

**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)
)	

**AMENDED² NOTICE OF AGENDA ON MATTERS SCHEDULED FOR HEARING ON
JANUARY 27, 2020, AT 10:00 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 MATTERS

1. **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). Extended to 7 days prior to the next omnibus hearing date to be scheduled in February 2020 for the United States Trustee.

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

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).

Related Documents: None.

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 the February omnibus hearing.

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

Response/Objection Deadline: 7 days prior to the next omnibus hearing date to be scheduled in February 2020.

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 the February omnibus hearing.

3. **DIP Amendment.** *Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the Second DIP ABL Amendment and (II) Granting Related Relief* [Filed: 1/03/20] (Docket No. 692)

Response/Objection Deadline: January 17, 2020, at 4:00 p.m. (ET). Extended to 7 days prior to the next omnibus hearing date to be scheduled in February 2020 for the Creditors' Committee.

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

Related Documents:

- i. [Signed] Order (Final) (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Authorizing the Debtors to Use Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection to the Prepetition ABL Secured Parties, (V) Modifying the Automatic Stay, and (VI) Granting Related Relief [Filed: 11/5/19] (Docket No. 397)
- ii. Notice of DIP Milestones [Filed: 11/25/19] (Docket No. 498)
- iii. Corrected Notice of DIP Milestones [Filed: 11/25/19] (Docket No. 499)
- iv. 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)

- v. Notice of Revised DIP Amendment [Filed: 12/20/19] (Docket No. 610)
- vi. Notice of Entry Into Second Amendment to the DIP ABL Agreement [Filed: 1/3/20] (Docket No. 691)
- vii. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the Second DIP ABL Amendment and (II) Granting Related Relief [Filed: 1/3/20] (Docket No. 692)
- viii. Certification of Counsel Regarding Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the Second DIP ABL Amendment and (II) Granting Related Relief [Filed: 1/13/20] (Docket No. 723)
- ix. Order (I) Authorizing the Debtors to Enter into Amendments to the DIP Agreements and (II) Granting Related Relief [Filed: 1/14/20] (Docket No. 725)
- x. Debtors' Supplemental Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the DIP Forbearance Agreements and (II) Granting Related Relief [Filed: 1/15/20] (Docket No. 733)

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 the February omnibus hearing.

4. **De Minimis Claims.** *Debtors' Motion to Approve Procedures for Settlement of De Minimis Claims Held by or Against the Debtors* [Filed: 1/6/20] (Docket No. 699)

Response/Objection Deadline: January 20, 2020, at 4:00 p.m. (ET). Extended to 7 days prior to the next omnibus hearing date to be scheduled in February 2020 for the United States Trustee.

Responses/Objections Received: Informal comments from the United States Trustee and Chubb Insurance Company.

Related Documents: None.

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 the February omnibus hearing.

5. **DIP Releases.** *Debtors' Supplemental Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the DIP Forbearance Agreements and (II) Granting Related Relief* [Filed: 1/15/20] (Docket No. 733)

Response/Objection Deadline: January 22, 2020, at 4:00 p.m. (ET). Extended to 7 days prior to the next omnibus hearing date to be scheduled in February 2020 for the Creditors' Committee.

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

Related Documents:

- i. [Signed] Order (Final) (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Authorizing the Debtors to Use Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection to the Prepetition ABL Secured Parties, (V) Modifying the Automatic Stay, and (VI) Granting Related Relief [Filed: 11/5/19] (Docket No. 397)
- ii. Notice of Entry Into Second Amendment to the DIP ABL Agreement [Filed: 1/03/20] (Docket No. 691)
- iii. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Grant the Releases Included in the Second DIP ABL Amendment and (II) Granting Related Relief [Filed: 1/03/20] (Docket No. 692)

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 the February omnibus hearing.

II. RESOLVED MATTERS

6. **Removal Extension.** *Debtors' Motion for Entry of an Order (I) Enlarging the Period Within Which the Debtors May Remove Actions and (II) Granting Related Relief* [Filed: 12/27/19] (Docket No. 632)

Response/Objection Deadline: January 10, 2020, 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) Enlarging the Period Within Which the Debtors May Remove

Actions and (II) Granting Related Relief [Filed: 1/14/20] (Docket No. 724)

- ii. [Signed] Order Enlarging the Period Within Which the Debtors May Remove Actions and (II) Granting Related Relief [Filed: 1/15/20] (Docket No. 728)

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

III. MATTERS FILED UNDER CERTIFICATION

7. **Bielli Retention.** *Application of the Fee Examiner, David M. Klauder, for Authorization to Employ and Retain Bielli & Klauder, LLC as Counsel to Fee Examiner, Nunc Pro Tunc to December 19, 2019* [Filed: 1/6/20] (Docket No. 698)

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

Responses/Objections Received: None.

Related Documents:

- i. Certificate of No Response (Re: D.I. 698) [Filed: 1/22/20] (Docket No. 757)
- ii. **[Signed] Order (Approving Bielli & Klauder, LLC Retention) [Filed: 1/23/20] (Docket No. 765)**

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

8. **3007 Claims Motion.** *Debtors' Motion for Entry of an Order Modifying Certain Requirements of Local Rule 3007-1* [Filed: 1/6/20] (Docket No. 700)

Response/Objection Deadline: January 20, 2020, 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 Modifying Certain Requirements of Local Rule 3007-1 [Filed: 1/23/20] (Docket No. 762)
- ii. **[Signed] Order Modifying Certain Requirements of Local Rule 3007-1 [Filed: 1/23/20] (Docket No. 766)**

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

Dated: January 23, 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