

**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
)	
)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON DECEMBER 10, 2018 AT 2:00 P.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.

RESOLVED MATTER

1. **Exclusivity Extension Motion** – Debtors’ Motion for an Order Pursuant to Section 1121(d) of the Bankruptcy Code Extending the Exclusive Periods Within Which the Debtors May File a Chapter 11 Plan and Solicit Acceptances Thereof [Filed: 11/1/18] (Docket No. 740).

Response Deadline: November 15, 2018 at 4:00 p.m. Eastern Time.

Responses Received: None.

Related Documents:

- a) Certification of No Objection Regarding Docket No. 740 [Filed: 11/16/18] (Docket No. 836).

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.

- b) [Signed] Order Pursuant to Section 1121(d) of the Bankruptcy Code Extending the Exclusive Periods Within Which the Debtors May File a Chapter 11 Plan and Solicit Acceptances Thereof [Filed: 11/20/18] (Docket No. 856).

Status: The order has been entered. No hearing is necessary.

CONTINUED MATTERS

2. **Hendon Motion to Compel** – Motion of Hendon Golden East, LLC for Order Compelling Debtors to Immediately Comply with 11 U.S.C. § 365(d)(3), and Pay Certain Post-Petition Lease Obligations [Filed: 10/16/18] (Docket No. 660).

Response Deadline: October 30, 2018 at 4:00 p.m. Eastern Time. Extended for the Debtors to November 6, 2018 at 4:00 p.m. Eastern Time.

Responses Received:

- a) Debtors' Objection to Motion of Hendon Golden East, LLC for Order Compelling Debtors to Immediately Comply with 11 U.S.C. § 365(d)(3), and Pay Certain Post-Petition Lease Obligations [Filed: 11/6/18] (Docket No. 770).

Related Documents: None as of the date hereof.

Status: This matter is continued to the omnibus hearing on January 14, 2019 at 10:00 a.m. Eastern Time.

3. **Bar Date Motion** – Debtors' Motion for an Order (I) Establishing Bar Dates for Filing Claims and (II) Approving the Form and Manner of Notice Thereof [Filed: 11/19/18] (Docket No. 846).

Response Deadline: December 3, 2018 at 4:00 p.m. Eastern Time. Extended to December 5, 2018 for Priority Payment Systems and Swipe Payment Solutions.

Responses Received:

- a) Informal comments from certain landlords.
- b) Informal comments from Priority Payment Systems and Swipe Payment Solutions.

Related Documents:

- a) Certification of Counsel Regarding Revised Proposed Order (I) Establishing Bar Dates for Filing Claims and (II) Approving the Form and Manner of Notice Thereof [Filed: 12/5/18] (Docket No. 934).

Status: This matter is continued to the omnibus hearing on January 14, 2019 at 10:00 a.m. Eastern Time.

STATUS CONFERENCE

4. **Cure and Adequate Assurance Disputes re: Going Concern Sale to Pegasus** – Debtors’ Motion for Orders (I)(A) Authorizing Assumption of Backstop Agency Agreement, (B) Authorizing Bidding Protections, (C) Authorizing Bidding Procedures and Auction, and (D) Scheduling Sale Hearing and Approving Notice Thereof; (II) Authorizing (A) Sale of Assets or (B) Store Closing Sales and (III) Granting Related Relief [Filed: 9/20/18] (Docket No. 470).

Sale Response Deadline: October 11, 2018 at 12:00 p.m. Eastern Time.

Cure Costs/Assumption Assignment Response Deadline: October 11, 2018 at 12:00 p.m. Eastern Time. Extended to October 17, 2018 for TSCA-3.

Adequate Assurance Response Deadline: October 11, 2018 at 12:00 p.m. Eastern Time.

Cure Responses:

- a) Objection of DDR Corp., DLC Management Corp., Jones Lang LaSalle Americas, Inc., National Retail Properties, Inc., Newmark Merrill Companies, and Philips International Holding Corp. to Debtors’ Proposed Sale of Assets, Proposed Cure Amounts, and Proposed Assumption and Assignment of Certain Leases [Filed: 10/11/18] (Docket No. 629).

Replies Filed:

- a) Omnibus Reply in Support of Debtors’ Motion for Orders Approving Assumption and Assignment of Certain Leases to Pegasus Trucking, LLC and Responding to Objections By Landlords to Cure Amounts and Adequate Assurance of Future Performance and Granting Related Relief [Filed: 10/15/18] (Docket No. 653).
- b) Supplement to Omnibus Reply in Support of Debtors’ Motion for Orders Approving Assumption and Assignment of Certain Leases to Pegasus Trucking, LLC and Responding to Objections By Landlords to Cure Amounts and Adequate Assurance of Future Performance and Granting Related Relief [Filed: 10/15/18] (Docket No. 656).

Related Documents:

- a) Unexpired Lease or Executory Contract Assumption and Cure Notice [Filed: 9/28/18] (Docket No. 527).
- b) Notice of Hearing to Consider Assumption of Unexpired Leases and Executory Contracts [Filed: 10/10/18] (Docket No. 579).
- c) [Signed] Order Approving Liquidation Sale of the Debtors’ Assets and Granting Related Relief [Filed: 10/12/18] (Docket No. 640).

- d) [Signed] Order Approving Sale of Certain Purchased Assets and Granting Related Relief [Filed: 10/17/18] (Docket No. 670).
- e) [Signed] Order Granting Assumption and Assignment of Leases of Non-Residential Real Property from Debtors to Pegasus Trucking, LLC and Granting Related Relief [Filed: 10/18/18] (Docket No. 675).
- f) Notice of Closing of Going Concern Sale Between Debtors and Pegasus Trucking, LLC [Filed: 10/19/18] (Docket No. 683).

Status: A status conference will go forward with respect to cure disputes from the Going Concern Sale to Pegasus Trucking, LLC as it relates to store #688.

MATTER GOING FORWARD

- 5. **Enterprise Motion to Compel** – Motion of Enterprise FM Trust to Compel Assumption or Rejection of a Certain Unexpired Executory Contract and for an Administrative Expense Claim [Filed: 11/9/18] (Docket No. 784).

Response Deadline: November 26, 2018 at 4:00 p.m. Eastern Time. Extended to November 30, 2018 for the Debtors.

Responses Received:

- a) Debtor's Response to Motion of Enterprise FM Trust to Compel Assumption or Rejection of a Certain Unexpired Executory Contract and for an Administrative Expense Claim [Filed: 11/30/18] (Docket No. 921).

Related Documents: None as of the date hereof.

Status: This matter will go forward.

FINAL FEE APPLICATION

- 6. A final fee application of an estate professional has been scheduled for this hearing. Attached hereto as Exhibit A is an index of the fee application scheduled to be heard. The item listed on Exhibit A hereto corresponds to the order of the fee application, and documents related thereto, that are in the fee application binders submitted to the Court, pursuant to the Court's Chambers' Procedures.

Response Deadline: See attached Exhibit A.

Responses Received: See attached Exhibit A.

Related Documents: None as of the date hereof.

Status: A certificate of no objection has been filed. Counsel requests entry of the proposed order attached to the certificate of no objection at the Court's convenience. No hearing is necessary unless the Court has questions.

Dated: December 6, 2018
Wilmington, Delaware

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/s/ Peter J. Keane

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Attorneys for Debtors and Debtors in Possession

Exhibit A

**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 INDEX TO FINAL FEE APPLICATION BINDER IN
CONNECTION WITH NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON DECEMBER 10, 2018 AT 2:00 P.M. (EASTERN TIME)**

Dated: December 6, 2018

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² **Items in bold reflect changes made to the index from the previous version sent to Chambers on December 3, 2018.**

Imperial Capital, LLC – Investment Banker and Financial Advisor to the Debtors

1. First and Final Application of Imperial Capital, LLC, Investment Banker and Financial Advisor to the Debtors, for Compensation for Services Rendered and Reimbursement of Expenses for the Period of August 6, 2018 Through October 19, 2018 [Filed: 11/13/18] (Docket No. 791).

Response Deadline: December 4, 2018 at 4:00 p.m. Eastern Time.

Responses Received: None as of the date hereof.

Related Documents:

- a) **Certification of No Objection Regarding Docket No. 791 [Filed: 12/5/18] (Docket No. 937).**

Status: A certificate of no objection has been filed. Counsel requests entry of the proposed order attached to the certificate of no objection at the Court's convenience. No hearing is necessary unless the Court has questions.