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

In re:	Chapter 11
Mountain Creek Resort, Inc., <i>et al.</i> , <sup>1</sup>	Case No. 17-19899 (SLM)
Debtors.	Jointly Administered

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON OCTOBER 26, 2018 AT 10:00 A.M. (ET)**

**CONTINUED MATTERS:**

1. Motion of Defendant Mountain Creek Resort, Inc. to Dismiss Counts I, IV and V of Amended Complaint of Township of Vernon and Vernon Township Municipal Utility Authority with Prejudice for Failure to State a Claim [Docket No. 15, adv. proc. no. 18-01164, filed May 30, 2018].

Related Document(s):

- a) Joinder of HSK Adventure, Inc. to Motion to Dismiss Counts I, IV and V of Amended Complaint of Township of Vernon and Vernon Township Municipal Utility Authority with Prejudice for Failure to State Claim [Docket No. 16, adv. proc. no. 18-01164, filed May 17, 2018]

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: Mountain Creek Resort, Inc. (4557), Mountain Creek Services Inc. (3228), Mountain Creek Management, LLC (1394), Mountain Creek Mountainslide, LLC (1545), Mountain Leasing LLC (6057), and Appalachian Liquors Corporation (9542).

- b) Joinder of Kuzari Investor 27335 LLC to Motion of Defendant Mountain Creek Resort, Inc. to Dismiss Counts I, IV and V of Amended Complaint of Township of Vernon and Vernon Township Municipal Utility Authority with Prejudice for Failure to State a Claim [Docket No. 17, adv. proc. no. 18-01164, filed May 30, 2018]
- c) Certificate of Service re: Joinder of HSK Adventure, Inc. to Motion to Dismiss Counts I, IV and V of Amended Complaint of Township of Vernon and Vernon Township Municipal Utility Authority with Prejudice for Failure to State Claim [Docket No. 17, adv. proc. no. 18-01164, filed May 31, 2018].
- d) M&T Bank's Joinder to Motion to Dismiss Counts I, IV and V of Amended Complaint of Township of Vernon and Vernon Township Municipal Utility Authority with Prejudice for Failure to State a Claim [Docket No. 19, adv. proc. no. 18-01164, filed May 31, 2018].
- e) Determination of Adjournment Request Granted [Docket No. 23, adv. proc. no. 18-01164, entered 6/14/18].

Objection Deadline: June 13, 2018 at 4:00 p.m. (ET).

Response(s) Received:

- a) Plaintiffs' Brief In Opposition To Defendants' Motion to Dismiss Counts I, IV and IV of Amended Complaint [Docket No. 22, adv. proc. no. 18-01164, filed June 13, 2018].

Reply Papers:

- a) Reply Memorandum of Law in Further Support of Motion to Dismiss Counts I, IV and IV of Amended Complaint [Docket No. 24, adv. proc. no. 18-01164, filed June 20, 2018].
- b) Certificate of Service re: Reply Memorandum of Law in Further Support of Motion to Dismiss Counts I, IV and IV of Amended Complaint [Docket No. 25; filed June 25, 2018].

Status: This matter is adjourned to a date to be determined. The Debtors request that the Court schedule this matter for a hearing on November 30, 2018.

- 2. Debtors' Motion for Entry of an Order (A) Approving Disclosure Statement; (B) Establishing Plan Solicitation, Voting, and Tabulation Procedures; (C) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (D) Granting Related Relief [Docket No. 520, filed March 13, 2018].

Related Document(s):

- a) Debtors' Disclosure Statement for Joint Plan of Reorganization [Docket No. 519; filed March 13, 2018].
- b) Affidavit of Service filed by Prime Clerk LLC [Docket No. 527; filed March 19, 2018].
- c) Affidavit of Service filed by Prime Clerk LLC [Docket No. 544; filed March 29, 2018].
- d) Determination of Adjournment Request Granted [Docket No. 561, entered April 5, 2018]
- e) Affidavit of Service filed by Prime Clerk LLC [Docket No. 569; filed April 11, 2018].
- f) Affidavit of Service filed by Prime Clerk LLC [Docket No. 577; filed April 13, 2018].
- g) Determination of Adjournment Request Granted [Docket No. 596, entered April 27, 2018].
- h) Affidavit of Service filed by Prime Clerk LLC [Docket No. 598; filed April 30, 2018].
- i) Affidavit of Service filed by Prime Clerk LLC [Docket No. 600; filed May 3, 2018].
- j) Affidavit of Service filed by Prime Clerk LLC [Docket No. 610; filed May 17, 2018].
- k) Determination of Adjournment Request Granted [Docket No. 621, entered May 25, 2018].

Objection Deadline: April 3, 2018; extended by consent of the Debtors for certain parties in interest.

Response(s) Received:

- a) Objection by the Acting United States Trustee to the Debtors' Disclosure Statement for Joint Plan of Reorganization [Docket No. 547; filed April 2, 2018].
- b) Statement and Reservation of Rights of Kuzari Investor 27335 LLC with Respect to Debtors' Motion for Entry of an Order (A) Approving Disclosure Statement; (B) Establishing Plan Solicitation, Voting, and

Tabulation Procedures; (C) Scheduling a Confirmation Hearing and Deadline for Filing Objections to Plan Confirmation; and (D) Granting Related Relief [Docket No. 554; filed April 3, 2018].

- c) Objection of the Township of Vernon and the Vernon Township Municipal Utility Authority to the Debtors' Disclosure Statement [Docket No. 555, filed April 3, 2018].
- d) The Appalachian At Mountain Creek Condominium Association, Inc.'s Objection to the Debtors' Disclosure Statement for its Joint Plan of Reorganization [Docket No. 557, filed April 3, 2018].
- e) Limited Objection of Head USA, Inc. to the Debtors' Disclosure Statement for Joint Plan of Reorganization [Docket No. 559, filed April 4, 2018].
- f) Objection of Official Committee of Unsecured Creditors to Debtors' Motion Seeking Approval of a Disclosure Statement and Related Relief [Docket No. 565, filed April 6, 2018].
- g) Objection to the Adequacy of the Information Contained in the Debtors' Disclosure Statement submitted by certain of the Note Holders of the Prior Owner Notes [Docket No. 566, filed April 9, 2018].
- h) Affidavit of Service re: Objection to the Adequacy of the Information Contained in the Debtors' Disclosure Statement submitted by certain of the Note Holders of the Prior Owner Notes [Docket No. 567, filed April 9, 2018].

Status: This matter is adjourned to a date to be determined. The Debtors request that the Court schedule this matter for a hearing on November 30, 2018.

3. Motion to Reject Executory Contract Between Mountain Creek Resort, Inc. and Township of Vernon [Docket No. 666, filed July 16, 2018].

Related Document(s):

- a) Affidavit of Service [Docket No. 670]
- b) Determination of Adjournment Request Granted [Docket No. 678, entered July 31, 2018].

Objection Deadline: October 19, 2018.

Response(s) Received:

- a) None.

Status: This matter is adjourned to a date to be determined. The Debtors request that the Court schedule this matter for a hearing on November 30, 2018. The Debtors propose that any opposition to this matter must be filed by no later than seven (7) days before the hearing date on this matter.

4. Motion for an Order Granting Relief from the Automatic Stay filed on behalf of Creditor Kevin Halfpenny [Docket No. 718, filed September 17, 2018].

Related Document(s):

- a) Determination of Adjournment Request Granted [Docket No. 738; entered October 22, 2018]

Objection Deadline: Seven (7) days prior to the hearing on confirmation of the Debtors' chapter 11 plan (which date is to be determined), unless the movant and/or the Debtors notify the Court otherwise.

Response(s) Received:

- a) None.

Status: The parties have agreed to continue this matter to the date on which the Court schedules the hearing on confirmation of the Debtors' chapter 11 plan (which date is to be determined).

Dated: October 23, 2018

Respectfully submitted,

**LOWENSTEIN SANDLER LLP**

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