

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
Tuesday Morning Corporation, <i>et al.</i> , ¹	§	Case No. 20-31476-HDH-11
	§	
Debtors.	§	Jointly Administered

**DECLARATION OF ANDREW GOLDBLATT IN SUPPORT OF DEBTORS’
OBJECTION TO PEACHTREE PARKWAY PROPERTIES, LLC’S EXPEDITED
MOTION FOR LEAVE TO FILE LATE PROOF OF CLAIM [DE # 1534]**

Pursuant to 28 U.S.C. § 1746, I, Andrew Goldblatt, hereby declare under penalty of perjury:

1. “My name is Andrew Goldblatt. I am over 18 years of age, of sound mind, and capable of making this declaration. The facts stated within this declaration are within my personal knowledge or are known to me by reason of my position with Tuesday Morning, Inc. (“Tuesday Morning”) and are true and correct. I am authorized to provide this declaration in support of the *Debtors’ Objection to Peachtree Parkway Properties, LLC’s Expedited Motion for Leave to File Late Proof of Claim* (the “Objection”).

2. I am a Director of Real Estate at Tuesday Morning and am familiar with the manner in which Tuesday Morning’s digital records are maintained by virtue of my duties and responsibilities. An integral component of Tuesday Morning’s business is managing the leases for the hundreds of stores that it operates throughout the country. Organizing and maintaining proper records relating to those leases is critical to Tuesday Morning’s success. In my role as Director of

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Tuesday Morning Corporation (8532) (“TM Corp.”); TMI Holdings, Inc. (6658) (“TMI Holdings”); Tuesday Morning, Inc. (2994) (“TMI”); Friday Morning, LLC (3440) (“FM LLC”); Days of the Week, Inc. (4231) (“DOTW”); Nights of the Week, Inc. (7141) (“NOTW”); and Tuesday Morning Partners, Ltd. (4232) (“TMP”). The location of the Debtors’ service address is 6250 LBJ Freeway, Dallas, TX 75240.

Real Estate, I, along with other members of my team, am responsible for receiving, managing, organizing, maintaining, and storing documents and communications received from, or sent to, Tuesday Morning's landlords.

3. Attached as **Goldblatt Exhibits A-D** are the following email and letter communications between Tuesday Morning and StarPoint Properties regarding Tuesday Morning's bankruptcy filing, notice of intent to vacate and surrender the Peachtree Lease (as defined in the Objection) premises, and an email communication from Evan Farahnik of Nine Oak Investments, LLC, the manager for Peachtree Parkway Properties, LLC:

- **Goldblatt Exhibit A** – May 27, 2020 Email from Evan Farahnik (Peachtree) to Andrew Goldblatt regarding Bankruptcy filing and rejection letter ("May 27 Email");
- **Goldblatt Exhibit B** – July 17, 2020 Email from Patty Rocha (Peachtree/StarPoint) regarding store closing, turnover of keys, etc. ("July 17 Email");
- **Goldblatt Exhibit C** – July 18, 2020 email from Mike Mazza to Evan Farahnik attaching the notice of intent to vacate and surrender ("July 18 Email"); and
- **Goldblatt Exhibit D** – July 19, 2020 letter of intent to vacate and surrender from Mike Mazza ("July 19 Letter").

4. To my knowledge and belief, the documents attached as Exhibits A-D are true and correct copies of communications involving myself, other Tuesday Morning Employees, and representatives of both StarPoint Properties and Nine Oak Investments, LLC regarding Tuesday Morning's bankruptcy filing and notice of intent to vacate, surrender and reject the Peachtree Lease.

5. It was and is the regular practice of Tuesday Morning to make and/or keep the types of records attached as Exhibits A-D. The records were, in fact, made, received, and/or kept at or near the time of each act, event, condition, opinion, or diagnosis recorded in each record. It is the

regular practice of Tuesday Morning for these types of records to be made, received, and/or stored by, or from information transmitted by, persons with knowledge of the matters set forth in the records. It is the regular practice of Tuesday Morning to make and/or keep these types of records in the course of regularly conducted business activity.” In my role as Director of Real Estate for Tuesday Morning, I am a custodian of the records attached as Exhibits A-D hereto.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing *Declaration of Andrew Goldblatt Debtors' Objection to Peachtree Parkway Properties, LLC's Expedited Motion for Leave to File Late Proof of Claim* is true and correct.

Dated: November 20, 2020

By: /s/ Andrew Goldblatt
Name: Andy Goldblatt
Title: Director of Real Estate

GOLDBLATT EXHIBIT A

May 27 Email

FW: Tuesday Morning Files for Bankruptcy, to Close One-Third of Stores Amid Coronavirus - WSJ

1 message

Evan Farahnik <evanf@nineoakinvestments.com>
To: Andy Goldblatt <agoldblatt@tuesdaymorning.com>

Wed, May 27, 2020 at 11:45 AM

Hi Andy, saw the news this morning and received your letter rejecting the lease as well. I know you must be super overwhelmed. Please let me know if you have just a few minutes to speak. Hope you and your family are safe and healthy.

Best, Evan

<https://www.wsj.com/amp/articles/tuesday-morning-files-for-bankruptcy-to-close-a-third-of-stores-amid-coronavirus-11590578335>



We've Moved!

new office address

P. Evan Farahnik | Managing Principal

.....

Nine Oak Investments

433 N. Camden Dr., Suite 1000

Beverly Hills, CA 90210

D: 310.247.0515 | M: 310.867.5776



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INVESTMENTS
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GOLDBLATT EXHIBIT B

July 17 Email



Andy Goldblatt <agoldblatt@tuesdaymorning.com>

5270 Peachtree Parkway, Peachtree Corners Georgia

1 message

Patty Rocha <pattyr@starpointproperties.com>
To: "agoldblatt@tuesdaymorning.com" <agoldblatt@tuesdaymorning.com>
Cc: Evan Farahnik <evanf@nineoakinvestments.com>

Fri, Jul 17, 2020 at 4:31 PM

Good afternoon Andy,

I hope this email finds you well.

I am reaching out to you regarding the Tuesday Morning location at the referenced address in Peachtree Corners, Georgia.

We are aware that the premises is currently conducting a clearance sale in an effort to clear out the premises. We would like to inquire if you have any more insight as to when we can expect to have the premises turned back over to the Landlord. We would like to receive as much notice as possible as well as an onsite contact so we can arrange hand over of keys.

Thank you for your time.

Patty

Patty Rocha | Commercial Portfolio Manager



StarPoint Properties

433 N. Camden Drive, Suite 1000

Beverly Hills, CA 90210

Ph: 310-651-2365 | Fx: : 310.388.5835



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GOLDBLATT EXHIBIT C

July 18 Email



Andy Goldblatt <agoldblatt@tuesdaymorning.com>

Re: 5270 Peachtree Parkway, Peachtree Corners Georgia

1 message

Mike Mazza <mmazza@tuesdaymorning.com> Sat, Jul 18, 2020 at 6:50 AM
To: Evan Farahnik <evanf@nineoakinvestments.com>
Cc: Andy Goldblatt <agoldblatt@tuesdaymorning.com>, Patty Rocha <pattyr@starpointproperties.com>

Good morning,
I have attached the vacate notice for the store. We will be sending it to FedEx with a key to the store. I have listed the vacate date of 7/24

Thank you,

On Fri, Jul 17, 2020 at 4:51 PM Evan Farahnik <evanf@nineoakinvestments.com> wrote:

Thanks Andy.

Evan

From: Andy Goldblatt <agoldblatt@tuesdaymorning.com>
Sent: Friday, July 17, 2020 2:44 PM
To: Patty Rocha <pattyr@starpointproperties.com>; Mike Mazza <MMazza@tuesdaymorning.com>
Cc: Evan Farahnik <evanf@nineoakinvestments.com>
Subject: Re: 5270 Peachtree Parkway, Peachtree Corners Georgia

Hi Patty and Evan. I am looping in Mike Mazza who can provide the dates. Mike, this is ATLA 76.

Andy Goldblatt
Director, Real Estate

(O) 972.934.7249 | (C) 214.668.5318
agoldblatt@TuesdayMorning.com
Tuesday Morning, Inc. | 6250 LBJ Freeway, Dallas, TX 75240

On Fri, Jul 17, 2020 at 4:31 PM Patty Rocha <pattyr@starpointproperties.com> wrote:

Good afternoon Andy,

I hope this email finds you well.

I am reaching out to you regarding the Tuesday Morning location at the referenced address in Peachtree Corners, Georgia.

We are aware that the premises is currently conducting a clearance sale in an effort to clear out the premises. We would like to inquire if you have any more insight as to when we can expect to have the premises turned back over

to the Landlord. We would like to receive as much notice as possible as well as an onsite contact so we can arrange hand over of keys.

Thank you for your time.

Patty

Patty Rocha | Commercial Portfolio Manager



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Ph: 310-651-2365 | Fx: : 310.388.5835



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This message has been scanned for malware by Forcepoint. www.forcepoint.com

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Mike Mazza

Director of Operations

(C) 817.271.4434

mmazza@tuesdaymorning.com

Tuesday Morning, Inc. | 6250 LBJ Freeway, Dallas, TX 75240

76 Vacate Notice.pdf



GOLDBLATT EXHIBIT D

July 19 Letter

Tuesday Morning

DATE 7/19/2020

VIA: Overnight Delivery FedEx

C/O StarPoint Properties
450 N. Roxbury Drive, Suite 1050
Beverly Hills CA, 90210
310-247-0550

ATLA0076 - 5270 Peachtree Pkwy Norcross, GA 30092-2558

Through this letter Tenant is providing notice to Landlord of Tenant's intent to vacate and surrender possession of the above-referenced Lease location to Landlord effective as of July 24, 2020. The keys to the Lease Location are included herein/have been delivered to
C/O StarPoint Properties 450 N. Roxbury Drive, Suite 1050 Beverly Hills CA, 90210

Any remaining personal property at the Lease location as of July 24, 2020 is being abandoned by Tenant. Tenant has filed a motion with the Bankruptcy Court to reject this Lease and authorize the abandonment of remaining personal property effective as of July 24, 2020

If you have any questions, please feel free to contact me.

Sincerely,

Mike Mazza
Director of Operations
Tuesday Morning, Inc.
mmazza@tuesdaymorning.com
C: 817-271-4434