on or before the Objection Deadline.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on **October 28, 2026, at 9:30 a.m**. (Eastern Time) before the Honorable Karen B. Owens in the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, Sixth Floor, Court Room 3, Wilmington, Delaware 19801.

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are Hudson 1701/1706, LLC (0281) and Hudson 1702, LLC (0190). The Debtors' mailing address is c/o FTI Consulting, Inc. Attn: Alan Tantleff, 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE MOTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: September 25, 2026
Wilmington, Delaware

CHIPMAN BROWN CICERO & COLE, LLP

/s/ William E. Chipman, Jr.

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