

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11  
SMARTOURS, LLC, *et al*, :  
 : Case No. 20-12625 (KBO)  
 :  
 : (Jointly Administered)  
 Debtors.<sup>1</sup> :  
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**FOURTH AMENDED<sup>2</sup> NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON DECEMBER 14, 2020 AT 4:00 P.M.<sup>3</sup> (ET), BEFORE THE HONORABLE  
KAREN B. OWENS AT THE UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT OF DELAWARE**

**AT THE DIRECTION OF THE COURT, THE HEARING  
TIME HAS CHANGED TO 4:00 P.M.**

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 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: December 14, 2020 at **4:00 P.M.** Eastern Time (US and Canada)

Join ZoomGov Meeting <https://debuscourts.zoomgov.com/j/1612603624>

Meeting ID: 161 260 3624  
Passcode: 411358

<sup>1</sup> 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). Copies of all pleadings are available electronically on the Debtors' restructuring website, [www.primeclerk.com/smarTours](http://www.primeclerk.com/smarTours).

<sup>2</sup> Amended items appear in bold.

<sup>3</sup> At the direction of the Court, the hearing time has been changed to 4:00 p.m. (ET)

UNCONTESTED MATTER WITH CERTIFICATION FILED:

1. Debtors' Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 Approving Settlement Agreement by and Among the Debtors and 545 Eighth Avenue Associates, L.P. [D.I. [149](#), Filed 11/30/2020].

Related Pleadings:

- A. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order Pursuant to Bankruptcy Rule 9019 Approving Settlement Agreement by and Among the Debtors and 545 Eighth Avenue Associates, L.P. [D.I. [164](#), Filed 12/8/2020]; and
- B. Order Granting Debtors' Motion For Entry of an Order Pursuant to Bankruptcy Rule 9019 Approving Settlement Agreement by and Among the Debtors and 545 Eighth Avenue Associates, L.P. [D.I. [166](#), Entered 12/9/2020].

Objection Deadline: December 7, 2020 at 4:00 p.m.

Objections/Responses: None.

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

MATTERS GOING FORWARD:

2. Confirmation re: Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [125](#), Filed 11/16/2020].

Related Pleadings:

- A. Notice of Filing of Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [126](#), Filed 11/16/2020];
- B. Amended Disclosure Statement for Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [127](#), Filed 11/16/2020];
- C. Notice of Filing of Amended Disclosure Statement for Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [128](#), Filed 11/16/2020]
- D. Order (I) Approving Disclosure Statement, (II) Approving Solicitation Procedures, (III) Approving Form of Ballots and Notices in Connection Therewith, (IV) Establishing Plan Confirmation Schedule, and (V) Granting Related Relief [D.I. [137](#), Entered 11/17/2020];

- E. Amended Disclosure Statement for Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate (Solicitation Version) [D.I. [141](#), Filed 11/18/2020];
- F. Notice of (I) Possible Assumption of Contracts and Leases, (II) Fixing of Cure Amounts, and (III) Deadline to Object Thereto [D.I. [146](#), Filed 11/25/2020];
- G. Notice of Filing of Plan Supplement to Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [147](#), Filed 11/25/2020];
- H. Notice of Filing of First Amendment to Plan Supplement to Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [157](#), Filed 12/3/2020];
- I. Second Notice of (I) Possible Assumption of Contracts and Leases, (II) Fixing of Cure Amounts, and (III) Deadline to Object Thereto [D.I. [158](#); Filed 12/3/2020];
- J. Declaration of Craig E. Johnson of Prime Clerk LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [170](#), Filed 12/10/2020];
- K. Second Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [171](#), Filed 12/10/2020];
- L. Notice of Filing of Second Amended Joint Chapter 11 Plan of Reorganization of SmarTours, LLC and Its Debtor Affiliate [D.I. [172](#), Filed 12/10/2020];
- M. Declaration of Christine Petersen in Support of Confirmation of Second Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [173](#), Filed 12/10/2020];
- N. Debtors' Memorandum of Law in Support of Confirmation of Second Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [174](#), Filed 12/10/2020];
- O. [Proposed] Findings of Fact, Conclusions of Law, and Order Confirming Second Amended Joint Chapter 11 Plan of Reorganization of SmarTours, LLC and Its Debtor Affiliate [D.I. [175](#), Filed 12/10/2020];

- P. Notice of Withdrawal of Declaration of Christine Petersen in Support of Confirmation of Second Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate [D.I. [177](#), Filed 12/11/2020];

Objection Deadline: December 7, 2020 at 4:00 p.m. (extended to December 10, 2020 at 12:00 p.m. for the DIP lender and the United States Trustee)

Objections/Responses:

- A. Limited Objection of Creditor Trip Mate, Inc. to Debtor Smartours LLC's Notice of Assumption of Contract [D.I. [162](#), Filed 12/7/2020];
- B. U.S. Trustee's Objection to Debtors' Amended Joint Chapter 11 Plan of Reorganization of smarTours, LLC and its Debtor Affiliate (D.E. 126-1, Plan) [D.I. [167](#), Filed 12/10/2020]; and
- C. Letter from L. Jones re: objection to plan [D.I. [178](#), Filed 12/11/2020].

Status: Confirmation is going forward<sup>4</sup>. The cure objection filed by Trip Mate, Inc. has been adjourned to a date to be determined. The Debtors and the U.S. Trustee will attempt to resolve any remaining objections in advance of the hearing.

Dated: December 14, 2020  
Wilmington, Delaware

CROSS & SIMON, LLC

/s/ Kevin S. Mann

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-and-

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<sup>4</sup> The Debtors do not presently intend to call any witnesses but reserve the right to do so if necessary.

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*Co-Counsel to the Debtors and  
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