

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

In re:

AVENUE STORES, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 19-11842 (LSS)

(Jointly Administered)

**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON NOVEMBER 13, 2019 AT 2:00 P.M. (ET)**

**ADJOURNED/RESOLVED MATTERS**

1. Debtors' Second (2nd) Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 124; 8/29/19]

Related Pleadings:

- a) Second (2nd) Omnibus Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 214; 9/13/19]

Objection Deadline: September 6, 2019 at 4:00 p.m. (ET) [Extended for the U.S. Trustee to September 10, 2019]

Objections/Informal Responses:

- b) Limited Objection of TRC Canyon Plaza, LLC [D.I. 142; 9/6/19]
- c) Objection of WC Partners, LLC [D.I. 143; 9/6/19]

Status: With respect to the response listed above as item (c), this matter is adjourned to the next hearing on December 10, 2019. All other matters have been resolved. No hearing is necessary.

---

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Avenue Stores, LLC (0838); Ornatus URG Holdings, LLC (1146); Ornatus URG Real Estate, LLC (9565); and Ornatus URG Gift Cards, LLC (9203). The Debtors' headquarters are located at 365 West Passaic Street, Suite 230, Rochelle Park, New Jersey 07662.

<sup>2</sup> **Amended items appear in bold.**

2. Debtors' Fifth (5th) Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 273; 9/27/19]

Related Pleadings:

- a) Certificate of No Objection [D.I. 356; 10/15/19]
- b) Fifth (5th) Omnibus Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 363; 10/16/19]

Objection Deadline: October 11, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses: None.

Status: An order has been entered by the Court. No hearing is necessary.

3. Debtors' Sixth (6th) Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 274; 9/27/19]

Related Pleadings:

- a) Certificate of No Objection [D.I. 357; 10/15/19]
- b) Sixth (6th) Omnibus Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property, *Nunc Pro Tunc* to the Rejection Date [D.I. 364; 10/16/19]

Objection Deadline: October 11, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses: None.

Status: An order has been entered by the Court. No hearing is necessary.

4. Motion of RD Dayton, LLC for Relief from the Automatic Stay [D.I. 275; 9/27/19]

Related Pleadings:

- a) Certificate of No Objection [D.I. 369; 10/21/19]

- b) Order Granting Motion of RD Dayton, LLC for Relief from the Automatic Stay [D.I. 374; 10/22/19]

Objection Deadline: October 17, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses: None.

Status: An order has been entered by the Court. No hearing is necessary.

### **UNCONTESTED MATTER WITH CERTIFICATE OF NO OBJECTION**

- 5. Debtors' Motion for Entry of an Order (I) Approving the Sale of the Visa/MC Interchange Claim to Optium Fund 2 LLC Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (II) Granting Related Relief [D.I. 379; 10/23/19]

Related Pleadings:

- a) Certificate of No Objection [D.I. 411; 11/7/19]
- b) **Order (I) Approving the Sale of the Visa/MC Interchange Claim to Optium Fund 2 LLC Free and Clear of All Liens, Claims, Encumbrances, and Other Interests, and (II) Granting Related Relief [D.I. 421; 11/12/19]**

Objection Deadline: November 6, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses: None.

Status: **An order has been entered by the Court. No hearing is necessary.**

### **MATTERS GOING FORWARD**

- 6. Motion of the Official Committee of Unsecured Creditors (1) for an Order, Pursuant to Bankruptcy Rule 2004 and Section 105 of the Bankruptcy Code, Directing the Production of Documents by the Debtors and Versa Parties and (2) for an Order Extending the Period (A) to Challenge the Amount, Validity, Enforceability, Priority or Extent of the Pre-Petition Subordinated Obligations or the Liens of the Pre-Petition Subordinated Lender and (B) to Assert any Other Claims or Causes of Action Against the Versa Parties [D.I. 384; 10/25/19]

Related Pleadings:

- a) Supplement to Motion of the Official Committee of Unsecured Creditors (1) for an Order, Pursuant to Bankruptcy Rule 2004 and Section 105 of the Bankruptcy Code, Directing the Production of Documents by the Debtors and Versa Parties and (2) for an Order Extending the Period (A) to

Challenge the Amount, Validity, Enforceability, Priority or Extent of the Pre-Petition Subordinated Obligations or the Liens of the Pre-Petition Subordinated Lender and (B) to Assert any Other Claims or Causes of Action Against the Versa Parties [D.I. 391; 11/1/19]

Objection Deadline: November 6, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses:

- b) Objection of Ornatus URG Funding, LLC and Versa Capital Management, LLC to the Motion of the Official Committee of Unsecured Creditors (1) for an Order, Pursuant to Bankruptcy Rule 2004 and Section 105 of the Bankruptcy Code, Directing the Production of Documents by the Debtors and Versa Parties and (2) for an Order Extending the Period (A) to Challenge the Amount, Validity, Enforceability, Priority or Extent of the Pre-Petition Subordinated Obligations or the Liens of the Pre-Petition Subordinated Lender and (B) to Assert any Other Claims or Causes of Action Against the Versa Parties [D.I. 403; 11/4/19]

Status: As indicated by item (a) above, prior to the Motion being filed, the Debtors fully cooperated with the Committee's document requests. **The Committee has advised the Debtors and Ornatus Funding, LLC that it will be withdrawing this Motion without prejudice and, accordingly, this matter will not go forward. The parties request that the Court convene a status conference at the scheduled omnibus hearing.**

- 7. Debtors' Motion for Entry of an Order Authorizing the Debtors to Abandon or Destroy Certain Documents and Records [D.I. 389; 10/30/19]

Related Pleadings:

- a) Order Shortening the Time for Notice of Debtors' Motion for Authority to Abandon or Destroy Certain Documents and Records [D.I. 393; 11/1/19]
- b) **Certificate of Counsel [D.I. 427; 11/13/19]**
- c) **Proposed Order**

Objection Deadline: November 8, 2019 at 4:00 p.m. (ET)

Objections/Informal Responses:

- d) Informal Response from the Official Committee of Unsecured Creditors
- e) Informal Response from Comenity Bank

- f) **Westchester Fire Insurance Company's Limited Objection to the Debtors' Motion for Entry of an Order Authorizing the Debtors to Abandon or Destroy Certain Documents and Records [D.I. 417; 11/8/19]**

Status: **The Debtors have resolved the objections and responses listed above as Items (d), (e) and (f), and the applicable parties have advised the Debtors that no changes to the proposed form of order are required. A hearing is only necessary to the extent that the Court has any questions or comments.**

Dated: November 13, 2019  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Andrew L. Magaziner

Robert S. Brady (No. 2847)  
Andrew L. Magaziner (No. 5426)  
Ashley E. Jacobs (No. 5635)  
Allison S. Mielke (No. 5934)  
Betsy L. Feldman (No. 6410)  
Rodney Square  
1000 North King Street  
Wilmington, Delaware 19801  
Tel: (302) 571-6600  
Fax: (302) 571-1253  
Email: rbrady@ycst.com  
amagaziner@ycst.com  
ajacobs@ycst.com  
amielke@ycst.com  
bfeldman@ycst.com

*Counsel to the Debtors and Debtors in Possession*