

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

)	
In re:)	Chapter 11
)	
J & M SALES INC., et al.,)	Case No. 18-11801 (LSS)
)	
Debtors.¹)	Jointly Administered
)	
)	

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JANUARY 28, 2019 AT 11:00 A.M. (EASTERN TIME)**

The hearing will be held at the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6th Floor, Courtroom No. 2, Wilmington, Delaware 19801.

Any party participating telephonically should make arrangements through CourtCall by telephone (866-582-6878) or facsimile (866-533-2946), no later than 12:00 p.m., one (1) business day before the hearing.

STATUS CONFERENCE MATTER

1. **PPS/Swipe Emergency Motion** – Priority Payment Systems’ and Swipe Payment Solutions’ Emergency Motion to Enforce Stipulated Order Re: Credit and Debit Card Processing Entered November 23, 2018 [Filed: 12/10/18] (Docket No. 965).

Response Deadline: December 19, 2018 at 12:00 p.m. Eastern Time.

Responses Received:

- a) Opposition of Pegasus Trucking, LLC to Emergency Motion of Priority Payment Systems and Swipe Payment Solutions to Enforce Stipulated Order Re: Credit and Debit Card Processing Entered November 23, 2018 [Filed: 12/19/18] (Docket No. 1025).
- b) Debtors’ Response to Priority Payment Systems’ and Swipe Payment Solutions’ Emergency Motion to Enforce Stipulated Order Re: Credit and Debit Card Processing Entered November 23, 2018 [Filed: 12/19/18] (Docket No. 1026).

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: J & M Sales Inc. (4697); National Stores, Inc. (4874); J&M Sales of Texas, LLC (5979); FP Stores, Inc. (6795); Southern Island Stores, LLC (8099); Southern Island Retail Stores LLC (4237); Caribbean Island Stores, LLC (9301); Pazzo FNB Corp. (9870); Fallas Stores Holdings, Inc. (6052); and Pazzo Management LLC (1924). Debtors’ mailing address is 15001 South Figueroa Street, Gardena, CA 90248.

² **Amended items appear in bold.**

- (i) Notice of Withdrawal of Debtors' Response to Priority Payment Systems' and Swipe Payment Solutions' Emergency Motion to Enforce Stipulated Order Re: Credit and Debit Card Processing Entered November 23, 2018 [Filed: 1/16/19] (Docket No. 1174).

Related Documents:

- a) [Signed] Stipulated Order Re: Credit and Debit Card Processing [Filed: 11/23/18] (Docket No. 873).
- b) [Signed] Corrected Stipulated Order Re: Resolution of Disputes Between Debtors and Priority Payment Systems/Swipe Payment Solutions [Filed: 1/3/19] (Docket No. 1095).
- c) Priority Payment Systems' and Swipe Payment Solutions' Notice of Proposed Application of \$25,000 from Breach Reserve Balance [Filed: 1/4/19] (Docket No. 1099).
- d) Letter dated January 24, 2019 from counsel to Priority Payment Systems, Inc. and Swipe Payment Solutions, Inc. to the Honorable Laurie Selber Silverstein regarding the Emergency Motion and Discovery Dispute [Filed: 1/24/19] (Docket No. 1223).
- e) Letter dated January 24, 2019 from counsel to Pegasus Trucking LLC to the Honorable Laurie Selber Silverstein regarding the Emergency Motion and Discovery Dispute [Filed: 1/24/19] (Docket No. 1224).

Status: This matter will go forward as a status conference.

MATTERS GOING FORWARD

- 2. **Loomis Admin Expense Motion** – Motion of Loomis Armored US, LLC for Immediate Payment of Administrative Expense Pursuant to Section 503(b)(1) of the Bankruptcy Code [Filed: 12/31/18] (Docket No. 1089).

Requested Response Deadline: On or before, or at the hearing.

Responses Received:

- a) Omnibus Objection of Gordon Brothers Finance Company to Motions for Payment of Administrative Expenses [Filed: 1/22/19] (Docket No. 1199).
- b) United States Trustee's Omnibus Limited Objection to Applications for Allowance and Payment of Administrative Claims [Filed: 1/22/19] (Docket No. 1203).
- c) **Debtors' Omnibus Response to Various Motions Seeking Allowance and/or Immediate Payment of Administrative Expenses [Filed: 1/25/19] (Docket No. 1233).**

Related Documents:

- a) Motion of Loomis Armored US, LLC, to Shorten Notice and Limit Objection Periods for Loomis Armored US, LLC's Motion for Immediate Payment of Administrative Expense Pursuant to Section 503(b)(1) of the Bankruptcy Code Prior to Conversion of Chapter 11 Cases [Filed: 1/15/19] (Docket No. 1170).
- b) [Signed] Order Shortening Notice and Objection Periods Regarding Loomis Armored US, LLC's Motion for Immediate Payment of Administrative Expense Pursuant to Section 503(b)(1) of the Bankruptcy Code Prior to Conversion of Chapter 11 Cases [Filed: 1/22/19] (Docket No. 1196).

Status: This matter will go forward.

- 3. **Motion to Convert** – Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/7/19] (Docket No. 1106).

Response Deadline: January 23, 2019 at 4:00 p.m. Eastern Time.

Responses Received:

- a) Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/9/19] (Docket No. 1123).
- b) Limited Joinder by Wasa Properties Southlake Pavilion LLC to Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/11/19] (Docket No. 1152).
- c) Objection of Certain Utility Companies to the Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/14/19] (Docket No. 1161).
- d) Limited Joinder by Arena Shoppes, LLLP to Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases

Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/14/19] (Docket No. 1162).

- e) Priority Payment Systems' and Swipe Payment Solutions' Response to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1204).
- f) Joinder of SoCo, L.P. in the Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1205).
- g) Limited Objection of The Price Reit Inc, Milam Real Estate Capital, LLC, Bex McCreless LLC, HEB Grocery Company LP, HE Butt Store Property Company No. One and The Gallery at South DeKalb to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the United States Bankruptcy Code [Filed: 1/23/19] (Docket No. 1206).
- h) Joinder of 3900 Indian Avenue, LLC, GGF III, LLC, GGF Pico Rivera, LLC, Weingarten Realty Investors and WRI-AEW Lone Star Retail Portfolio, LLC to Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1207).
- i) Limited Objection of Remo Tartaglia Associates, Oakwood Plaza Limited Partnership, and Plaza Del Sol 557 LLC to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the United States Bankruptcy Code [Filed: 1/23/19] (Docket No. 1208).
- j) Joinder by Wasa Properties Southlake Pavilion LLC to Limited Objection of The Price Reit Inc, Milam Real Estate Capital, LLC, Bex McCreless LLC, HEB Grocery Company LP, HE Butt Store Property Company No. One and The Gallery at South DeKalb to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the United States Bankruptcy Code [Filed: 1/23/19] (Docket No. 1209).
- k) Joinder and Objection of 2619 Realty Holding LLC to Limited Objection of Remo Tartaglia Associates, Oakwood Plaza Limited Partnership and Plaza Del Sol 557 LLC to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the United States Bankruptcy Code [Filed: 1/23/19] (Docket No. 1210).

- l) Limited Objection of Hilco Merchant Resources, LLC, Gordon Brothers Retail Partners, LLC & SB360 Capital Partners, LLC to the Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1211).
- m) Joinder of United Pacific Design, Inc., in the Objections of Various Administrative Creditors to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1213).
- n) Joinder of Seldat, Inc., in the Objections of Various Administrative Creditors to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/23/19] (Docket No. 1214).

Replies Filed:

- a) Debtors' Response to Limited Objection of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. to Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/11/19] (Docket No. 1145).

Related Documents:

- a) Motion to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/7/19] (Docket No. 1107).
 - (i) Debtors' Objection to Motion of Gordon Brothers Finance Company to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/7/19] (Docket No. 1111).
 - (ii) Gordon Brothers Finance Company's Reply in Support of the Motion to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/8/19] (Docket No. 1115).
 - (iii) Debtors' Surreply to Motion of Gordon Brothers Finance Company to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases

Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/9/19] (Docket No. 1120).

- (iv) [Signed] Order Setting Status Conference on Motion to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/9/19] (Docket No. 1121).
- (v) Priority Payment Systems' and Swipe Payment Solutions' Response to Debtors' Surreply to Motion of Gordon Brothers Finance Company to Shorten Notice and Objection Periods Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/11/19] (Docket No. 1141).
- b) Statement of Gordon Brothers Finance Company Regarding Status Conference on Motion to Convert [Filed: 1/11/19] (Docket No. 1147).
- c) Notice of Hearing Regarding Motion of Gordon Brothers Finance Company to Convert Debtors' Chapter 11 Cases to Cases Under Chapter 7 of the Bankruptcy Code, Pursuant to 11 U.S.C. §§ 105 and 1112 [Filed: 1/14/19] (Docket No. 1164).

Status: This matter will go forward.

4. **COC re Escrow Funds** – Certification of Counsel Regarding Agreement to Release Portion of Escrowed Funds and Escrow Disbursement Instructions [Filed: 1/11/19] (Docket No. 1146).

Response Deadline: N/A

Responses Received: None as of the date hereof.

Related Documents:

- a) **Certification of Counsel Regarding Second Agreement to Release Portion of Escrowed Funds and Escrow Disbursement Instructions [Filed: 1/24/19] (Docket No. 1231).**

Status: As requested by the Court, this matter will go forward.

5. **9019 Motion with Affiliated FM Insurance** – Debtors' Motion to Approve Stipulation with Affiliated FM Insurance Company Pursuant to 11 U.S.C. §§ 105(a) and 363(a) and Bankruptcy Rule 9019 [Filed: 1/16/19] (Docket No. 1180).

Response Deadline: January 25, 2019 at 4:00 p.m. Eastern Time.

Responses Received: None as of the date hereof.

Related Documents:

- a) Motion to Shorten Notice and Schedule Expedited Hearing on Debtors' Motion to Approve Stipulation with Affiliated FM Insurance Company Pursuant to 11 U.S.C. §§ 105(a) and 363(a) and Bankruptcy Rule 9019 [Filed: 1/16/19] (Docket No. 1181).
- b) [Signed] Order Granting Motion to Shorten Notice and Schedule Expedited Hearing on Debtors' Motion to Approve Stipulation with Affiliated FM Insurance Company Pursuant to 11 U.S.C. §§ 105(a) and 363(a) and Bankruptcy Rule 9019 [Filed: 1/17/19] (Docket No. 1185).
- c) Notice of Hearing on Debtors' Motion to Approve Stipulation with Affiliated FM Insurance Company Pursuant to 11 U.S.C. §§ 105(a) and 363(a) and Bankruptcy Rule 9019 [Filed: 1/17/19] (Docket No. 1188).

Status: This matter will go forward.

REQUESTED MATTERS TO GO FORWARD

- 6. **Weiser Admin Expense Motion** – Motion of Weiser Security Services, Inc., for Immediate Payment of Administrative Expense Pursuant to Section 503(b)(1) of the Bankruptcy Code [Filed: 1/8/19] (Docket No. 1117).

Response Deadline: To be determined.

Responses Received:

- a) Omnibus Objection of Gordon Brothers Finance Company to Motions for Payment of Administrative Expenses [Filed: 1/22/19] (Docket No. 1199).
- b) United States Trustee's Omnibus Limited Objection to Applications for Allowance and Payment of Administrative Claims [Filed: 1/22/19] (Docket No. 1203).
- c) **Debtors' Omnibus Response to Various Motions Seeking Allowance and/or Immediate Payment of Administrative Expenses [Filed: 1/25/19] (Docket No. 1233).**

Related Documents:

- a) Motion of Weiser Security Services, Inc. to Shorten Notice and Objection Periods Regarding Motion of Weiser Security Services, Inc. to Compel Payment of Administrative Expense Prior to Conversion of Chapter 11 Cases [Filed: 1/11/19] (Docket No. 1158).

Status: The movant has filed a motion to shorten on this matter. This matter will go forward only if permitted by the Court.

7. **99 Cents Only Stores, et al. Motion to Compel** – Motion of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. for Entry of an Order (I) Compelling Debtors’ (A) Payment of Certain Post-Petition Rent and Other Charges Due Pursuant to 11 U.S.C. § 365(d)(3) and Prior Orders of Court and (B) Enforcement of Surcharge Rights, and (II) for Allowance and Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(1)(A) [Filed: 1/23/19] (Docket No. 1215).

Requested Response Deadline: At the hearing.

Responses Received:

- a) Omnibus Objection of Gordon Brothers Finance Company to Motions for Payment of Administrative Expenses [Filed: 1/22/19] (Docket No. 1199).
- b) United States Trustee’s Omnibus Limited Objection to Applications for Allowance and Payment of Administrative Claims [Filed: 1/22/19] (Docket No. 1203).
- c) Objection of Gordon Brothers Finance Company to Motions to Shorten Notice Regarding Motions for Payment of Post-Petition Rent and Relating Surcharge Rights [Filed: 1/24/19] (Docket No. 1220).
- d) **Debtors’ Response to Motions to Shorten Notice Regarding Motions to Compel Filed By Certain Landlords [Filed: 1/24/19] (Docket No. 1227).**

Related Documents:

- a) Motion to Shorten Notice on the Motion of 99 Cents Only Stores, LLC, Brixmor Operating Partnership LP, Federal Realty Investment Trust, PGI Management, PGIM Real Estate, Primestor Development, Inc., Valley Plaza, LLC, Watt Companies, Weitzman, and Wind Chime Properties, L.P. for Entry of an Order (I) Compelling Debtors’ (A) Payment of Certain Post-Petition Rent and Other Charges Due Pursuant to 11 U.S.C. § 365(d)(3) and Prior Orders of Court and (B) Enforcement of Surcharge Rights, and (II) for Allowance and Payment of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(1)(A) [Filed: 1/23/19] (Docket No. 1217).

Status: The movant has filed a motion to shorten on this matter. This matter will go forward only if permitted by the Court.

8. **SoCo’s Motion to Compel** – SoCo, L.P.’s Motion for Entry of an Order (I) Compelling Debtors’ Payment of Certain Post-Petition Rent and Other Amounts Due Pursuant to 11 U.S.C. § 365(d)(3) and Prior Orders of Court, (II) for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(A) and (III) to the Extent Necessary, Compelling the Debtors’ to Exercise Their 11 U.S.C. § 506(c) Surcharge Rights [Filed: 1/23/19] (Docket No. 1218).

Requested Response Deadline: At the hearing.

Responses Received:

- a) Omnibus Objection of Gordon Brothers Finance Company to Motions for Payment of Administrative Expenses [Filed: 1/22/19] (Docket No. 1199).
- b) United States Trustee's Omnibus Limited Objection to Applications for Allowance and Payment of Administrative Claims [Filed: 1/22/19] (Docket No. 1203).
- c) Objection of Gordon Brothers Finance Company to Motions to Shorten Notice Regarding Motions for Payment of Post-Petition Rent and Relating Surcharge Rights [Filed: 1/24/19] (Docket No. 1220).
- d) **Debtors' Response to Motions to Shorten Notice Regarding Motions to Compel Filed By Certain Landlords [Filed: 1/24/19] (Docket No. 1227).**

Related Documents:

- a) SoCo, L.P.'s Motion to Shorten Notice of Its Motion for Entry of an Order (I) Compelling Debtors' Payment of Certain Post-Petition Rent and Other Amounts Due Pursuant to 11 U.S.C. § 365(d)(3) and Prior Orders of Court, (II) for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1)(A) and (III) to the Extent Necessary, Compelling the Debtors' to Exercise Their 11 U.S.C. § 506(c) Surcharge Rights [Filed: 1/23/19] (Docket No. 1219).

Status: The movant has filed a motion to shorten on this matter. This matter will go forward only if permitted by the Court.

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Dated: January 25, 2019
Wilmington, Delaware

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Peter J. Keane

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