

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

In re:)	
)	Chapter 11
FOREVER 21, INC., <i>et al.</i> , ¹)	Case No. 19-12122 (KG)
)	
Debtors.)	(Jointly Administered)
)	
Allied Development of Alabama, LLC,)	Adv. Proc. No. 19-50897 (KG)
)	
Plaintiff,)	
v.)	
)	
Forever 21, Inc., <i>et al.</i> ,)	
)	
Defendants.)	

SECOND AMENDED² NOTICE OF AGENDA ON MATTERS SCHEDULED FOR HEARING ON JANUARY 3, 2020, AT 11:00 A.M. (PREVAILING EASTERN TIME) BEFORE THE HONORABLE KEVIN GROSS, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 6TH FLOOR, COURTROOM NO. 3, WILMINGTON, DELAWARE 19801³

PLEASE TAKE NOTICE: AS THERE ARE NO MATTERS GOING FORWARD, THE COURT HAS CANCELED THIS HEARING.

I. CONTINUED MATTER

1. **Stay Relief Motion.** *Karina Lopez’s Motion for Relief from the Automatic Stay* [Filed: 11/27/19] (Docket No. 506)

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Forever 21, Inc. (4795); Alameda Holdings, LLC (2379); Forever 21 International Holdings, Inc. (4904); Forever 21 Logistics, LLC (1956); Forever 21 Real Estate Holdings, LLC (4224); Forever 21 Retail, Inc. (7150); Innovative Brand Partners, LLC (7248); and Riley Rose, LLC (6928). The location of the Debtors’ service address is: 3880 N. Mission Road, Los Angeles, California 90031.

² Amended items noted in bold.

³ Any party who wishes to attend telephonically is required to make arrangements through CourtCall by telephone (888-882-6878) or by facsimile (310-743-1850).

Response/Objection Deadline: January 20, 2020, at 4:00 p.m. (ET).

Responses/Objections Received: None.

Related Documents: None.

Status: Pursuant to an agreement between the Debtors and counsel for the movant, the hearing on this matter has been continued to January 27, 2020, at 10:00 a.m. (ET).

II. RESOLVED MATTER

2. **Connor Group Retention.** *Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Connor Group Global Services, LLC as Accounting Services Provider to the Debtors and Debtors in Possession, Effective Nunc Pro Tunc to the Petition Date, (II) Approving the Terms of Connor Group Agreements, and (III) Granting Related Relief* [Filed: 12/9/19] (Docket No. 543)

Response/Objection Deadline: December 23, 2019, at 4:00 p.m. (ET).

Responses/Objections Received: Informal comments received from the United States Trustee.

Related Documents:

- i. Certification of Counsel Regarding Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Connor Group Global Services, LLC as Accounting Services Provider to the Debtors and Debtors in Possession, Effective *Nunc Pro Tunc* to the Petition Date, (II) Approving the Terms of Connor Group Agreements, and (III) Granting Related Relief [Filed: 12/27/19] (Docket No. 633)
- ii. [Signed] Order (I) Authorizing The Employment And Retention Of Connor Group Global Services, LLC As Accounting Services Provider To The Debtors And Debtors In Possession, Effective *Nunc Pro Tunc* To The Petition Date, (II) Approving The Terms Of Connor Group Agreements, As Modified By This Order, And (III) Granting Related Relief [Filed: 12/30/19] (Docket No. 635)

Status: The order has been entered on this matter. No hearing is necessary.

III. MATTER FILED UNDER CERTIFICATION

3. **Vendor Cap Motion.** *Debtors' Motion for Entry of an Order (I) Increasing the Critical and Foreign Vendor Caps, (II) Decreasing the 503(b)(9) Claimants Cap, and (III) Granting Related Relief* [Filed: 12/13/19] (Docket No. 565)

Response/Objection Deadline: December 27, 2019, at 4:00 p.m. (ET).

Responses/Objections Received: None.

Related Documents:

- i. Certification of No Objection Regarding Debtors' Motion for Entry of an Order (I) Increasing the Critical and Foreign Vendor Caps, (II) Decreasing the 503(b)(9) Claimants Cap, and (III) Granting Related Relief [Filed: 12/30/19] (Docket No. 642)
- ii. [Signed] Order (I) Increasing the Critical and Foreign Vendor Caps, (II) Decreasing the 503(b)(9) Claimants Cap, and (III) Granting Related Relief [Filed: 01/02/20] (Docket No. 645)

Status: The order has been entered on this matter. No hearing is necessary.

III. MATTERS GOING FORWARD

4. **Deloitte Tax Retention.** *Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Deloitte Tax LLP as Tax Services Provider to the Debtors and Debtors in Possession, Effective Nunc Pro Tunc to the Petition Date, (II) Approving the Terms of the Deloitte Tax Agreements, and (III) Granting Related Relief* [Filed: 11/8/19] (Docket No. 416)

Response/Objection Deadline: December 12, 2019, at 4:00 p.m. (ET).

Responses/Objections Received: Informal comments from the United States Trustee.

Related Documents: None at this time.

Status: The parties continue discussions to try to resolve remaining open issues in advance of the hearing. Accordingly, the hearing on this matter has been continued to January 27, 2020, at 10:00 a.m. (ET).

5. **DIP Amendment Motion.** *Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Enter into the Amendments to the DIP Agreements and (II) Granting Related Relief* [Filed: 12/16/19] (Docket No. 569)

Response/Objection Deadline: December 30, 2019, at 4:00 p.m. (ET).

Responses/Objections Received: Informal comments from the Creditors' Committee and the DIP Lenders.

Related Documents:

- i. Notice of Revised DIP Amendment [Filed: 12/20/19] (Docket No. 610)

Status: No hearing is necessary. The parties will file a revised proposed form of order under certification of counsel for the Court's consideration.

IV. **PRETRIAL CONFERENCE**

6. **Pretrial Conference re:** Adv. Proc. Case No. 19-50897, *Allied Development of Alabama, LLC vs. Forever 21, Inc., et al.*

Response/Objection Deadline: December 26, 2019.

Responses/Objections Received:

- i. Debtors' Motion to Dismiss the Complaint [Filed: 12/26/19] (Adv. Docket No. 4)
- ii. Opening Brief of Defendants Forever 21, Inc., *et al.*, in Support of Their Motion to Dismiss the Complaint [Filed: 12/26/19] (Adv. Docket No. 5)
- iii. Jatin Malhotra's Joinder to the Debtors' Motion to Dismiss the Complaint [Filed: 12/26/19] (Adv. Docket No. 6)

Related Documents:

- i. Adversary Complaint for Damages, Declaratory Relief, and Related Relief [Filed: 11/22/19] (Adv. Docket No. 1)
- ii. Summons and Notice of Pretrial Conference [Filed: 11/26/19] (Adv. Docket No. 3)

Status: The parties have agreed to adjourn the pretrial conference on this matter to the next omnibus hearing date to be scheduled in February 2020.

Dated: January 3, 2020
Wilmington, Delaware

/s/ Timothy P. Cairns

Laura Davis Jones (DE Bar No. 2436)
James E. O'Neill (DE Bar No. 4042)
Timothy P. Cairns (DE Bar No. 4228)
PACHULSKI STANG ZIEHL & JONES LLP
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
joneill@pszjlaw.com
tcairns@pszjlaw.com

-and-

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
Aparna Yenamandra (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

-and-

Anup Sathy, P.C. (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

Co-Counsel for the Debtors and Debtors in Possession