

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

-----X
In re: : Chapter 11
SMARTOURS, LLC, *et al*, :
 : Case No. 20-12625 (KBO)
 :
 : (Joint Administration Requested)
Debtors.¹ :
-----X

NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND RELATED DOCUMENTS AND (II) AGENDA FOR TELEPHONIC AND VIDEO HEARING ON FIRST DAY PLEADINGS SCHEDULED FOR OCTOBER 21, 2020 AT 2:30 P.M. (ET), BEFORE THE HONORABLE KAREN B. OWENS AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

THIS HEARING WILL BE HELD TELEPHONICALLY VIA COURTCALL AND, IN CERTAIN CIRCUMSTANCES, BY VIDEO VIA ZOOM. ALL PARTIES WISHING TO APPEAR MUST DO SO TELEPHONICALLY BY CONTACTING COURTCALL, LLC AT 866-582-6878. ONLY THOSE PARTIES THAT WILL BE ADDRESSING THE COURT SHOULD APPEAR BY VIDEO VIA ZOOM IN ADDITION TO THEIR COURTCALL REGISTRATION.

PLEASE NOTE THAT THE MICROPHONES ON THE ZOOM MEETING WILL BE MUTED AND THE ONLY AUDIO WILL BE THROUGH COURTCALL.

Topic: smarTours, LLC, *et al*. 20-12625 (KBO)
Time: October 21, 2020 at 2:30 P.M. Eastern Time (US and Canada)
Join ZoomGov Meeting <https://debuscourts.zoomgov.com/j/1608702786>

Meeting ID: 160 870 2786
Password: 987765

PLEASE TAKE NOTICE that, on October 19, 2020, the debtors in possession in the above-captioned cases (collectively, the “Debtors”) filed the following voluntary petitions (collectively, the “Petitions”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), and on October 19, 2020 filed related pleadings with the Clerk of the United States Bankruptcy Court for the District of Delaware. The Debtors continue to operate their business as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: smarTours, LLC (6681); and SPST Holdings, LLC (9027).

PETITIONS AND RELATED PLEADINGS:

1. Voluntary Petitions
 - A. smarTours, LLC [Case No. [20-12625](#)]
 - B. SPST Holdings, LLC [Case No. [20-12626](#)]
2. Declaration of Christine Petersen in Support of First-Day Motions² [D.I. [3](#)].

PLEASE TAKE FURTHER NOTICE that, a telephonic and video hearing with respect to the following first day pleadings (collectively, the “First Day Pleadings”), to the extent set forth below, is scheduled for **October 21, 2020 at 2:30 p.m. (ET)** (the “First Day Hearing”) before The Honorable Karen B. Owens, United States Bankruptcy Judge for the District of Delaware.

FIRST DAY PLEADINGS GOING FORWARD:

3. Debtors’ Motion for Entry of Order Pursuant to Bankruptcy Rule 1015 Directing Joint Administration of Related Chapter 11 Cases [D.I. [2](#)].

Status: This matter will be going forward.

4. Debtors’ Application for Appointment of Prime Clerk LLC as Claims and Noticing Agent *nunc pro tunc* to the Petition Date [D.I. [4](#)].

Status: This matter will be going forward.

5. Debtors’ Application for an Order Authorizing Employment and Retention of Prime Clerk LLC as Administrative Advisor *nunc pro tunc* to the Petition Date [D.I. [5](#)].

Status: This matter will be going forward.

6. Debtors’ Motion for Entry of Interim and Final Orders, Pursuant to Bankruptcy Code Sections 105(a), 345(b), 363(c)(1), 364(a), 364(b), and 503(b)(1), Bankruptcy Rules 6003 and 6004 and Local Rule 2015-2(A), Authorizing Debtors to Use Existing Cash Management System, (B) Authorizing And Directing Banks and Financial Institutions to Honor and Process Checks and Transfers, (C) Waiving Requirements of Section 345(b) of Bankruptcy Code and (D) Authorizing Debtors to Use Existing Bank Accounts and Existing Business Forms [D.I. [6](#)].

Status: This matter will be going forward on an interim basis.

² The physical location of this declarant is New York City, NY.

7. Debtors' Motion for Entry of Order (I) Authorizing Debtors to Redact Certain Personally Identifiable Information of the Debtors' Customers and Employees in the Creditor Matrix and Future Filings, (II) Approving the Form and Manner of the Notice of Commencement, and (III) Granting Related Relief [D.I. [7](#)].

Related Documents:

- A. [SEALED] Certification of Creditor Matrix [D.I. [14](#)]; and
- B. Notice of Filing of Proposed Redacted Version of the Certification of Creditor Matrix [D.I. [15](#)].

Status: This matter will be going forward.

8. Debtors' Motion Pursuant to Bankruptcy Code Sections 105(a), 363(b), 503(b), 507(a)(4), And 507(a)(8) and Bankruptcy Rules 6003 and 6004, for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Certain Employee Compensation and Benefits, and (B) Maintain Such Employee Benefits Programs; and (II) Authorizing and Directing Banks and Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations [D.I. [8](#)].

Status: This matter will be going forward on an interim basis.

9. Debtors' Motion For Entry of Order (I) Authorizing Debtors to (A) Continue Their Workers Compensation Program and Insurance Programs, (B) Pay All Obligations in Respect Thereof, and (II) Authorizing and Directing Banks and Financial Institutions to Honor And Process Checks and Transfers Related to Such Obligations [D.I. [9](#)].

Status: This matter will be going forward.

10. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to Pay Taxes and Fees [D.I. [10](#)].

Status: This matter will be going forward on an interim basis.

11. Debtors' Motion, Pursuant to Bankruptcy Code Sections 105, 361, 362, 363, 364, Bankruptcy Rule 4001 and Local Rule 4001-2, for Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Secured Parties, (III) Scheduling Final Hearing and (IV) Granting Related Relief [D.I. [11](#)].

Status: This matter will be going forward on an interim basis.

PLEASE TAKE FURTHER NOTICE that parties who wish to participate in the First Day Hearing may do so by contacting CourtCall at 866-582-6878 to register their appearance for audio **AND**, in certain circumstances, by joining through Zoom at <https://debuscourts.zoomgov.com/j/1608702786> Meeting ID: 160 870 2786; Password: 987765 for video. Only those parties that will be addressing the Court should appear by video via Zoom in addition to their CourtCall registration.

PLEASE TAKE FURTHER NOTICE copies of all pleadings are available electronically on the Debtors' restructuring website, www.primeclerk.com/smarTours.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Pleadings may be made at the First Day Hearing.

Dated: October 20, 2020
Wilmington, Delaware

CROSS & SIMON, LLC

/s/ Kevin S. Mann
Christopher P. Simon (No. 3697)
Kevin S. Mann (No. 4576)
1105 North Market Street, Suite 901
Wilmington, Delaware 19801
Telephone: (302) 777-4200
Facsimile: (302) 777-4224
csimon@crosslaw.com
kmann@crosslaw.com

-and-

NIXON PEABODY LLP
Richard C. Pedone
53 State Street
Boston, Massachusetts 02109
Telephone: (617) 345-1000
Facsimile: (617) 345-1300
rpedone@nixonpeabody.com

-and-

Christopher M. Desiderio
Christopher J. Fong
55 West 46th Street
New York, NY 10036
Telephone: 212-940-3724
Facsimile: 855-900-8613
cdesiderio@nixonpeabody.com
cfong@nixonpeabody.com
*Proposed Co-Counsel to the Debtors and
Debtors in Possession*