

**COLE SCHOTZ P.C.**

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and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

RTW RETAILWINDS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 20-18445 (JKS)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
TO BE HEARD ON OCTOBER 28, 2020, AT 10:00 A.M. (ET)**

**Please note that you must appear telephonically for the hearings  
through Court Solutions.**

**To appear telephonically via Court Solutions, Parties must make prior arrangements  
with Court Solutions at <http://www.Court-Solutions.com> or by calling 917-746-7476.**

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's federal tax identification number, as applicable, are as follows: RTW Retailwinds, Inc. (1445); Lerner New York Holding, Inc. (2460); Lernco, Inc. (4787); Lerner New York, Inc. (2137); New York & Company, Inc. (4569); Lerner New York GC, LLC (6095); Lerner New York Outlet, LLC (6617); New York & Company Stores, Inc. (6483); FTF GC, LLC (7341); Lerner New York FTF, LLC (6279); Fashion to Figure, LLC (6997); FTF IP Company, Inc. (6936). The Debtors' principal place of business is 330 W. 34th St., 9th Floor, New York, New York 10001.

To: All Parties Receiving Electronic Notification of Filing  
via the Court's CM/ECF System

**PLEASE TAKE NOTICE** that the following matters are currently scheduled to be heard telephonically on **October 28, 2020, at 10:00 a.m. (prevailing Eastern Time)** before the Honorable John K. Sherwood:

**ADJOURNED MATTERS**

1. **Motion**: Debtors' Motion for Entry of an Order Authorizing (I) Rejection of Lease Agreement Effective as of the Rejection Date, (II) Abandonment of Any Personal Property, Effective as of the Rejection Date, and (III) Granting Related Relief [Docket No. 324].

**Motion**: Debtors' Application to Shorten Time [Docket No. 325].

**Order**: Order Granting Application to Shorten Time [Docket No. 333].

**Objection Deadline**: Matter was previously adjourned and objection deadline has passed.

**Formal Objections Filed**: None filed as of the date of this Agenda.

**Informal Responses Received**: Vornado 330 West 34th Street, L.L.C.

**Status**: The parties are continuing to discuss resolution of the informal response. The parties are requesting this matter be adjourned to November 11, 2020, at 10:00 a.m. (prevailing Eastern Time).

**UNCONTESTED MATTERS**

2. **Motion**: Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Use of Cash Collateral and Affording Adequate Protection; (II) Modifying Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [Docket No. 24].

**Objection Deadline**: August 5, 2020, at 12:00 p.m. (prevailing Eastern Time).

**Formal Objections Filed**: None filed as of the date of this Agenda.

**Informal Responses Received**:

- (a) Certain Texas Ad Valorem Taxing Entities;
- (b) Comenity Bank; and

(c) Official Committee of Unsecured Creditors.

**Status:** A Second Interim Order was entered by the Court on August 26, 2020 [Docket No. 259]. Wells Fargo Bank, National Association, the Debtors' prepetition lender, has been paid in full on its funded indebtedness and possesses potential contingent claims for which adequate protection reserves have been established. The Debtors intend to submit an agreed form of abbreviated Final Order, failing which the Motion will be withdrawn.

3. **Motion:** Motion for Entry of Stipulation and Consent Order Modifying Automatic Stay and Providing for Certain Post-Petition Extension of Credit and Payments, filed on behalf of LeasePlan USA [Docket No. 393].

**Objection Deadline:** October 21, 2020, at 12:00 p.m. (prevailing Eastern Time).

**Objection Filed:** None filed as of the date of this Agenda.

**Status:** This matter is uncontested and will be going forward.

4. **Motion:** Debtors' Motion for Entry of an Order Extending the Time Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. Section 1452 [Docket No. 409].

**Bridge Order:** Bridge Order with respect to motion entered on October 6, 2020 [Docket No. 420].

**Objection Deadline:** October 21, 2020 at 12:00 p.m. (prevailing Eastern Time).

**Objection Filed:** None filed as of the date of this Agenda.

**Status:** This matter is uncontested and will be going forward.

5. **Motion:** Debtors' Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and Disclosure Statement [Docket No. 416].

**Objection Deadline:** October 21, 2020, at 12:00 p.m. (prevailing Eastern Time).

**Objection Filed:** None filed as of the date of this Agenda.

**Status:** This matter is uncontested and will be going forward.

**CONTESTED MATTERS**

6. **Motion**: Debtors' Motion for Entry of an Order (I) Approving the Adequacy of Disclosure Statement; (II) Scheduling a Hearing on Plan Confirmation and Deadlines Related Thereto; (III) Approving the Solicitation, Notice and Tabulation Procedures and the Forms Related Thereto; and (IV) Granting Related Relief [Docket No. 392].

**Objection Deadline**: October 21, 2020 at 12:00 p.m. (prevailing Eastern Time).

**Formal Objection Filed**: Limited Objection of the U.S. Securities and Exchange Commission for Approval of the Disclosure Statement and Confirmation of the Debtors' Joint Plan of Liquidation [Docket No. 484].

**Informal Responses Received**: U.S. Securities and Exchange Commission, Pension Benefit Guaranty Corporation, the U.S. Trustee and certain landlords represented by Barclay Damon, LLP.

**Reply**: Debtors' Reply to Limited Objection of the U.S. Securities and Exchange Commission for Approval of the Disclosure Statement and Confirmation of the Debtors' Joint Plan of Liquidation [Docket No. 498].

**Status**: This matter will be going forward on a contested basis.

7. **Rejection Notice**: Fourth Notice of Rejection of Executory Contracts and Unexpired Leases [Docket No. 368].

**Objection Deadline**: October 9, 2020.

**Objections Filed**:

- (a) Limited Objection to Debtors' Notice of Rejection of Executory Contracts and Unexpired Leases filed by 5304 Fifth Ave., Associates, LLC [Docket No. 441].
- (b) Limited Objection to Debtors' Notice of Rejection of Executory Contracts and Unexpired Leases filed by Fabco Enterprises, Inc. [Docket No. 440].

**Reply**: Debtors' Omnibus Reply to Landlord Objections to Debtors' Fourth Notice of Rejection of Executory Contracts and Unexpired Leases [Docket No. 473].

**Notice**: Notice of Hearing on Landlords' Limited Objections to Debtors' Fourth Notice of Rejection of Executory Contracts and Unexpired Leases [Docket No. 474]

**Status**: This matter will be going forward on a contested basis.

Dated: October 26, 2020

**COLE SCHOTZ P.C.**

By:     /s/ Ryan T. Jareck    

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