

**TRENK, DiPASQUALE,
DELLA FERA & SODONO, P.C.**
347 Mount Pleasant Avenue, Suite 300
West Orange, New Jersey 07052
(973) 243-8600

-and-

45 Rockefeller Plaza, Suite 2000
New York, New York 10111
(212) 899-5245

Joseph J. DiPasquale
jdipasquale@trenklawfirm.com

Irena M. Goldstein
igoldstein@trenklawfirm.com

*Proposed Counsel for Debtors
and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

GRACIOUS HOME LLC, *et al.*,

Debtors.¹

Chapter 11

Case No. 16-13500 (MKV)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JANUARY 24, 2017 AT 10:00 A.M.**

Location of Hearing: Before the Honorable Mary Kay Vyskocil, Courtroom 501,
Manhattan Courthouse, One Bowling Green, New York,
NY 10004

I. ADJOURNED MATTERS

1. Motion of 201 East 69 LLC for (a) a Declaration that the Automatic Stay Does Not Apply to Prevent the Enforcement of a So-Ordered Stipulation of Settlement Providing for a Judgment of Possession for and a Warrant of Eviction from Premises Known As 1197-1201 Third Avenue, New York, New York, or Alternatively,

¹ The Debtors in these chapter 11 cases and the last four digits of their tax identification numbers are: Gracious Home Holdings LLC (3251); Gracious Home Payroll LLC (3681), Gracious Home LLC (3251); GH East Side LLC (3251); GH West Side LLC (3251); GH Chelsea LLC (3251) and Gracious (IP) LLC (3251). The latter five entities are disregarded for tax purposes and do not have their own tax identification numbers, but use that of Gracious Home Holdings LLC. The address of the Debtors' corporate headquarters is 1210 Third Avenue, New York, New York 10021.

Granting Relief from the Automatic Stay to Permit Such Enforcement, and (b) Granting Relief from the Automatic Stay to Apply the Security Deposited in Reduction of Claims Against the Debtors [Docket No. 42]

Objection Deadline: January 5, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 10, 2017 at 3:00 p.m.

Responses Filed:

- A. Debtors' Opposition to the Motion of 201 East 69, LLC for Relief from the Automatic Stay [Docket No. 59]
- B. Reply of 201 East 69 LLC in Further Support of Motion for (a) a Declaration that the Automatic Stay Does Not Apply to Prevent the Enforcement of a So-Ordered Stipulation of Settlement Providing for a Judgment of Possession for and a Warrant of Eviction from Premises Known As 1197-1201 Third Avenue, New York, New York, or Alternatively, Granting Relief from the Automatic Stay to Permit Such Enforcement, and (b) Granting Relief from the Automatic Stay to Apply the Security Deposited in Reduction of Claims Against the Debtors [Docket No. 75]
- C. Limited Joinder of the Official Committee of Unsecured Creditors to Debtors' Opposition to the Motion of 201 East 69, LLC for Relief from the Automatic Stay [Docket No. 83]

Additional Documents:

- D. Notice of Hearing [Docket No. 43]
- E. Stipulation and Order Resolving Certain Issues Arising from Motion filed by 201 East 69 LLC and Setting Hearing for a Determination of Remaining Matters [Docket No. 106]
- F. Notice of Adjournment of Hearing of Remaining Portion of the Motion of 201 East 69 LLC for (a) a Declaration that the Automatic Stay Does Not Apply to Prevent the Enforcement of a So-Ordered Stipulation of Settlement Providing for a Judgment of Possession for and a Warrant of Eviction from Premises Known As 1197-1201 Third Avenue, New York, New York, or Alternatively, Granting Relief from the Automatic Stay to Permit Such Enforcement, and (b) Granting Relief from the Automatic Stay to Apply the Security Deposited in Reduction of Claims Against the Debtors [Docket No. 120]

Status: **This matter has been adjourned to February 2, 2017 at 10:00 a.m.**

II. UNCONTESTED MATTERS

2. Debtors' Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 331, Bankruptcy Rule 2016, and Local Bankruptcy Rule 2016-1 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Docket No. 13]

Objection Deadline: January 5, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 10, 2017 at 3:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice of Hearing [Docket No. 16]
- B. Notice of Rescheduling of Hearing on Debtors' Motion for Order Pursuant to Bankruptcy Code Sections 105(a) and 331, Bankruptcy Rule 2016, and Local Bankruptcy Rule 2016-1 Establishing Procedures for Interim Compensation and reimbursement of Expenses of Professionals [Docket No. 89]

Status: **This matter will go forward.**

3. Debtors' Application for Order Pursuant to 28 U.S.C. § 156(c), Bankruptcy Code Section 105(a), Bankruptcy Rule 2016, and Local Bankruptcy Rule 5075-1 Authorizing Employment and Retention of Prime Clerk LLC as Claims Noticing Agent, *Nunc Pro Tunc* to the Petition Date [Docket No. 48]

Objection Deadline: January 5, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 10, 2017 at 3:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice of Hearing [Docket No. 52]
- B. Notice of Rescheduling of Hearing on Debtors' Application for Order Pursuant to 28 U.S.C. § 156(c), Bankruptcy Code Section 105(a), Bankruptcy Rule 2016, and Local Bankruptcy Rule 5075-1 Authorizing Employment and Retention of Prime Clerk LLC as Claims Noticing Agent, *Nunc Pro Tunc* to the Petition Date [Docket No. 86]

- C. Declaration of David Mitchell in Support of Debtors' Applications for Orders Authorizing Employment and Retention of Professionals *Nunc Pro Tunc* to the Petition Date [Docket No. 121]

Status: **This matter will go forward.**

4. Debtors' Application for Order Under Bankruptcy Section 327(a) and 329, Bankruptcy Rules 2014 and 2016, and Local Bankruptcy Rules 2014-1 and 2016-1 Authorizing Employment and Retention of Trenk, DiPasquale, Della Fera & Sodono, PC as Counsel, *Nunc Pro Tunc* to the Petition Date [Docket No. 50]

Objection Deadline: January 5, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 10, 2017 at 3:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice of Hearing [Docket No. 52]
- B. Notice of Rescheduling of Hearing on Debtors' Application for Order Under Bankruptcy Section 327(a) and 329, Bankruptcy Rules 2014 and 2016, and Local Bankruptcy Rules 2014-1 and 2016-1 Authorizing Employment and Retention of Trenk, DiPasquale, Della Fera & Sodono, PC as Counsel, *Nunc Pro Tunc* to the Petition Date [Docket No. 87]
- C. Declaration of David Mitchell in Support of Debtors' Applications for Orders Authorizing Employment and Retention of Professionals *Nunc Pro Tunc* to the Petition Date [Docket No. 121]

Status: **United States Trustee's comments have been incorporated and a revised order has been submitted. This matter will go forward.**

5. Debtors' Application for Order Pursuant to Sections 327(a) and 328 of the Bankruptcy Code, Bankruptcy Rules 2014 and 2016 and Local Bankruptcy Rules 2014-1 and 2016-1 Authorizing the Employment and Retention of A&G Realty Partners, LLC as Real Estate Advisors for the Debtors, *Nunc Pro Tunc* to the Petition Date [Docket No. 63]

Objection Deadline: January 17, 2017 at 4:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice of Hearing [Docket No. 71]
- B. Declaration of David Mitchell in Support of Debtors' Applications for Orders Authorizing Employment and Retention of Professionals *Nunc Pro Tunc* to the Petition Date [Docket No. 121]

Status: **United States Trustee's comments have been incorporated and a revised order has been submitted. This matter will go forward.**

- 6. Debtors' Motion for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 363(f), (i) Approving and Authorizing Debtors to Enter into Consignment Agreements, (ii) Approving and Authorizing Debtors to Enter into Shop-in-Shop Agreement with Yves Delorme, and (iii) Approving and Authorizing Debtors to Enter into Similar Shop-in-Shop Agreements [Docket No. 85]

Objection Deadline: January 17, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 18, 2017 at 5:00 p.m.

Responses Filed: None.

Additional Documents:

- A. Notice of Filing of Amended Exhibit to Debtors' Proposed Order Granting the Motion for Entry of an Order, Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 363(f), (i) Approving and Authorizing Debtors to Enter into Consignment Agreements, (ii) Approving and Authorizing Debtors to Enter into Shop-in-Shop Agreement with Yves Delorme, and (iii) Approving and Authorizing Debtors to Enter into Similar Shop-in-Shop Agreements [Docket No. 118]

Status: **A revised proposed form of order has been submitted. This matter will go forward.**

II. CONTESTED MATTERS

- 7. Debtors' Application for Order Pursuant to Sections 327(a), 328, 330, 331, and 1107(b) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016(b), and Local Bankruptcy Rules 2014-1 and 2016-1 Authorizing the Employment and Retention of B. Riley & Co. as Restructuring Advisor for the Debtors, *Nunc Pro Tunc* to the Petition Date [Docket No. 51]

Objection Deadline: January 5, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 10, 2017 at 3:00 p.m.

Responses Filed:

- A. Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Application to Employ B. Riley & Co. as Restructuring Advisor for the Debtors [Docket No. 82]
- B. Joint Reply of the Debtors and B. Riley & Co. to the Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Application to Employ B. Riley & Co. as Restructuring Advisor for the Debtors [Docket No. 114]

Additional Documents:

- C. Notice of Hearing [Docket No. 52]
- D. Notice of Rescheduling of Hearing on Debtors' Application for Order Pursuant to Sections 327(a), 328, 330, 331, and 1107(b) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016(b), and Local Bankruptcy Rules 2014-1 and 2016-1 Authorizing the Employment and Retention of B. Riley & Co. as Restructuring Advisor for the Debtors, *Nunc Pro Tunc* to the Petition Date [Docket No. 88]
- E. Supplemental Declaration of Perry Mandarino in Support of Debtors' Application Pursuant to Bankruptcy Code Section 327(a) and 328 Authorizing the Employment and Retention of B. Riley & Co. as Restructuring Advisor for the Debtors, *Nunc Pro Tunc* to the Petition Date [Docket No. 115]
- F. Declaration of David Mitchell in Support of Debtors' Applications for Orders Authorizing Employment and Retention of Professionals *Nunc Pro Tunc* to the Petition Date [Docket No. 121]

Status: **This matter will go forward.**

- 8. Motion of Debtors Approving (i) Rejection of Certain Unexpired Nonresidential Real Property Leases Pursuant to 11 U.S.C. § 365 and (ii) Extension of Time to Perform Obligations Under 11 U.S.C. § 365(d)(3) [Docket No. 62]

Objection Deadline: January 17, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 18, 2017 at 5:00 p.m.

Responses Filed:

- A. Limited Objection of 158 West 27th Street Owner, LLC to Motion of Debtors Approving (i) Rejection of Certain Unexpired Nonresidential Real Property Leases Pursuant to 11 U.S.C. § 365 and (ii) Extension of Time to Perform Obligations Under 11 U.S.C. § 365(d)(3) [Docket No. 102]

- B. Limited Objection of the Townsend House Corp. to the Motion of the Debtors Approving (i) Rejection of Certain Unexpired Nonresidential Real Property Leases Pursuant to 11 U.S.C. § 365 and (ii) Extension of Time to Perform Obligations Under 11 U.S.C. § 365(d)(3) [Docket No. 104]
- C. Debtors' Omnibus Reply in Further Support of Debtors' Motion Approving (i) Rejection of Certain Unexpired Nonresidential Real Property Leases Pursuant to 11 U.S.C. § 365 and (ii) Extension of Time to Perform Obligations Under 11 U.S.C. § 365(d)(3) [Docket No. 117]

Additional Documents:

- D. Notice of Hearing [Docket No. 71]

Status: **A revised proposed form of order has been submitted. This matter will go forward.**

- 9. The Townsend House Corp.'s Motion for the Entry of an Order, Pursuant to 11 U.S.C. § 365(d)(3), Compelling Immediate Payment of Post-Petition Rent [Docket No. 65]

Objection Deadline: January 17, 2017 at 4:00 p.m., except for Committee deadline which was extended to January 18, 2017 at 5:00 p.m.

Responses Filed:

- A. Opposition of Debtors to Townsend House Corp.'s Motion for the Entry of an Order, Pursuant to 11 U.S.C. § 365(d)(3), Compelling Immediate Payment of Post-Petition Rent [Docket No. 103]
- B. Response of the Official Committee of Unsecured Creditors to the Townsend House Corp.'s Motion for Entry of an Order Compelling Immediate Payment of Post-Petition Rent [Docket No. 107]
- C. Omnibus Reply of the Townsend House Corp. to the Objection of the Debtors and Response of the Official Committee of Unsecured Creditors to the Townsend House Corp.'s Motion for the Entry of an Order Compelling Immediate Payment of Post-Petition Rent [Docket No. 111]

Status: **This matter will go forward.**

Dated: New York, New York
January 23, 2017

**TRENK, DiPASQUALE,
DELLA FERA & SODONO, P.C.**

By: /s/ Joseph J. DiPasquale
347 Mount Pleasant Avenue, Suite 300
West Orange, New Jersey 07052
(973) 243-8600
-and-
45 Rockefeller Plaza, Suite 2000
New York, New York 10111
(212) 899-5245
Joseph J. DiPasquale
Irena M. Goldstein

*Proposed Counsel for Debtors and Debtors in
Possession*

4812-0815-8272, v. 1