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*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.<sup>1</sup>

Chapter 11

Case No. 16-13500 (MKV)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 12, 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. 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]

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<sup>1</sup> 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.

Objection Deadline: December 19, 2016 at 11:00 a.m.

Responses Filed: None.

Additional Documents:

- A. 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 has been adjourned to January 24, 2017 at 10:00 a.m.**

- 2. 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.

Responses Filed: None.

Additional Documents:

- B. Notice of Hearing [Docket No. 52]
- C. 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]

Status: **This matter has been adjourned to January 24, 2017 at 10:00 a.m.**

- 3. 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.

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]

Status: **This matter has been adjourned to January 24, 2017 at 10:00 a.m.**

- 4. 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.

Responses Filed: None.

Additional Documents:

- A. Notice of Hearing [Docket No. 52]
- B. 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]
- C. 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]

Status: **This matter has been adjourned to January 24, 2017 at 10:00 a.m.**

**II. UNCONTESTED MATTERS**

- 5. Debtors' Motion for an Order Pursuant to Section 102 and 105 of the Bankruptcy Code, Bankruptcy Rules 1015, 2002, 9007 and 9036, and Local Bankruptcy Rule

2002 Authorizing the Establishment of Certain Notice, Case Management and Administrative Procedures [Docket No. 6]

Objection Deadline: December 19, 2016 at 11:00 a.m.

Responses Filed: None.

Status: **Edits per the Court have been made and a revised order has been submitted.**

6. Motion for an Order Pursuant to Sections 105(a), 345(b), and 363(b) and (c) of the Bankruptcy Code Authorizing the Debtors to (i) Continue to Use Existing Cash Management System, (ii) Maintain Existing Bank Accounts and Business Forms, and (iii) Waive Requirements of Section 345(b) of the Bankruptcy Code [Docket No. 8]

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. Interim Order Pursuant to Sections 105(a), and 363(b) and (c) of the Bankruptcy Code Authorizing the Debtors to (i) Continue to Use Existing Cash Management System, and (ii) Maintain Existing Bank Accounts and Business Forms [Docket No. 30]

Status: **A proposed form of final order will be submitted.**

7. Motion for an Order Pursuant to Sections 105(a), 362(d), 363(b) and 503(b) of the Bankruptcy Code (i) Authorizing the Debtors to (a) Continue Their Workers' Compensation Program and Their Insurance Programs; (b) Pay All Obligations in Respect Thereof; and (ii) Authorizing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations [Docket No. 10]

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. Interim Order Pursuant to Sections 105(a), 362(d), 363(b) and 503(b) of the Bankruptcy Code and Bankruptcy Rules 4001(d) and 6004(a) (i) Authorizing the Debtors to (a) Continue Their Workers' Compensation Program and Their Insurance Programs and (b) Pay All Obligations in Respect Thereof and (ii) Authorizing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations [Docket No. 38]

Status: **A proposed form of final order will be submitted.**

8. Debtors' Motion, Pursuant to Sections 105(a), 363(b), 506(a), 507(a)(8) of the Bankruptcy Code, (i) for Authorization to Pay Prepetition Sales and Use Taxes and (ii) to Schedule a Final Hearing [Docket No. 12]

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. Interim Order Pursuant to Sections 105(a), 363(b), 506(a) and 507(a)(8) of the Bankruptcy Code (i) Authorizing the Debtors to Pay Prepetition Sales and Use Taxes and (ii) Scheduling a Final Hearing [Docket No. 29]

Status: **A proposed form of final order will be submitted.**

9. Debtors' Motion Pursuant to 11 U.S.C. §§ 105(a) and 363(b) for Entry of Interim and Final Orders (i) Authorizing (a) Payment of Prepetition Wages, Salaries, Employee Benefits, and Other Compensation, (b) Maintenance of Employee Benefit Programs and Payment of Related Administrative Obligations and (ii) Directing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations [Docket No. 14]

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. Interim Order Pursuant to 11 U.S.C. §§ 105(a) and 363(b) and 507(a) (i) Authorizing Debtors to (a) Pay Prepetition Wages, Salaries, Employee

Benefits, and Other Compensation, (b) Maintain Employee Benefit Programs and Pay Related Administrative Obligations, and (ii) Directing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations [Docket No. 33]

Status: **A proposed form of final order will be submitted.**

10. Notice of Presentment of Stipulation and Order by and between the Debtors and Hanover Estates LLC Regarding Rejection of Unexpired Nonresidential Real Property lease for the Premises Located at 45 West 25<sup>th</sup> Street, New York, New York Pursuant to 11 U.S.C. § 356 [Docket No. 47]

Objection Deadline: January 9, 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.

Status: **Proposed Stipulation and Order has been submitted.**

## **II. CONTESTED MATTERS**

11. Debtors' Emergency Motion Pursuant to Sections 105, 361, 362 and 363 of the Bankruptcy Code, Rule 4001(b) of the Federal Rules of Bankruptcy Procedure and Local Rule 4001-2 for (I) Entry of Interim and Final Orders (A) Authorizing the Use of Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Party and (C) Granting Related Relief and (II) Scheduling a Final Hearing [Docket No. 15]

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 201 East 69 LLC to Debtors' Motion for Final Order Authorizing Use of Cash Collateral and Granting Adequate Protection to Prepetition Secured Party [Docket No. 57]
- B. Objection of The Townsend House Corp. to the Debtors' Motion for Entry of a Final Order Authorizing the Use of Cash Collateral [Docket No. 58]
- C. Supplement to Objection of Signature Bank to Debtors' Motion for (i) Entry of Interim and Final Orders (a) Authorizing the Use of Cash Collateral, (b) Granting Adequate Protection of Prepetition Secured Party and (c) Granting Related Relief and (ii) Scheduling a Final Hearing [Docket No. 60]

- D. Witness List of Signature Bank in Connection with Final Hearing on Debtors' Motion for (i) Entry of Interim and Final Orders (a) Authorizing the Use of Cash Collateral, (b) Granting Adequate Protection of Prepetition Secured Party and (c) Granting Related Relief and (ii) Scheduling a Final Hearing [Docket No. 61]
- E. Witness List of Debtors in Connection with Final Hearing on Debtors' Motion for Entry of Interim and Final Orders (a) Authorizing the Use of Cash Collateral, (b) Granting Adequate Protection of Prepetition Secured Party and (c) Granting Related Relief [Docket No. 64]
- F. Debtors' Omnibus Reply in Support of Debtors' Emergency Motion, Pursuant to Sections 105, 361, 362 and 363 of the Bankruptcy Code, Rule 4001(b) of the Federal Rules of Bankruptcy Procedure and Local Rule 4001-2 for Entry of Interim and Final Orders (a) Authorizing the Use of Cash Collateral, (b) Granting Adequate Protection to Prepetition Secured Party and (c) Granting Related Relief [Docket No. 76]
- G. Response of the Official Committee of Unsecured Creditors in Support of the Relief Requested in the Cash Collateral Motion [Docket No. 81]

Additional Documents:

- H. Interim Order (a) Authorizing Use of Cash Collateral, (b) Providing Adequate Protection, and (c) Scheduling a Final Hearing [Docket No. 37]

Status: **Signature Bank's objection has been resolved. A proposed second interim order will be submitted. This matter will go forward.**

- 12. 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. 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]

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

Dated: New York, New York  
January 11, 2017

**TRENK, DiPASQUALE,  
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