

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

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*In re:* : **Chapter 11**  
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FBI WIND DOWN, INC. (f/k/a Furniture : **Case No. 13-12329 (CSS)**  
Brands International, Inc.), *et al.*, :  
:  
Debtors.<sup>1</sup> : **Jointly Administered**  
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**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON DECEMBER 12, 2013 AT 11:00 A.M. (ET)**

**RESOLVED/ADJOURNED MATTERS**

1. Debtors' Motion for Orders: (I) Approving (A) Bidding Procedures; (B) Form and Manner of Notices; (C) Form of Asset Purchase Agreement, Including Bid Protections; (II) Scheduling Dates to Conduct Auction and Hearing to Consider Final Approval of Sale, Including Treatment of Executory Contracts and Unexpired Leases; (III) Granting Related Relief; and (IV) (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 26, 9/9/13]

Response/Objection Deadline: November 18, 2013 at 4:00 p.m. (ET)

Related Pleadings:

- a) Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 424, 10/18/13]
- b) Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 573, 11/5/13]

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<sup>1</sup> The debtors in these chapter 11 cases, along with the last four digits of each debtor's tax identification number, as applicable, are: FBI Wind Down, Inc. (7683); AT Wind Down, Inc. (7587); BFI Wind Down, Inc. (3217); BHF Wind Down, Inc. (8844); BR Wind Down, Inc. (8843); BT Wind Down, Inc. (1721); FBH Wind Down, Inc. (2837); FBO Wind Down, Inc. (4908); FBRC Wind Down, Inc. (1288); HFI Wind Down, Inc. (7484); HR Wind Down, Inc. (6125); HT Wind Down, Inc. (4378); LFI Wind Down, Inc. (5064); LHFR Wind Down, Inc. (9085); LV Wind Down, Inc. (8434); MSFI Wind Down, Inc. (7486); TFI Wind Down, Inc. (6574); THF Wind Down, Inc. (3139); and TR Wind Down, Inc. (6174). The Debtors' corporate headquarters is located at 1 N. Brentwood Blvd., St. Louis, Missouri 63105.

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

- c) Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 664, 11/14/13]
- d) Order Approving Sale of All Acquired Assets; (II) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and Granting (III) Related Relief [D.I. 833, 11/22/13]
- e) First Notice of Assumption and Assignment of Executory Contract and Unexpired Leases as Part of Sale or All or Substantially All of the Acquired Assets [D.I. 898, 11/27/13]
- f) First Supplemental Cure Notice in Respect of Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 919, 12/6/13]
- g) Notice of Adjournment or Resolution of Certain Contract Objections in Accordance with Sale Order [D.I. 920, 12/6/13]

Objections/Responses Received:

- h) Limited Objection and Joinder of Classic Design Services, Inc. to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 635, 11/12/13]

Status: This matter has been resolved.

- i) Limited Objection of MEPT Shaw Park Plaza, LLC Regarding Assumption and Assignment of Lease in Connection of Sale of Substantially All of the Debtors' Assets [D.I. 658, 11/14/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- j) Limited Objection of CPYR, Inc. to Assumption and Assignment of Lease Agreement [D.I. 675, 11/15/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- k) Limited Objection and Joinder of Swann Investments, LLP to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 680, 11/15/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- l) Objection of Hanjin Shipping Co., Ltd. to Cure Amount in Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 694, 11/18/13]

Status: The Debtors have rejected the agreement that is the subject of this Objection. Accordingly, this matter is moot.

- m) Limited Objection to Cure Amount and Joinder of Urstadt Biddle Properties to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 699, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- n) Limited Objection and Joinder of KIR Maple Grove, LP and Kimco Lewisville L.P. to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 701, 11/18/13]

Status: This matter is moot with respect to the lease of the property located at Vista Ridge Plaza, Suite 569, Lewisville, Texas 75067, as the Debtors have rejected the lease. The remainder of this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- o) Objection of Infor (US), Inc. to Debtors' Sale Motion and Debtors' Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 702, 11/18/13]

Status: This matter has been resolved.

- p) Interior Systems Contracting, Inc.'s Objection to, and Reservation of Rights Regarding Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets and Setting Forth the Cure Amounts [D.I. 703, 11/18/13]

Status: The Debtors have rejected the agreement that is the subject of this Objection. Accordingly, this matter is moot.

- q) Cure Amount/Assignment Objection by Microsoft [D.I. 705, 11/18/13]

Status: The Debtors expect to resolve this matter in the near term. Pending a documented resolution, this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- r) Objection of Two Guys from Harrison Holding Company, LP and Merchandise Mart LLC, as Landlords, to Debtors' Motion for Orders: (I) Approving (A) Bidding Procedures; (B) Form and Manner of Notices; (C) Form of Asset Purchase Agreement, Including Bid Protections; (II) Scheduling Dates to Conduct Auction and Hearing to Consider Final Approval of Sale, Including Treatment of Executory Contracts and Unexpired Leases; (III) Granting Related Relief; and (IV) (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 706, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- s) Objection of Brixmor Property Group, Inc. and Federal Realty Investment Trust to Debtors' Motion for Orders: (I) Approving (A) Bidding Procedures; (B) Form and Manner of Notices; (C) Form of Asset Purchase Agreement, Including Bid Protections; (II) Scheduling Dates to Conduct Auction and Hearing to Consider Final Approval of Sale, Including Treatment of Executory Contracts and Unexpired Leases; (III) Granting Related Relief; and (IV) (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 707, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- t) Objection by GRE Altamonte LP to Sale of Altamonte Springs, Florida Lease [D.I. 713, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- u) Oracle America's Objection to and Rights and Reservations Regarding Debtors' (1) Motion for Entry of Order (I) Approving the Sale of Substantially All of the Debtors' Assets; (II) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief; and the Related (2) Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 714, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- v) Objection of DDR Corp., Weingarten Realty Investors, and National Retail Properties, Inc. to Debtors' Motion for Order: (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 717, 11/18/13]

Status: This matter is moot with respect to the lease of the property located at 3189 Buford Drive, Buford, Georgia 30519, as the Debtors have rejected the lease. The remainder of this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- w) Limited Objection and Reservation of Rights of Ace American Insurance Company to Debtors' Motion for Orders: (I) Approving (A) Bidding Procedures; (B) Form and Manner of Notices; (C) Form of Asset Purchase Agreement, Including Bid Protections; (II) Scheduling Dates to Conduct Auction and Hearing to Consider Final Approval of Sale, Including Treatment of Executory Contracts and Unexpired Leases; (III) Granting Related Relief; and (IV) (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 723, 11/18/13]

Status: The Debtors do not intend to assume and assign as part of the sale the insurance agreements that are the subject of this Objection. Accordingly, this matter is moot.

- x) Limited Objection of A&R Manchester, LLC to Debtors' Proposed Assignment of Leases to Successful Bidder [D.I. 725, 11/18/13]

Status: This matter is moot with respect to the lease of the property located at 14250A Manchester Boulevard, Manchester, Missouri 63122, as the Debtors have rejected the lease. The remainder of this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- y) Objection of IHFC Properties, LLC and HP Showplace Investors, LLC to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 727, 11/18/13]

Status: This matter is moot with respect to the property located at 210 East Commerce Avenue, High Point, North Carolina 27260, as the Debtors have rejected the lease. The remainder of this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- z) Objection of Haining Kasen Leather, Co., Ltd. to Debtors' Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 728, 11/18/13]

Status: The Debtors have rejected the service contract that is the subject of this Objection. Accordingly, this matter is moot.

- aa) Limited Objection of Interface High Point, LLC to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 729, 11/18/13]

Status: The Debtors have rejected the lease of the property located at 4257 Furniture Avenue, Jamestown, North Carolina 27282. Accordingly, this matter is moot.

- bb) Objection of Ricoh Partners to: (I) Debtors' Cure Schedule; and (II) Debtors' Sale Motion [D.I. 731, 11/18/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- cc) Limited Objection and Joinder of Acadia Brandywine Condominium, LLC and Acadia Brandywine Town Center, LLC as Assignee to B.T. Center Associates, LLC to Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [Related to Docket No. 424] [D.I. 733, 11/18/13]

Status: This matter is moot with respect to the lease of the property located at 5131 Brandywine Parkway, Wilmington, Delaware, as the Debtors have rejected the lease. The remainder of this matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- dd) Creditor 7330 Fair Oaks Boulevard's Objection to Cure Amount [D.I. 749, 11/19/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- ee) Crown Credit Company's Objection to Proposed Cure Amount [D.I. 754, 11/19/13]

Status: The Debtors have rejected the equipment lease agreement that is the subject of this Objection. Accordingly, this matter is moot.

- ff) Limited Objection of QAD Inc. to Debtors' Motion for Orders: (I) Approving (A) Bidding Procedures; (B) Form and Manner of Notices; (C) Form of Asset Purchase Agreement, Including Bid Protections; (II) Scheduling Dates to Conduct Auction and Hearing to Consider Final Approval of Sale, Including Treatment of Executory Contracts and Unexpired Leases; (III) Granting Related Relief; and (IV) (A) Approving Sale of Substantially All of Acquired Assets; (B) Authorizing Assumption and Assignment of Executory Contracts and Unexpired Leases; and (C) Granting Related Relief [D.I. 776, 11/20/13]

Status: This matter has been resolved and is withdrawn.

- gg) Objection of Onin Staffing, LLC to Debtors' October 18, 2013 Notice to Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 781, 11/20/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

- hh) Confirmation of Correct Cure Amount and Reservation of Rights of Watkins & Shepard Trucking, Inc. [D.I. 782, 11/20/13]

Status: This matter is resolved.

- ii) Limited Objection and Reservation of Rights of New York Design Center, Inc. to Notice of Counterparties to Executory Contracts and Unexpired Leases the Debtors May Assume and Assign as Part of Sale of All or Substantially All of the Acquired Assets [D.I. 791, 11/21/13]

Status: This matter is adjourned until January 7, 2014 at 11:00 a.m. (ET).

Status: This matter is resolved, moot or adjourned per the individual status lines above.

- 2. Motion of Hamilton Park, Incorporated for Relief from Stay Under Section 362 of the Bankruptcy Code [D.I. 375, 10/11/13]

Response/Objection Deadline: October 25, 2013 at 4:00 p.m. (ET)

Related Pleadings:

- a) Reply of Hamilton Park, Incorporated in Support of Motion for Relief From Stay Under Section 362 of the Bankruptcy Code [D.I. 916, 12/6/13]

Objections/Responses Received:

- b) Debtors' Objection to Motion of Hamilton Park, Incorporated for Relief from Stay [D.I. 502, 10/25/13]

Status: The Debtors have resolved this matter and expect to submit an agreed upon order under certification of counsel prior to the hearing.

- 3. Motion of Randy Murphy and Dave Shaffer, d/b/a Southwest Furniture Broker for Relief from the Automatic Stay and Memorandum in Support Thereof (Pertaining to Debtor Broyhill Furniture Industries, Inc.) [D.I. 403, 10/17/13]

Response/Objection Deadline: November 15, 2013 at 4:00 p.m. (ET)  
(extended to December 5, 2013 for the Debtors)

Related Pleadings: None

Objections/Responses Received: None

Status: The Debtors have resolved this matter and expect to submit an agreed upon order under certification of counsel prior to the hearing.

**CONTESTED MATTER GOING FORWARD**

4. Debtors' Motion Pursuant to Sections 105(a), 363(b) and 503(c) of the Bankruptcy Code for Order Approving Engagement Agreement with Meredith M. Graham *Nunc Pro Tunc* to November 25, 2013 [D.I. 859, 11/25/13]

Response/Objection Deadline: December 9, 2013 at 4:00 p.m. (ET)

Related Pleadings:

- a) Order Granting Motion of the Debtors for a Hearing on Shortened Notice on Debtors' Motion for Order Approving Engagement Agreement with Meredith M. Graham *Nunc Pro Tunc* to November 25, 2013 [Docket No. 861, 11/27/13]

Objections/Responses Received:

- b) United States Trustee's Objection to Debtors' Motion Pursuant to Sections 105(a), 363(b) and 503(c) of the Bankruptcy Code for Order Approving Engagement Agreement with Meredith M. Graham *Nunc Pro Tunc* to November 25, 2013 [D.I. 924, 12/9/13]

Status: This matter is going forward.

**UNCONTESTED MATTER – CERTIFICATION FILED**

5. Motion of Interface High Point, LLC for Allowance and Payment of an Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1) and to Pay All Subsequent Amounts Owed [D.I. 808, 11/21/13]

Response/Objection Deadline: December 5, 2013 at 4:00 p.m. (ET)

Related Pleadings:

- a) Certification of Counsel [D.I. 925, 12/9/13]

Objections/Responses Received:

- b) Informal response of Debtors

Status: This matter has been resolved and a consensual revised proposed order has been submitted under Certification of Counsel. No hearing is required unless the Court has questions.

Dated: Wilmington, Delaware  
December 10, 2013

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Jaime Luton Chapman

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