

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

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:
In re : **Chapter 11**
:
BROOKS BROTHERS GROUP, INC., et al., : **Case No. 20-11785 (CSS)**
:
Debtors.¹ : **(Jointly Administered)**
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NOTICE OF AGENDA FOR TELEPHONIC AND VIDEO HEARING SCHEDULED FOR AUGUST 11, 2020 AT 2:00 P.M. (PREVAILING EASTERN TIME), BEFORE THE HONORABLE CHRISTOPHER S. SONTCHI, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²

ANY PARTY WISHING TO PARTICIPATE IN THE HEARING MUST APPEAR THROUGH BOTH COURTCALL AND ZOOM.

**TO APPEAR BY VIDEO CONFERENCE,
PARTIES SHOULD USE THE FOLLOWING INFORMATION:
JOIN ZOOMGOV HEARING: <https://debuscourts.zoomgov.com/j/1602584320>
MEETING ID: 160 258 4320; PASSWORD: 496770**

PLEASE NOTE: AUDIO MUST BE MUTED IN ZOOM ONCE CONNECTED. COURTCALL, LLC WILL PROVIDE THE AUDIO FOR THE HEARING.

**TO APPEAR TELEPHONICALLY,
PARTIES SHOULD CONTACT COURTCALL, LLC
AT 844-925-0626 TO REGISTER THEIR APPEARANCE.**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are Brooks Brothers Group, Inc. (8883); Brooks Brothers Far East Limited (N/A); BBD Holding 1, LLC (N/A), BBD Holding 2, LLC (N/A), BBDI, LLC (N/A), Brooks Brothers International, LLC (N/A); Brooks Brothers Restaurant, LLC (3846); Deconic Group LLC (0969); Golden Fleece Manufacturing Group, LLC (5649); RBA Wholesale, LLC (0986); Retail Brand Alliance Gift Card Services, LLC (1916); Retail Brand Alliance of Puerto Rico, Inc. (2147); and 696 White Plains Road, LLC (7265). The Debtors’ corporate headquarters and service address is 346 Madison Avenue, New York, New York 10017.

² All motions and other pleadings referenced herein are available online at the following address: <https://cases.primeclerk.com/brooksbrothers/>.

I. RESOLVED MATTERS:

1. Motion of Debtors for Entry of Orders Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in and Claims Against the Debtors and Certain Worthless Stock Deduction Claims [[Docket No. 5](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Official Committee of Unsecured Creditors (the “Committee”)

Objections/Responses Received:

- A. Informal response received from the Committee

Related Documents:

- i. Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in and Claims Against the Debtors and Certain Worthless Stock Deduction Claims [[Docket No. 108](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in and Claims Against the Debtors and Certain Worthless Stock Deduction Claims; and (B) Final Hearing Thereon [[Docket No. 126](#) – filed July 13, 2020]
- iii. Certificate of Publication [[Docket No. 212](#) – filed July 26, 2020]
- iv. Certification of Counsel Regarding Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors, Claims Against the Debtor, and Claiming a Worthless Stock Deduction [[Docket No. 324](#) – filed August 7, 2020]
- v. Final Order Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Interests in the Debtors, Claims Against the Debtor, and Claiming a Worthless Stock Deduction [[Docket No. 331](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

2. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Fees, and (II) Granting Related Relief [[Docket No. 8](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

A. Informal response received from the Committee

Related Documents:

- i. Interim Order Authorizing Debtors to (I) Pay Certain Prepetition Taxes and Fees, and (II) Granting Related Relief [[Docket No. 113](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order Authorizing Debtors to (I) Pay Certain Prepetition Taxes and Fees, and (II) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 125](#) – filed July 13, 2020]
- iii. Certification of Counsel Regarding Final Order Authorizing Debtors to (I) Pay Certain Prepetition Taxes and Fees, and (II) Granting Related Relief [[Docket No. 323](#) – filed August 7, 2020]
- iv. Final Order Authorizing Debtors to (I) Pay Certain Prepetition Taxes and Fees, and (II) Granting Related Relief [[Docket No. 330](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is only necessary if the Court has any questions or comments.

3. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Maintain and Administer Prepetition Customer Programs, Promotions, and Practices, (B) Pay and Honor Related Prepetition Obligations, and (II) Granting Related Relief [[Docket No. 11](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Committee
- B. Informal response received from the Office of the Texas Attorney General

Related Documents:

- i. Interim Order (I) Authorizing Debtors to (A) Maintain and Administer Prepetition Customer Programs, Promotions, and Practices, (B) Pay and Honor Related Prepetition Obligations, and (II) Granting Related Relief [[Docket No. 114](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors to (A) Maintain and Administer Prepetition Customer Programs, Promotions, and Practices, (B) Pay and Honor Related Prepetition Obligations, and (II) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 128](#) – filed July 13, 2020]

- iii. Certification of Counsel Regarding Final Order (I) Authorizing Debtors to (A) Maintain and Administer Prepetition Customer Programs, Promotions, and Practices, (B) Pay and Honor Related Prepetition Obligations, and (II) Granting Related Relief [[Docket No. 326](#) – filed August 7, 2020]
- iv. Final Order (I) Authorizing Debtors to (A) Maintain and Administer Prepetition Customer Programs, Promotions, and Practices, (B) Pay and Honor Related Prepetition Obligations, and (II) Granting Related Relief [[Docket No. 332](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

- 4. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue to Maintain Their Insurance Policies and Programs and Surety Bond Program, and (B) Honor All Insurance Obligations, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 12](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Committee

Related Documents:

- i. Interim Order (I) Authorizing Debtors to (A) Continue to Maintain Their Insurance Policies and Programs and Surety Bond Program, and (B) Honor All Insurance Obligations, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 115](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors to (A) Continue to Maintain Their Insurance Policies and Programs and Surety Bond Program, and (B) Honor All Insurance Obligations, (II) Modifying the Automatic Stay, and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 127](#) – filed July 13, 2020]
- iii. Certification of Counsel Regarding Final Order (I) Authorizing Debtors to (A) Continue to Maintain Their Insurance Policies and Programs and Surety Bond Program, and (B) Honor All Insurance Obligations, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 328](#) - filed August 7, 2020]
- iv. Final Order (I) Authorizing Debtors to (A) Continue to Maintain Their Insurance Policies and Programs and Surety Bond Program, and (B) Honor All Insurance Obligations, (II) Modifying the Automatic Stay, and (III) Granting Related Relief [[Docket No. 335](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

5. Debtors' Application for an Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [[Docket No. 135](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received: None.

Related Documents:

- i. Certificate of No Objection Regarding Debtors' Application for an Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [[Docket No. 315](#) – filed August 7, 2020]
- ii. Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *Nunc Pro Tunc* to the Petition Date [[Docket No. 321](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certificate of no objection and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

6. Debtors' Application for Entry of an Order (I) Authorizing Employment and Retention of Malfitano Advisors, LLC as the Debtors' Retail Restructuring Advisor and Consultant *Nunc Pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 136](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Office of the United States Trustee (the "[U.S. Trustee](#)")

Related Documents:

- i. Certification of Counsel Regarding Order (I) Authorizing Employment and Retention of Malfitano Advisors, LLC as the Debtors' Retail Restructuring Advisor and Consultant *Nunc Pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 317](#) – filed August 7, 2020]

- ii. Order (I) Authorizing Employment and Retention of Malfitano Advisors, LLC as the Debtors' Retail Restructuring Advisor and Consultant *Nunc Pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 325](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

- 7. Motion of Debtors to Retain Ankura Consulting Group, LLC to Provide a Chief Restructuring Officer, Restructuring Officer, and Certain Additional Personnel to the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 137](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Order Authorizing Debtors to Retain Ankura Consulting Group, LLC to Provide a Chief Restructuring Officer, Restructuring Officer, and Certain Additional Personnel to the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 318](#) – filed August 7, 2020]
- ii. Order Authorizing Debtors to Retain Ankura Consulting Group, LLC to Provide a Chief Restructuring Officer, Restructuring Officer, and Certain Additional Personnel to the Debtors *Nunc Pro Tunc* to the Petition Date [[Docket No. 338](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

- 8. Application of Debtors for Authority to Retain and Employ Weil, Gotshal & Manges LLP as Attorneys for Debtors *Nunc Pro Tunc* to Petition Date [[Docket No. 138](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee

Related Documents:

- i. Certificate of No Objection Regarding Application of Debtors for Authority to Retain and Employ Weil, Gotshal & Manges LLP as Attorneys for Debtors *Nunc Pro Tunc* to Petition Date [[Docket No. 316](#) – filed August 7, 2020]
- ii. Order Authorizing Retention and Employment of Weil, Gotshal & Manges LLP as Attorneys for Debtors *Nunc Pro Tunc* to Petition Date [[Docket No. 322](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certificate of no objection and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

9. Motion of Debtors for Entry of Order (I) Approving Procedures for Rejecting Unexpired Leases of Nonresidential Real Property and (II) Granting Related Relief [[Docket No. 140](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from Town Square Ventures, L.P.
- B. Informal response received from Certain Landlords
- C. Informal response received from Brookfield Properties Retail, Inc.
- D. Informal response received from Turnberry Associates
- E. Informal response received from the Committee

Related Documents:

- i. Certification of Counsel Regarding Order (I) Approving Procedures for Rejecting Unexpired Leases of Nonresidential Real Property and (II) Granting Related Relief [[Docket No. 334](#) - filed August 7, 2020]
- ii. Order (I) Approving Procedures for Rejecting Unexpired Leases of Nonresidential Real Property and (II) Granting Related Relief [[Docket No. 337](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

10. Motion of Debtors for Entry of Order (I) Authorizing Debtors to Employ Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 170](#) – filed July 20, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee
- B. Informal response received from the Committee

Related Documents:

- i. Certification of Counsel Regarding Order (I) Authorizing Debtors to Employ Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 327](#) – filed August 7, 2020]
- ii. Order (I) Authorizing Debtors to Employ Professionals Utilized in the Ordinary Course of Business, and (II) Granting Related Relief [[Docket No. 333](#) – entered August 7, 2020]

Status: On August 7, 2020, the Debtors submitted a revised proposed order under certification of counsel and the Court entered the order. Accordingly, a hearing on this matter is no longer necessary.

II. CONTINUED MATTERS:

- 11. Motion of Debtors for Entry of an Order (I) Authorizing Sale of Southwick Manufacturing Facility Free and Clear of All Liens, Claims, Encumbrances, and Other Interests and (II) Granting Related Relief [[Docket No. 178](#) – filed July 21, 2020]

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

Objections/Responses Received:

- A. Limited Objection of the City of Haverhill, Massachusetts to Motion of Debtors for Entry of an Order (I) Authorizing Sale of Southwick Manufacturing Facility Free and Clear of All Liens, Claims, Encumbrances, and Other Interests and (II) Granting Related Relief [[Docket No. 300](#) – filed August 4, 2020]

Related Documents:

- i. Declaration of Stephen Marotta in Support of Motion of Debtors for Entry of an Order (I) Authorizing Sale of Southwick Manufacturing Facility Free and Clear of All Liens, Claims, Encumbrances, and Other Interests and (II) Granting Related Relief [[Docket No. 179](#) – filed July 21, 2020]

Status: The hearing on this matter has been continued to August 14, 2020 at 10:00 a.m. (ET).

III. MATTERS GOING FORWARD:

12. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Continue Intercompany Transactions and Provide Administrative Expense Priority for Postpetition Intercompany Claims, and (D) Honor Prepetition Bank Fees; (II) Extending Time to Comply with 11 U.S.C. § 345(b); and (III) Granting Related Relief [[Docket No. 7](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from Brink's, Inc.
- B. Informal response received from the Committee

Related Documents:

- i. Interim Order (I) Authorizing Debtors to (A) Continue Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Continue Intercompany Transactions and Provide Administrative Expense Priority for Postpetition Intercompany Claims and (D) Honor Prepetition Bank Fees; (II) Extending Time to Comply with 11 U.S.C. § 345(b); and (III) Granting Related Relief [[Docket No. 111](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors to (A) Continue Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related to the Use Thereof, (C) Continue Intercompany Transactions and Provide Administrative Expense Priority for Postpetition Intercompany Claims and (D) Honor Prepetition Bank Fees; (II) Extending Time to Comply with 11 U.S.C. § 345(b); and (III) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 130](#) – filed July 13, 2020]

Status: The Debtors are working to resolve the informal comments. At this time, a hearing on this matter will go forward.

13. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Certain Prepetition Vendor Claims and Lien Claims, (II) Confirming Administrative Expense Priority of Undisputed Outstanding Prepetition Orders, and (III) Granting Related Relief [[Docket No. 9](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Committee
- B. Informal response received from Swiss Garments Company

Related Documents:

- i. Interim Order (I) Authorizing Debtors to Pay Certain Prepetition Vendor Claims and Lien Claims, (II) Confirming Administrative Expense Priority of Undisputed Outstanding Prepetition Orders, and (II) Granting Related Relief [[Docket No. 112](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order (I) Authorizing Debtors to Pay Certain Prepetition Vendor Claims and Lien Claims, (II) Confirming Administrative Expense Priority of Undisputed Outstanding Prepetition Orders, and (II) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 129](#) – filed July 13, 2020]

Status: The Debtors are working to resolve the informal comments. At this time, a hearing on this matter will go forward.

- 14. Motion of Debtors for Entry of Interim and Final Orders (I) Approving of Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures for Determining Adequate Assurance of Payment for Future Utility Services, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (IV) Authorizing the Debtors to Honor Obligations to Payment Processor in the Ordinary Course of Business, and (V) Granting Related Relief [[Docket No. 10](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Committee
- B. Objection of Certain Utility Companies to the Motion of Debtors for Entry of Interim and Final Orders (I) Approving of Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures for Determining Adequate Assurance of Payment for Future Utility Services, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (IV) Authorizing the Debtors to Honor Obligations to Payment Processor in the Ordinary Course of Business, and (V) Granting Related Relief [[Docket No. 192](#) – filed July 23, 2020] (the "Objection")

Related Documents:

- i. Interim Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures for Determining

Adequate Assurance of Payment of Future Utility Services, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (IV) Authorizing the Debtors to Honor Obligations to Payment Processor in the Ordinary Course of Business, and (V) Granting Related Relief [[Docket No. 109](#) – entered July 10, 2020]

- ii. Notice of (A) Entry of Interim Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures for Determining Adequate Assurance of Payment of Future Utility Services, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, (IV) Authorizing the Debtors to Honor Obligations to Payment Processor in the Ordinary Course of Business, and (V) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 122](#) – filed July 13, 2020]

Status: The Debtors have resolved the informal comments received from the Committee and will submit a revised proposed order under certification of counsel, except with respect to the Objection. The Debtors are working to resolve this matter with respect to the Objection. To the extent the Objection is not resolved, the hearing on this matter with respect to the Objection is continued to August 14, 2020 at 10:00 a.m. (ET).

- 15. Motion of Debtors for (I) Authority to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Provide Superpriority Administrative Expense Status, (D) Grant Adequate Protection, (E) Modify the Automatic Stay, and (F) Schedule a Final Hearing and (II) Related Relief [[Docket No. 25](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the Committee
- B. The Texas Taxing Authorities' Objection to the Debtors' Interim Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Authorizing the Debtors to Use Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense States, (IV) Granting Adequate Protection to the Prepetition Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [[Docket No. 213](#) – filed July 27, 2020]
- C. Limited Objection of ERY Retail Podium LLC, Evergreen Walk Lifestyle Center, LLC, Federal Realty Investment Trust, The Forbes Company, LLC, PGIM Real Estate, Saucon Valley Lifetsyle Center, L.P., and The Macerich Company to Motion of Debtors for (I) Authority to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Provide Superpriority Administrative Expense Status, (D) Grant Adequate Protection, (E) Modify the Automatic Stay,

and (F) Schedule a Final Hearing and (II) Related Relief [[Docket No. 214](#) – filed July 27, 2020]

- D. Brookfield Property REIT Inc.’s Objection to Debtors’ Motion for Entry of Order (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 Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [[Docket No. 215](#) – filed July 27, 2020]
- E. Joinder of the Taubman Landlords to Objections of Certain Landlords to Motion of Debtors for (I) Authority to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, (C) Grant Liens and Provide Superpriority Administrative Expense Status, (D) Grant Adequate Protection, (E) Modify the Automatic Stay, and (F) Schedule a Final Hearing and (II) Related Relief [[Docket No. 216](#) – filed July 27, 2020]
- F. Objection [of Maricopa County Treasurer] to Interim Order (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 Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [[Docket No. 233](#) – filed July 28, 2020]

Related Documents:

- i. Interim Order (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 Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [[Docket No. 118](#) – entered July 10, 2020]
- ii. Notice of (A) Entry of Interim Order (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 Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief; and (B) Final Hearing Thereon [[Docket No. 131](#) – filed July 13, 2020]

Status: The hearing on this matter will go forward.

- 16. Omnibus Motion of Debtors for Entry of Order (I) Authorizing Debtors to (A) Reject Certain Unexpired Leases of Nonresidential Real Property and (B) Abandon *De Minimis*

Property in Connection Therewith and (II) Granting Related Relief [[Docket No. 59](#) – filed July 8, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended by agreement to July 28, 2020 at 4:00 p.m. (ET) for Judith A. Carroll and Jay Grodin, Trustees; extended for the Committee

Objections/Responses Received:

- A. Informal response received from Judith A. Carroll and Jay Grodin, Trustees
- B. Informal response received from ERY Retail Podium LLC, Evergreen Walk Lifestyle Center, LLC, Federal Realty Investment Trust, PGIM Real Estate, Saucon Valley Lifestyle Center, L.P., The Forbes Company and The Macerich Company (“Certain Landlords”)
- C. Informal response received from the Committee

Related Documents:

- i. Notice of Hearing with Respect to Omnibus Motion of Debtors for Entry of Order (I) Authorizing Debtors to (A) Reject Certain Unexpired Leases of Nonresidential Real Property and (B) Abandon *De Minimis* Property in Connection Therewith and (II) Granting Related Relief [[Docket No. 123](#) - filed July 13, 2020]

Status: The Debtors are working to resolve the informal comments. At this time, a hearing on this matter will go forward.

- 17. Debtors’ Application for Entry of an Order (I) Authorizing the Debtors to Retain and Employ PJ Solomon, L.P. and PJ Solomon Securities, LLC as Investment Banker Effective as of the Petition Date, (II) Modifying Certain Time-Keeping Requirements, and (III) Granting Related Relief [[Docket No. 139](#) – filed July 13, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended to August 10, 2020 at 12:00 noon (ET) for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee
- B. Informal response received from the Committee

Related Documents: None.

Status: The hearing on this matter will go forward.

18. Motion of Debtors for Entry of an Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals and (II) Granting Related Relief [[Docket No. 169](#) – filed July 20, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee
- B. Informal response received from the Committee

Related Documents: None.

Status: The Debtors are working to resolve the informal comments. At this time, a hearing on this matter will go forward.

19. Motion of Debtors for Entry of Order (I) Establishing a General Bar Date to File Proofs of Claim, (II) Establishing a Bar Date to File Proofs of Claim by Governmental Units, (III) Establishing an Amended Schedules Bar Date, (IV) Establishing a Rejection Damages Bar Date, (V) Approving the Form and Manner for Filing Proofs of Claim, (VI) Approving the Proposed Notice of Bar Dates, and (VII) Granting Related Relief [[Docket No. 171](#) – filed July 20, 2020]

Objection/Response Deadline: July 27, 2020 at 4:00 p.m. (ET); extended for the Committee

Objections/Responses Received:

- A. Informal response received from the U.S. Trustee
- B. Informal response received from Certain Landlords
- C. Informal response received from The Amalgamated Retail Retirement Fund, The Amalgamated National Health Fund, The Amalgamated Insurance Fund, The National Plus Plan, and The National Retirement Fund
- D. Informal response received from Pension Benefit Guaranty Corporation
- E. Informal response received from the Committee

Related Documents: None.

Status: The Debtors are working to resolve the informal comments. At this time, a hearing on this matter will go forward.

Dated: August 7, 2020
Wilmington, Delaware

/s/ Christopher M. De Lillo

RICHARDS, LAYTON & FINGER, P.A.

Mark D. Collins (No. 2981)

Zachary I. Shapiro (No. 5103)

Brett M. Haywood (No. 6166)

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