

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re	:	
	:	Chapter 11
	:	
SAMUELS JEWELERS, INC., ¹	:	Case No. 18-11818 (KJC)
	:	
Debtor.	:	
	:	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 13, 2019 AT 1:30 P.M. (ET)²**

I. RESOLVED MATTER:

1. Debtor's Second Omnibus Motion for Entry of Order (I) Authorizing Debtor to (A) Reject Certain Unexpired Leases of Nonresidential Real Property and (B) Abandon Remaining Property in Connection Therewith and (II) Granting Related Relief [Docket No. 553 – filed December 28, 2018]

Objection/Response Deadline: January 11, 2019 at 4:00 p.m. (ET)

Objections/Responses Received:

- A. Informal comments from certain landlords

Related Documents:

- i. Certification of Counsel Regarding Debtor's Second Omnibus Motion for Entry of Order (I) Authorizing Debtor to (A) Reject Certain Unexpired Leases of Nonresidential Real Property and (B) Abandon Remaining Property in Connection Therewith and (II) Granting Related Relief [Docket No. 574 – filed January 14, 2019]
- ii. Second Omnibus Order (I) Authorizing Debtor to (A) Reject Certain Unexpired Leases of Nonresidential Real Property and (B) Abandon Remaining Property in

¹ The last four digits of the Debtor's taxpayer identification number are 6316 and its address is 2914 Montopolis Drive, Suite 200, Austin, Texas 78741.

² 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, 5th Floor, Courtroom 5, Wilmington, Delaware 19801. Any person who wishes to appear telephonically at the February 13, 2019 hearing must contact COURTCALL, LLC at 866-582-6878 prior to 12:00 p.m. (noon) (ET) on Tuesday, February 12, 2019 to register his/her telephonic appearance in accordance with the *Instructions for Telephonic Appearances Effective January 5, 2005, Revised May 11, 2018*. All motions and other pleadings referenced herein are available online free of charge at <https://cases.primeclerk.com/samuelsjewelers/>.

Connection Therewith and (II) Granting Related Relief [Docket No. 575 – entered January 15, 2019]

Status: On January 15, 2019, the Court entered an order granting the relief requested. Accordingly, a hearing regarding this matter is not required.

II. CONTINUED MATTER:

2. Debtor's Motion for (I) an Order Establishing Bid Procedures and Granting Related Relief and (II) an Order Approving the Sale of the Assets [Docket No. 295 – filed October 3, 2018] (the "Sale Motion")

Assumption/Assignment

Objection Deadline: December 7, 2018 at 4:00 p.m.

Assumption/Assignment

Objections Received:

- A. Informal comments from (i) Simon Property Group; (ii) JPMCC 2006-LDP7 Centro Enfield, LLC; (iii) Iron Mountain; (iv) C-III Asset Management LLC; (v) T Northgate Mall, LLC; (vi) Listrak; (vii) Sierra Vista Mall, LLC; and (viii) Spinoso Real Estate Company
- B. CBL & Associates Management, Inc.'s Limited Objection to Debtor's Stated Cure Amounts [Docket No. 461 – filed November 28, 2018]
- C. Objection and Reservation of Rights of Asurion Services, LLC to Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 462 – filed November 29, 2018]
- D. Limited Objection (of Lillia G. Brown) to Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 478 – filed December 5, 2018]
- E. Assumption/Assignment Objection by Westfield, LLC and Certain Affiliates to proposed Cure Amounts [Docket No. 482 – filed December 6, 2018]
- F. CBRE Inc's, as Receiver for Charlestown Town Center SPE, LLC, Objection to Debtor's Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 483 – filed December 6, 2018]
- G. Objection of Brookfield Properties Retail Group, Gregory Greenfield & Associates, Ltd., and NewMark Merrill Companies to Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts of the Debtor [Docket No. 485 – filed December 7, 2018]

- H. Pavilions North Shopping Center 18, LLC's Objection to the Debtor's Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 486 – filed December 7, 2018]
- I. Limited Objection of Brookfield Property REIT Inc., Centennial Real Estate Company, Gallatin Mall Group, L.L.C., the Macerich Company, Starwood Retail Partners, LLC, and ST Mall Owner LLC to Debtor's Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 487 – filed December 7, 2018]
- J. Objection of Washington Prime Group Inc. to the Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 489 – filed December 7, 2018]
- K. Comenity Bank's Objection and Reservation of Rights with Respect to the Debtor's Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 490 – filed December 7, 2018]
- L. Objection of Liberty Center LLC to Debtors' Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 491 – filed December 7, 2018]
- M. Limited Objection of Advanced Fixtures, Inc. to Debtor's Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 492 – filed December 7, 2018]

Sale Objection Deadline: February 6, 2019 at 4:00 p.m.; extended to February 18, 2019 at 4:00 p.m.

Sale Objections Received:

- A. Objection to the Notice of Auction and Sale Hearing [Docket No. 406 – filed November 9, 2018]
- B. Limited Objection of Innovative Pearl to Proposed Sale of Consignment Inventory [Docket No. 581 – filed January 18, 2019]
- C. Comenity Bank's Objection and Reservation of Rights with Respect to Any Sale, Including Any Assumption and Assignment of the Program Agreement [Docket No. 611 – filed February 6, 2019]
- D. Objection of CBRE, Inc., as Receiver for Charleston Town Center SPE, LLC to the Sale of the Debtor's Assets [Docket No. 613 – filed February 6, 2019]
- E. Reservation of Washington Prime Group Inc. to the Proposed Sale of the Debtor's Assets [Docket No. 616 – filed February 8, 2019]

- F. Reservation of Rights of Official Committee of Unsecured Creditors to Debtor's Motion for (I) an Order Establishing Bid Procedures and Granting Related Relief and (II) an Order Approving the Sale of the Assets [Docket No. 617 – filed February 8, 2019]

Related Documents:

- i. Order Establishing Bid Procedures and Granting Related Relief [Docket No. 359 – entered October 22, 2018]
- ii. Notice of Auction and Sale Hearing [Docket No. 365 – filed October 22, 2018]
- iii. Affidavit of Publication [Docket No. 387 – filed October 30, 2018]
- iv. Notice of (I) Potential Assumption and Assignment of Executory Contracts and Unexpired Leases and (II) Cure Amounts [Docket No. 431 – filed November 16, 2018]
- v. Notice of Adjournment of Auction [Docket No. 586 – filed January 22, 2019]
- vi. Withdrawal of Bell TAD et. al. Objection to the Notice of Auction and Sale Hearing [Docket No. 620 – filed February 8, 2019]

Status: The hearing regarding the Sale Motion has been continued until February 21, 2019 at 1:00 p.m. (ET).

III. MATTER GOING FORWARD:

3. Application of the Fee Examiner Pursuant to This Court's Order Dated November 14, 2018, 11 U.S.C. §§ 327(a) and 328(a), and Federal Rule of Bankruptcy Procedure 2014(a) for Authority to Employ and Retain Miller Coffey Tate LLP as Accountants and Bankruptcy Consultants, *Nunc Pro Tunc* to November 19, 2018 [Docket No. 530 – filed December 19, 2018]

Objection/Response Deadline: January 4, 2019 at 4:00 p.m.

Objections/Responses Received: None

Related Documents:

- i. Certificate of No Objection [Docket No. 560 – filed January 7, 2019]

Status: At the direction of the Court, a hearing regarding this matter will go forward.

Dated: February 11, 2019
Wilmington, Delaware

Respectfully submitted,

/s/ David T. Queroli

Daniel J. DeFranceschi (DE 2732)
Zachary I. Shapiro (DE 5103)
David T. Queroli (DE 6318)
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, Delaware 19801
Telephone: (302) 651-7700
Facsimile: (302) 651-7701
E-mail: defranceschi@rlf.com
shapiro@rlf.com
queroli@rlf.com

-and-

Gregory M. Gordon (TX 08435300)
Amanda S. Rush (TX 24079422)
Jonathan M. Fisher (TX 24082999)
JONES DAY
2727 N. Harwood Street
Dallas, Texas 75201
Telephone: (214) 220-3939
Facsimile: (214) 969-5100
E-mail: gmgordon@jonesday.com
asrush@jonesday.com
jmfisher@jonesday.com

-and-

Paul M. Green (TX 24059854)
JONES DAY
717 Texas, Suite 3300
Houston, Texas 77002
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
E-mail: pmgreen@jonesday.com

ATTORNEYS FOR DEBTOR