

Presentment Date and Time: July 13, 2016 10:00 a.m. (Prevailing Eastern Time)

Objection Deadline: July 12, 2016, 4:00 p.m. (Prevailing Eastern Time)

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

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In re : Chapter 11

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Gawker Media LLC, *et al.*,¹ : Case No. 16-11700 (SMB)

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Debtors. : (Jointly Administered)

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**NOTICE OF PRESENTMENT OF ORDER FURTHER
EXTENDING DEADLINE FOR DEBTORS TO FILE SCHEDULES
AND STATEMENTS OF ASSETS AND LIABILITIES**

PLEASE TAKE NOTICE that upon the annexed motion (the “Motion”) of the above-captioned debtors and debtors in possession (the “Debtors”), dated July 11, 2016, the Debtors will present the *Order Further Extending Deadline for Debtors to File Schedules and Statements of Assets and Liabilities*, substantially in the form annexed to the Motion as **Exhibit A** (the “Proposed Order”), for signature to the Honorable Stuart M. Bernstein of the United States Bankruptcy Court for the Southern District of New York (the “Court”) in Room 723, One Bowling Green, New York, New York, 10004-1408, on **July 13, 2016 at 10:00 a.m. (Prevailing Eastern Time)**.

PLEASE TAKE FURTHER NOTICE that responses or objections to the Proposed Order and the relief requested therein, if any, shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, shall set forth the basis for the response or objection and the specific grounds therefor, and

¹ The last four digits of the taxpayer identification number of the debtors are: Gawker Media LLC (0492); Gawker Media Group, Inc. (3231); and Kinja Kft. (5056). The offices of Gawker Media and Gawker Media Group, Inc. are located at 114 Fifth Avenue, 2d Floor, New York, NY 10011. Kinja Kft.’s offices are located at Andrassy ut 66. 1062 Budapest, Hungary.

shall be filed with the Court electronically in accordance with General Order M-399 by registered users of the Court's case filing system (the User's Manual for the Electronic Case Filing System can be found at <http://www.nysb.uscourts.gov>), with a hard copy delivered directly to chambers and served so as to be actually received no later than **July 12, 2016 at 4:00 p.m. (Prevailing Eastern Time)**, upon (i) the Debtors, Gawker Media LLC, 114 Fifth Avenue, 2d Floor, New York, NY 10011, Attn: Heather Dietrick (heather@gawker.com); (ii) proposed counsel for the Debtors, Ropes & Gray LLP, 1211 Avenue of the Americas, New York, NY 10036, Attn: Gregg M. Galardi (gregg.galardi@ropesgray.com); (iii) the United States Trustee for the Southern District of New York, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Greg Zipes and Susan Arbeit; (iv) counsel for the Official Committee of Unsecured Creditors, Simpson Thacher & Bartlett, 425 Lexington Avenue, New York, New York 10017, Attn: Sandy Qusba (squsba@stb.com) and William T. Russell (wrussell@stblaw.com); (v) counsel to Cerberus Business Finance, LLC, as DIP Lender, Schulte Roth & Zabel LLP, 919 Third Avenue, New York, New York 10022, Attn: Adam C. Harris (adam.harris@srz.com); (vi) counsel to US VC Partners LP, as Prepetition Second Lien Lender, Latham & Watkins LLP, 330 North Wabash Avenue, Suite 2800, Chicago, IL 60611, Attn: David Heller (david.heller@lw.com) & Keith A. Simon, 885 Third Avenue, New York, New York 10022, Attn: Keith A. Simon (keith.simon@lw.com); and (vii) Counsel to the Stalking Horse Bidder, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004; Attn: Michael H. Torkin, Esq. (torkinm@sullcrom.com) and Alexa J. Kranzley, Esq. (kranzleya@sullcrom.com).

PLEASE TAKE FURTHER NOTICE that if no objections are timely filed and received by the Objection Deadline, the requested relief in the Motion may be granted without

further notice or a hearing. If an objection is filed, you will be notified of a hearing to consider the requested relief.

PLEASE TAKE FURTHER NOTICE that a copy of the Proposed Order may be obtained free of charge by visiting the website of Prime Clerk LLC at <https://cases.primeclerk.com/gawker>. You may also obtain copies of any pleadings by visiting the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

Dated: July 11, 2016
New York, New York

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

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In re	:	Chapter 11
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Gawker Media LLC, <i>et al.</i> , ¹	:	Case No. 16-11700 (SMB)
	:	
Debtors.	:	(Jointly Administered)
	:	
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**DEBTORS’ MOTION FOR ENTRY OF ORDER FURTHER EXTENDING THE
DEADLINE FOR DEBTORS TO FILE THEIR SCHEDULES OF ASSETS AND
LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS**

The debtors and debtors in possession in the above-captioned cases (collectively, the “Debtors”) submit this motion (the “Motion”) for entry of an order substantially in the form annexed hereto as Exhibit A, pursuant to Rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), granting the Debtors an additional four (4) days to file their schedules and statements required to be filed under Rule 1007(b)(1) (“Schedules and Statements”). In support of the Motion, the Debtors, by and through their undersigned proposed counsel, respectfully represent:

¹ The last four digits of the taxpayer identification number of the debtors are: Gawker Media LLC (0492); Gawker Media Group, Inc. (3231); and Kinja Kft. (5056). The offices of Gawker Media and Gawker Media Group, Inc. are located at 114 Fifth Avenue, 2d Floor, New York, NY 10011. Kinja Kft.’s offices are located at Andrassy ut 66. 1062 Budapest, Hungary.

Jurisdiction

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory bases for the relief requested herein are Bankruptcy Rules 1007(c) and 9006(b).

Procedural Background

4. On June 10, 2016, Gawker Media LLC filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. On June 12, 2016, Gawker Media Group, Inc. and Kinja, Kft. each filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.
5. On June 16, 2016 the Court entered an order authorizing the joint administration and procedural consolidation of the Debtors' chapter 11 cases pursuant to Bankruptcy Rule 1015(b) [Docket No. 41].
6. On June 24, 2016, the United States Trustee for the Southern District of New York (the "U.S. Trustee") appointed the Official Committee of Unsecured Creditors (the "Committee"). No request for the appointment of a trustee or examiner has been made in these chapter 11 cases.
7. The Debtors are operating their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.
8. The factual background regarding the Debtors, their business operations, their capital and debt structure, and the events leading up to the filing of these Chapter 11 Cases are set forth in detail in the *Declaration of William D. Holden in Support of First Day Motions* [Docket No. 7].

9. On June 13, 2016, the Debtors filed the *Debtors' Motion For Entry of an Order Extending Deadline for Debtors to File Their Schedules of Assets and Liabilities and Statements of Financial Affairs*, [Docket No. 10] (the "Initial Extension Motion"), requesting an additional twenty (20) days to file their Schedules and Statements.

10. At the hearing held on June 15, 2016, the Court granted the relief requested in the Initial Extension Motion. On June 16, 2016, the Court entered the *Order Extending Deadline for the Debtors to File Schedules and Statements of Assets and Liabilities* [Docket No. 42] (the "Extension Order"), thereby granting the Debtors an additional twenty (20) days to file the Schedules and Statements, through and including July 14, 2016.

Relief Requested

11. By this Motion, the Debtors seek entry of an order pursuant to Bankruptcy Rule 9006(b), granting the Debtors four (4) additional days to file their Schedules and Statements, through and including July 18, 2016, without prejudice to the Debtors' ability to request additional time to file the Schedules and Statements, as may become necessary.

Basis for Relief

12. Section 521 of the Bankruptcy Code and Bankruptcy Rule 1007(c) require a debtor to file its Schedules and Statements within fourteen days of its voluntary petition unless extended for cause shown. *See* Fed. R. Bankr. P. 1007(c) ("[A]ny extension of time to file schedules, statements, and other documents . . . may be granted only on motion for cause shown and on notice . . ."). Pursuant to Bankruptcy Rule 9006(b)(1), however, this Court may "for cause shown," enlarge the period of time within which an act is required to be done. *See* Fed. R. Bankr. P. 9006(b)(1). The Court granted such an extension in the Extension Order, providing the

Debtors an additional twenty days, until July 14, 2016, to file the Schedules and Statements and preserving the Debtors' rights to seek additional extensions. *See* Extension Order ¶ 3.

13. The Debtors submit that cause exists to further extend the deadline to file the Schedules and Statements by four (4) additional days. To prepare their Schedules and Statements, the Debtors are compiling information from books, records, documents, and electronic databases relating to thousands of claims, assets, and contracts. This information is voluminous and is located in multiple places throughout the Debtors' organization. In addition, the Debtors' professionals require additional time to continue analyzing issues presented by the Debtors' financial statements, operational procedures, and organizational structure, in particular, analysis of the Debtors' executory contracts.

14. The Debtors have engaged Prime Clerk LLC to assist them with the preparation of the Schedules and Statements, but collection of the necessary information nonetheless requires a significant expenditure of time and effort on the part of the Debtors' relatively small administrative staff. While the Debtors' employees and professionals are working diligently to prepare the Schedules and Statements, resources are understandably constrained. The Debtors' personnel have been focused on numerous critical operational matters that must be addressed during the course of these chapter 11 cases, in particular, preparing for the auction and sale of substantially all of the Debtors' assets.

15. The Debtors and their professionals have made substantial progress in preparing their Schedules and Statements. While the Debtors believe that the majority of the Schedules and Statements will be complete at or shortly after the current filing deadline, the Debtors submit, for the reasons articulated above, that it is unlikely that they would be able to properly and accurately prepare the Schedules and Statements in time to meet the present deadline of July

14, 2016. However, after consulting with their professionals and various employee teams assigned to the task of preparing the Schedules and Statements, the Debtors believe that a very short four (4) day extension, through and including July 18, 2016, should provide sufficient time to finish preparing the Schedules and Statements.

16. Bankruptcy courts in the Southern District of New York have granted relief in other chapter 11 cases, similar to the relief requested herein. *See, e.g., In re AOG Entertainment, Inc.*, Case No. 16-11090 (SMB) (Bankr. S.D.N.Y. June 27, 2016) (granting debtors 9 additional days subsequent to an initial extension to file their schedules and statements); *In re Republic Airways Holdings Inc.*, Case No. 16-10429 (SHL) (Bankr. Apr. 11, 2016) [Docket No. 330] (granting debtors 45 additional days subsequent to an initial extension to file their schedules and statements); *In re Primorsk International Shipping Limited*, Case No. 16-10073 (MG) (Bankr. S.D.N.Y. Feb. 11, 2016) [Docket No. 51] (granting debtors 15 additional days subsequent to an initial extension to file their schedules and statements); *In re Arcapita Bank B.S.C.(c)*, Case No. 12-11076 (SHL) (Bankr. S.D.N.Y. May 15, 2012) [Docket No. 141] (granting debtors 31 additional days subsequent to an initial extension to file their schedules and statements); *In re Eastman Kodak Co.*, Case No. 12-10202 (ALG) (Bankr. S.D.N.Y. Feb. 28, 2012) [Docket No. 443] (granting debtors 30 additional days subsequent to an initial extension to file their schedules and statements); *In re AMR Corp.*, Case No. 11-15463 (SHL) (Bankr. S.D.N.Y. Jan. 27, 2012) [Docket No. 881] (granting debtors 30 additional days subsequent to an initial extension to file their schedules and statements).

17. Based on the foregoing, the Debtors respectfully request that the Court further extend the time to file the Schedules and Statements as set forth herein. The Debtors submit that the relief requested herein is reasonable under the circumstances and in the best interest of the

Debtors' estates, and therefore should be granted. Further, Rule 9006-2 of the Local Bankruptcy Rules for the Southern District of New York (the "Local Rules") provides that if a motion to extend time to take an action is filed prior to the expiration of such period, with a return date that is no later than fourteen days after the filing of the motion, the applicable deadline shall be automatically extended "until the Court resolves the motion to extend the time." Therefore, by filing this Motion with a presentment date of July 13, 2016, Local Rule 9006-2 automatically extends the time for the Debtors to file their Schedules and Statements until the Court resolves the Motion.

18. The Debtors have conferred with the Office of the United States Trustee, and the Committee, neither of which have an objection to the relief sought in this Motion.

Notice

19. Notice of this Motion will be given to (a) the Office of the United States Trustee for the Southern District of New York, Attn: Greg Zipes and Susan Arbeit; (b) proposed counsel to the Committee; (c) counsel to Cerberus Business Finance LLC, as collateral and administrative agent; (d) counsel to US VC Partners LP, as Prepetition Second Lien Lender; (e) counsel to the Stalking Horse Bidder; (f) the Internal Revenue Service; (g) the United States Attorney for the Southern District of New York; (h) the 50 largest unsecured creditors of the Debtors (on a consolidated basis); and (i) parties that have requested notice and service of papers pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Debtors submit that no other or further notice is necessary.

No Prior Request

20. Other than the Initial Extension Motion, no previous motion for the relief requested herein has been made to this or any other court.

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form annexed hereto as Exhibit A, granting the relief requested in this Motion and such other and further relief as the Court may deem just and proper.

Dated: July 11, 2016
New York, New York

/s/ Gregg M. Galardi _____
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*Proposed Counsel to the Debtors
and Debtors in Possession*

Exhibit A

Proposed Order

the Committee, both, having no objection to the relief sought in the Motion; and after due deliberation and sufficient cause appearing therefor, it here hereby

ORDERED that:

1. The Motion is granted to the extent set forth herein.
2. The deadline by which the Debtors must file their Schedules and Statements is extended by an additional four (4) days, through and including July 18, 2016 without prejudice to the Debtors' rights to seek additional extensions.
3. This Court shall retain jurisdiction with respect to any and all matters arising from or relating to the implementation or interpretation of this Order.

Dated: July ____, 2016
New York, New York

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE