

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

In re:

THE BON-TON STORES, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-10248 (MFW)

(Jointly Administered)

**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 31, 2019 AT 10:30 A.M. (ET)**

**THIS HEARING WILL BE HELD BEFORE THE HONORABLE MARY F. WALRATH AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 NORTH MARKET STREET, 5TH FLOOR, COURTROOM 4, WILMINGTON, DELAWARE 19801 BEGINNING AT 10:30 A.M. (ET). ANY PARTY WHO WISHES TO APPEAR TELEPHONICALLY AT THE HEARING MUST CONTACT COURTCALL, LLC AT 866-582-6878 PRIOR TO THE START OF THE HEARING TO REGISTER HIS/HER TELEPHONIC APPEARANCE IN ACCORDANCE WITH THE *INSTRUCTIONS FOR TELEPHONIC APPEARANCES EFFECTIVE JANUARY 5, 2005, REVISED MAY 11, 2018.*<sup>3</sup>**

**RESOLVED MATTERS**

1. Motion of Ronada Vargas for Relief From Stay Under Section 362 of the Bankruptcy Code [D.I. 404, 3/27/18]

Response/Objection Deadline: April 13, 2018 at 4:00 p.m. (ET)

Responses/Objections Received: None.

Related Documents:

- A. Notice of Withdrawal [D.I. 1406, 1/28/19]

Status: This matter has been withdrawn.

<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: The Bon-Ton Stores, Inc. (5229); The Bon-Ton Department Stores, Inc. (9309); The Bon-Ton Giftco, LLC (2805); Carson Pirie Scott II, Inc. (2140); Bon-Ton Distribution, LLC (5855); McRIL, LLC (5548); Bonstores Holdings One, LLC (8574); Bonstores Realty One, LLC (8931); Bonstores Holdings Two, LLC (8775); and Bonstores Realty Two, LLC (9075). The mailing address for the above-captioned Debtors is P.O. Box 20159, York, Pennsylvania 17402.

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

<sup>3</sup> The *Instructions for Telephonic Appearances Effective January 5, 2005, Revised May 11, 2018* are attached hereto as **Exhibit C**.

2. Motion to Amend Claim as Complaint to Determine Dischargeability, filed by The Wine Experience at Jordan Creek, L.C. [D.I. 862, 6/19/18]

Response/Objection Deadline: At the hearing.

Responses/Objections Received: None.

Related Documents:

- A. Notice of Motion [D. I. 994, 8/8/18]
- B. Agreed Notice of Withdrawal [D.I. 1408, 1/29/19]

Status: This matter has been withdrawn.

3. Joint Motion of the Debtors and Bon-Ton Purchaser for Entry of an Order Authorizing Severance and Rejection of an Executory Contract [D.I. 1279, 1/10/19]

Response/Objection Deadline: January 24, 2019 at 4:00 p.m. (ET)

Responses/Objections Received: None.

Related Documents:

- A. Order Authorizing Severance and Rejection of an Executory Contract [D.I. 1405, 1/28/19]

Status: An order has been entered.

**CONTESTED MATTER GOING FORWARD**

4. Debtors' Motion for Entry of an Order (I) Dismissing the Debtors' Chapter 11 Cases; (II) Establishing Procedures With Respect to Final Fee Applications; (III) Directing the Debtor Entities to be Dissolved; and (IV) Granting Related Relief [D.I. 1280, 1/10/19]

Response/Objection Deadline: January 24, 2019 at 4:00 p.m. (ET)  
[Extended until 1/25/19 for the Purchaser]

Responses/Objections Received:

- A. Objection of Commonwealth Edison Company [D.I. 1306, 1/23/19]
- B. Comenity Bank's Limited Objection and Reservation of Rights [D.I. 1343, 1/24/19]
- C. Limited Objection of Wisconsin Mall Properties, LLC [D.I. 1344, 1/24/19]

- D. Limited Objection of Pension Benefit Guaranty Corporation [D.I. 1346, 1/24/19]
- E. Reservation of Rights of WEC 98C-LLC [D.I. 1349, 1/24/19]
- F. (I) Objection by Rolex Hosiery Private Limited; and (II) Cross-Motion for Allowance of Administrative Expense Pursuant to § 503(b)(9) of the Bankruptcy Code and Directing Payment [D.I. 1352, 1/24/19]
  - (i) **Notice of Withdrawal [D.I. 1418, 1/29/19]**
- G. Response of the Purchaser [D.I. 1368, 1/25/19]
- H. Objection by Nina Footwear Corp. [D.I. 1407, 1/29/19]
- I. Pro Se Objections [See **Exhibit A** attached hereto]

Related Documents: None.

Status: **Item F has been withdrawn. Item A has been adjourned until March 8, 2019, the hearing date scheduled with respect to Commonwealth Edison's motion seeking payment of an administrative expense claim [D.I. 1285]. Items C, D and G have been resolved pursuant to a revised form of order. The Debtors and the Purchaser, as applicable, are continuing to work with applicable parties to resolve Items B and H prior to the hearing.** With respect to pro se parties referenced as Item I above, each of whom filed a response seeking reimbursement on account of previously-purchased gift cards or allegedly holds a general unsecured claim against the Debtors, the Debtors are unable make payments on account thereof given the terms of the Sale Order and the priorities of the Bankruptcy Code. Objectors wishing nonetheless to be heard by the Bankruptcy Court in addition to their written objections are encouraged to make a telephonic appearance at the hearing. This matter is going forward.

### **FEE APPLICATIONS**

- 5. Third Interim Fee Application of the Debtors' Professionals for the Period from August 1, 2018, Through and Including October 31, 2018 [D.I. 1254, 12/14/18]

Response Deadline: January 3, 2019 at 4:00 p.m. (ET) [Extended for the United States Trustee]

Responses Received: None at this time.

Related Documents: See **Exhibit B** hereto.

Status: The Debtors' professionals have determined to adjourn this matter until such time as the Court schedules a final fee hearing.

Dated: January 30, 2019  
Wilmington, Delaware

/s/ Andrew L. Magaziner

Pauline K. Morgan (No. 3650)  
Sean T. Greecher (No. 4484)  
Andrew L. Magaziner (No. 5426)  
Elizabeth S. Justison (No. 5911)  
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-and-

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*Co-Counsel to the Debtors and  
Debtors in Possession*

**EXHIBIT A****Pro Se Objections**

<b>Tab</b>	<b>Date</b>	<b>Docket No.</b>	<b>Name</b>
1	1/18/2019	1288	Nancy R. Villecco
2	1/22/2019	1296	Don Kierman
3	1/22/2019	1297	Cathy M Schlack
4	1/22/2019	1298	Sarah Jane Servinski
5	1/22/2019	1299	Maggie J. White
6	1/22/2019	1300	Andrea Bodenschatz
7	1/22/2019	1301	Barbara Wiseman
8	1/22/2019	1302	Christine Wheelen
9	1/22/2019	1303	Tom Klotz
10	1/22/2019	1304	Sharon Fisher
11	1/22/2019	1305	Dorothy Zurkowski
12	1/23/2019	1307	Marie Kreinbrink
13	1/23/2019	1308	Mary Donth
14	1/23/2019	1309	Virginia Ricks
15	1/23/2019	1310	Elizabeth McNees
16	1/23/2019	1311	Kathleen Wyn
17	1/23/2019	1312	Eddie Kiefer
18	1/23/2019	1313	Jean Bromley
19	1/23/2019	1314	Steve Milanovich
20	1/23/2019	1315	Anton Smolik
21	1/23/2019	1316	Lenna McIntyre
22	1/23/2019	1317	Wynette Seider
23	1/23/2019	1318	Edward Arnos
24	1/23/2019	1319	Kristin Berger
25	1/23/2019	1320	Donna Petersen
26	1/23/2019	1321	Vicki Baker
27	1/23/2019	1322	LeAnn Zenk
28	1/23/2019	1323	Pamela Engel
29	1/23/2019	1324	Stephen Lewis
30	1/23/2019	1325	Oriole Nelson
31	1/23/2019	1326	Vashonda Flewelen
32	1/23/2019	1327	Christy Kolb
33	1/23/2019	1328	Sandra Brookins
34	1/23/2019	1329	Kristin Bunnell
35	1/23/2019	1330	Barbara Finazzo

<b>Tab</b>	<b>Date</b>	<b>Docket No.</b>	<b>Name</b>
36	1/23/2019	1332	Zenaida Tagamolila
37	1/24/2019	1333	DeAnn Harvey-Lowden
38	1/24/2019	1334	Margaret Szajowska
39	1/24/2019	1335	Michigan Generator
40	1/24/2019	1336	Alanna Brookshaw
41	1/24/2019	1337	Jean Agathen
42	1/24/2019	1338	Jane Kieltyka
43	1/24/2019	1340	Joanne Shaffer
44	1/24/2019	1341	Christina I. Parrales
45	1/24/2019	1342	Rachelle Mayse
46	1/25/2019	1353	Jacquelynn McKay
47	1/25/2019	1354	Marlene Benjamin
48	1/25/2019	1355	Janis Annesley
49	1/25/2019	1356	Nancy L. Felber
50	1/25/2019	1357	Marcie Richner
51	1/25/2019	1358	Denise K. Sabatka
52	1/25/2019	1359	Darlene White
53	1/25/2019	1360	Brenda Webber
54	1/25/2019	1361	Suzana Ristovska
55	1/25/2019	1362	Bill Battaglia
56	1/25/2019	1363	Elizabeth Quinn
57	1/25/2019	1364	Gloria Thompson
58	1/28/2019	1382	Donis J. Wodajo
59	1/28/2019	1384	Silvia J. Lagunas
60	1/28/2019	1385	broo Kemp
61	1/28/2019	1386	Rhodes Robinson
62	1/28/2019	1388	Jeannine Ceferin
63	1/28/2019	1389	Cherie White
64	1/28/2019	1390	Diane Johnson
65	1/28/2019	1391	Cecilia Sherwin
66	1/28/2019	1392	Christine Blackford
67	1/28/2019	1393	Sandra Schwartz

<b>Tab</b>	<b>Date</b>	<b>Docket No.</b>	<b>Name</b>
68	1/28/2019	1394	Daniela Staniak
69	1/28/2019	1395	Leslie Echols
70	1/28/2019	1396	Bonnie Riedel
71	1/28/2019	1397	Howard George
72	1/28/2019	1398	Bryan Sternberg
73	1/28/2019	1399	Sheryl Armstead
74	1/28/2019	1400	Gregory Johnson
75	1/28/2019	1401	Bonnie Stanton
76	1/28/2019	1402	Darlene Benjamin
77	1/28/2019	1403	Denice K. Welcher
78	1/18/2019	Informal	Darlene White
79	1/19/2019	Informal	James Paulson
80	1/21/2019	Informal	Marjorie King
81	1/23/2019	Informal	Candice Farberg
82	1/23/2019	Informal	Carol Fugett
83	1/24/2019	Informal	Traci Catt
84	1/24/2019	Informal	Jean Sabatka
85	1/24/2019	Informal	Modern Decay Studios LLC
86	1/19/2019	Informal	KOFI Inc.
87	1/24/2019	Informal	Arica Annie-Marie Black
88	1/25/2019	Informal	Christopher J. Naples
89	1/28/2019	Informal	Portia Shaw

<b>Tab</b>	<b>Date</b>	<b>Docket No.</b>	<b>Name</b>
90	1/28/2019	Informal	Geraldine Dickinson
91	1/28/2019	Informal	Karin Uribe
92	1/28/2019	Informal	McKlein Company, LLC
93	1/28/2019	Informal	Bonnie Riedel
94	1/28/2019	Informal	Roxanne Daley
95	1/28/2019	Informal	Tuyet Hong Thi Nguyen
96	1/29/2019	Informal	Morgan Fuller
<b>97</b>	<b>1/29/2019</b>	<b>1410</b>	<b>Mary Riley</b>
<b>98</b>	<b>1/29/2019</b>	<b>1411</b>	<b>Doreen Portugal</b>
<b>99</b>	<b>1/29/2019</b>	<b>1412</b>	<b>Eddie Walker</b>
<b>100</b>	<b>1/29/2019</b>	<b>1413</b>	<b>Jacqueline Broadnax</b>
<b>101</b>	<b>1/29/2019</b>	<b>1414</b>	<b>Ruby Carol Larson</b>
<b>102</b>	<b>1/29/2019</b>	<b>1415</b>	<b>Dorothy Radell</b>
<b>103</b>	<b>1/29/2019</b>	<b>1416</b>	<b>Ingrid Rowe</b>
<b>104</b>	<b>1/29/2019</b>	<b>1417</b>	<b>Silvia J. Lagunas</b>
<b>105</b>	<b>1/29/2019</b>	<b>Informal</b>	<b>Lisa Tavares</b>
<b>106</b>	<b>1/29/2018</b>	<b>Informal</b>	<b>Denyse Buck</b>
<b>107</b>	<b>1/29/2019</b>	<b>Informal</b>	<b>Judy Dodge</b>
<b>108</b>	<b>1/30/2019</b>	<b>1422</b>	<b>Florine Christy</b>
<b>109</b>	<b>1/30/2019</b>	<b>1423</b>	<b>Katie Housel</b>

**EXHIBIT B**

**Index of Third Interim Fee Applications**

**A. Paul, Weiss, Rifkind, Wharton & Garrison LLP [D.I. 1254, 12/14/18]**

1. Sixth Monthly Fee Statement of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Counsel to the Debtors and Debtors in Possession for Allowance of Compensation and Reimbursement of Expenses Incurred for the period of August 1, 2018 through September 30, 2018 [D.I. 171, 10/18/18]
2. Certificate of No Objection [D.I. 1242, 11/30/18]
3. Seventh Monthly Fee Statement of Paul, Weiss, Rifkind, Wharton & Garrison LLP as Counsel to the Debtors and Debtors in Possession for Allowance of Compensation and Reimbursement of Expenses Incurred for the period of October 1, 2018 through October 31, 2018 [D.I. 1253, 12/14/18]
4. Certificate of No Objection [D.I. 1274, 1/4/18]
5. Supplement to Third Interim Fee Application [D.I. 1255, 12/14/18]

**B. Young Conaway Stargatt & Taylor, LLP [D.I. 1254, 12/14/18]**

1. Seventh Monthly Application of Young Conaway Stargatt & Taylor, LLP for Allowance of Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel to the Debtors for the Period from August 1, 2018 through August 31, 2018 [D.I. 1092, 12/17/18]
2. Certificate of No Objection [D.I. 1166, 10/12/18]
3. Eighth Monthly Application of Young Conaway Stargatt & Taylor, LLP for Allowance of Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel to the Debtors for the Period September 1, 2018 through September 30, 2018 [D.I. 1214, 10/29/18]
4. Certificate of No Objection [D.I. 1238, 11/21/18]
5. Ninth Monthly Application of Young Conaway Stargatt & Taylor, LLP for Allowance of Compensation for Services Rendered and Reimbursement of Expenses as Co-Counsel to the Debtors for the Period from October 1, 2018 through October 31, 2018 [D.I. 1246, 12/10/18]
6. Certificate of No Objection [D.I. 1272, 1/3/19]
7. Supplement to Third Interim Fee [D.I. 1256, 12/14/18]

**EXHIBIT C**

**Instructions for Telephonic Appearances  
Effective January 5, 2005, Revised May 11, 2018**



INSTRUCTIONS FOR TELEPHONIC APPEARANCES  
EFFECTIVE JANUARY 5, 2005  
Revised May 11, 2018

The United States Bankruptcy Court for the District of Delaware has arranged for parties to participate by telephonic appearance in hearings using CourtCall, an independent conference call company.

**Under no circumstances may any participant record or broadcast the proceedings conducted by the Bankruptcy Court.**

I. POLICY GOVERNING TELEPHONIC APPEARANCES

Telephonic appearances are allowed in all matters before Court except the following:

1. Trials and evidentiary hearings - all counsel and all witnesses must appear in person;
2. Chapter 11 status conferences - debtor's counsel must appear in person, other parties in interest may appear telephonically;
3. Chapter 11 confirmation hearings - debtor's counsel, and all objecting parties must appear in person;
4. Counsel filing a motion, application or other pleading, including, without limitation, an objection or response thereto, are expected to appear personally for a scheduled hearing unless excused. If a party filing a responsive pleading intends to make only limited argument, that party may participate by telephonic appearance. Any party not submitting a pleading, but interested in monitoring the court's proceedings, may participate by telephonic appearance in "listen-only" mode.
5. Any matter designated by the court as one requiring a personal appearance.

No telephonic appearance will be allowed unless it is made through CourtCall pursuant to the procedures set forth in section II, unless otherwise directed by Chambers.

In the event of extenuating circumstances, please contact Chambers.

If an individual schedules a telephonic appearance and then fails to respond to the call of a matter on calendar, the court may pass the matter or may treat the failure to respond as a failure to appear. Individuals making use of the conference call service are cautioned that they do so at their own risk.

To ensure the quality of the record, the use of car phones, cellular phones, speaker phones, or phones in other public places is discouraged. Each time you speak, you must identify yourself for the record. Do not place the call on hold at any time. When the Judge informs the participants that the hearing is completed, you may disconnect.

## II. SCHEDULING A TELEPHONIC APPEARANCE

1. Participants should notify CourtCall by phone (866-582-6878) or by facsimile (866-533-2946) no later than 12:00 p.m. one business days prior to the hearing.
2. Participants must provide the following information:
  - a. Case name and number: The Bon-Ton Stores, Inc. [Case No. 18-10248]
  - b. Name of Judge: Judge Mary F. Walrath
  - c. Hearing date and time: January 31, 2019 at 10:30 a.m. (ET)
  - d. Name, address, phone number of participant
  - e. Party whom participant represents
  - f. Matter on which the participant wishes to be heard or whether the participant intends to monitor the proceeding in "listen-only" mode.
3. Participants intending to be heard by the Bankruptcy Court must send written notification to debtor's counsel and/or opposing counsel providing same information as above.
4. Participants will receive fax or email confirmation and instructions for telephonic appearance from CourtCall. It is the participant's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing.
5. Any questions about telephonic appearances should be directed to CourtCall at 866-582-6878.

## III. FEES

The fee for the telephonic appearance is fixed by CourtCall.

The fee rate for telephonic appearances is as follows:

<u>Call Length</u>	<u>Fee</u>
0-45 minutes	\$ 30.00

\$ 7.00 for every 15 minute increment thereafter.

There are no subscription fees and no special equipment is required to use the service.