

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

In re	:	Chapter 11
	:	
OLD FENM INC., <i>et al.</i> , <sup>1</sup>	:	Case No. 13-12569 (KJC)
	:	
Debtors.	:	(Jointly Administered)
	:	
	:	

**NOTICE OF *AMENDED*<sup>2</sup> AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JANUARY 22, 2014 AT 2:00 P.M. (EST)<sup>3</sup>**

**AT THE DIRECTION OF THE COURT, THE HEARING HAS BEEN  
RESCHEDULED TO THURSDAY JANUARY 23, 2014 AT 1:00 P.M. (EST)**

**I. UNCONTESTED MATTERS WITH CERTIFICATIONS OF NO OBJECTION:**

1. Debtors’ Motion for Entry of an Order Extending the Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code [Docket No. 468 - filed December 31, 2013]

Objection/Response Deadline: January 14, 2014 at 4:00 p.m. (EST)

Objections/Responses Received: None

Related Documents:

- i. Certification of No Objection Regarding Debtors’ Motion for Entry of an Order Extending the Time to Assume or Reject Unexpired Leases of

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<sup>1</sup> The Debtors are the following two entities (the last four digits of their respective taxpayer identification numbers follow in brackets): Old FENM Inc. (f/k/a Fresh & Easy Neighborhood Market Inc.) [7028] and Old FEPC LLC (f/k/a Fresh & Easy Property Company LLC) [9636]. The address of each of the Debtors is 2120 Park Place, Suite 200, El Segundo, California 90245.

<sup>2</sup> **Amended items appear in bold.**

<sup>3</sup> The hearing will be held before The Honorable Kevin J. Carey at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 5<sup>th</sup> Floor, Courtroom 5, Wilmington, Delaware 19801. Any party who wishes to appear telephonically at the January 23, 2014 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (EST) on **Wednesday**, January 22, 2014 in accordance with the *Instructions for Telephonic Appearances Effective January 5, 2005, Revised April 27, 2009*.

Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code [Docket No. 487 - filed January 16, 2014]

ii. **Order Granting Extension Time to Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 493 - filed January 17, 2014]**

**Status: On January 17, 2014, the Court entered an order granting the relief requested by the Debtors. Accordingly, a hearing regarding this matter is not required.**

2. Debtors' Motion for an Order Extending Their Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof [Docket No. 470 - filed December 31, 2013]

Objection/Response Deadline: January 14, 2014 at 4:00 p.m. (EST)

Objections/Responses Received:

A. Statement of Official Committee of Unsecured Creditors Regarding Debtors' Motion for an Order Extending Their Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof [Docket No. 483 - filed January 14, 2014]

Related Documents:

i. Certification of No Objection Regarding 11 Plan and Solicit Acceptances Thereof [Docket No. 488 - filed January 16, 2014]

ii. **Order Granting Debtors' Motion for an Order Extending their Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof [Docket No. 494 - filed January 17, 2014]**

**Status: On January 17, 2014, the Court entered an order granting the relief requested by the Debtors. Accordingly, a hearing regarding this matter is not required.**

**III. UNCONTESTED MATTER WITH CERTIFICATION OF COUNSEL:**

3. Debtors' Motion for (I) an Order (A) Approving Procedures in Connection with the Sale of Certain of the Debtors' Assets, (B) Authorizing the Debtors to Enter into a Stalking Horse APA in Connection Therewith and (C) Granting Certain Related Relief; and (II) an Order (A) Approving the Sale of Certain of the Debtors' Assets Free and Clear of Liens, Claims, Encumbrances, and Interests, (B) Approving the Assumption and Assignment of Certain Contracts and Leases, and (C) Granting Certain Related Relief [Docket No. 469 - filed December 31, 2013]

Bidding Procedures Objection Deadline: January 14, 2014 at 4:00 p.m. (EST)

Objections/Responses Received:

- A. Informal comments from the Office of the United States Trustee

Related Documents:

- i. Certification of Counsel Regarding Proposed Order (A) Approving Procedures in Connection with the Sale of Certain of the Debtors' Assets, (B) Authorizing the Debtors to Enter Into a Stalking Horse APA in Connection Therewith and (C) Granting Certain Related Relief [Docket No. 489 - filed January 16, 2014]
- ii. Proposed order

Status: **The hearing regarding this matter is going forward.**

**III. CONTESTED MATTER GOING FORWARD:**

4. Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Reject Certain Real Property Leases and (II) Granting Certain Related Relief [Docket No. 452 - filed December 20, 2013]

Objection/Response Deadline: January 15, 2014 at 4:00 p.m. (EST)

Objections/Responses Received:

- A. Limited Objection of Wilkins Family Partnership L.P. to Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Reject Certain Real Property Leases and (II) Granting Certain Related Relief [Docket No. 490 - filed January 17, 2014]
- B. **Debtors' Reply to the Limited Objection of Wilkins Family Partnership L.P. to Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Reject Certain Real Property Leases and (II) Granting Certain Related Relief [Docket No. 497 - filed January 21, 2014]**

Related Documents:

- i. **Motion for Leave to File and Serve Debtors' Reply to the Limited Objection of Wilkins Family Partnership L.P. to Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Reject Certain Real Property Leases and (II) Granting Certain Related Relief [Docket No. 498 - filed January 21, 2014]**
- ii. **Proposed form of order**

Status: The hearing regarding this matter is going forward.

Dated: January 21, 2014  
Wilmington, Delaware

Respectfully submitted,

/s/ Amanda R. Steele

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