



CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 29, 2020

United States Bankruptcy Judge

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

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

**ORDER GRANTING COMPLEX CHAPTER 11 BANKRUPTCY CASE TREATMENT**  
**[Docket No. 4]**

On May 27, 2020, Tuesday Morning Corporation and its above-captioned debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”) filed for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). A Notice of Designation as Complex Chapter 11 Cases (see General Order No. 2006-02) was filed. After

<sup>1</sup> 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.

review of the initial pleadings filed in these cases, the Court concludes that these cases appear to be complex Chapter 11 cases. Accordingly, unless the Court orders otherwise,

**IT IS ORDERED:**

1. The Debtors shall maintain a service list identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required by the Bankruptcy Code or Rules, notices of motions and other matters will be limited to the parties on the service list.

- a. The service list shall include the Debtors, Debtors' counsel, counsel for JPMorgan Chase Bank, N.A., the agent for the Debtors' prepetition senior lenders and proposed DIP Lenders; counsel for the unsecured creditors' committee (if any), the U.S. Trustee, all secured creditors, the 20 largest unsecured creditors in each jointly administered case, and any party that requests notice;
- b. Any party-in-interest that wishes to receive notice, other than as listed on the service list, shall be added to the service list by filing and serving Debtors' counsel with a notice of appearance and request for service;
- c. Parties on the service list, who have not otherwise consented to service by e-mail through the act of becoming a registered e-filer in this district, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party's notice of appearance and request for service; in the event a party has not consented to e-mail service, a "hard copy" shall be served by fax or by regular mail, unless otherwise provided by order of this Court;
- d. The initial service list shall be filed within 3 days after entry of this order. A revised list shall be filed 7 days after the initial service list is filed. The Debtors shall update the service list and shall file a copy of the updated service list (i) at least every 7 days during the first 30 days of the case; (ii) at least every 15 days during the next 60 days of the case; and (iii) at least every 30 days thereafter throughout the case.

2. The Court sets the following dates and times for the next two months as the pre-set hearing date and time for hearing all motions and other matters in these cases:

July 8, 2020 at 2:00 p.m.  
July 29, 2020 at 2:00 p.m.  
August 19, 2020 at 2:00 p.m.  
September 16, 2020 at 2:00 p.m.

Settings for the following months will be published by the Court no later than 30 days prior to the first hearing date in the said following months. (There may be exceptions; those exceptions will be noted on the Court's internet schedule, available at [www.txnb.uscourts.gov](http://www.txnb.uscourts.gov)).

- a. All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing on the next hearing day that is at least 24 days after the notice is mailed. As a preface to each pleading, just below the case caption, in lieu of the language required by any Local Bankruptcy Rule, the pleading shall state:

A HEARING WILL BE CONDUCTED ON THIS MATTER ON \_\_\_\_\_ AT \_\_\_\_M. AT THE EARL CABELL FEDERAL BUILDING, 1100 COMMERCE STREET, 14TH FLOOR, COURTROOM #3, DALLAS, TEXAS. IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING, SPECIFICALLY ANSWERING EACH PARAGRAPH OF THIS PLEADING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY-ONE DAYS FROM THE DATE YOU WERE SERVED WITH THIS PLEADING. YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

- b. All motions and other matters requiring expedited or emergency hearing shall comply with the usual Court requirements for explanation and verification of the emergency. Specifically, if a party in interest has an emergency or other situation that it believes requires consideration on less than 24-days' notice, or an emergency that it believes requires consideration on less than 5 business days' notice, then the party should file and serve a separate, written motion for expedited hearing with respect to the underlying motion. The Court will make its best effort to rule on the motion for expedited or emergency hearing within twenty-four (24) hours of the time it is presented. If the Court grants the motion for expedited hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the Court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.

3. Emergency and expedited hearings (and other hearings in limited circumstances) in these cases may be conducted by telephone or, where available, video. Parties must request permission to participate by telephone by contacting the Courtroom Deputy at 214-753-2060 or HDH\_Settings@txnb.uscourts.gov.

4. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated), the Court may approve the settlement at the hearing without further notice of the terms of the settlement.

5. The Debtors shall give notice of this order to all parties in interest within seven days. If any party in interest, at any time, objects to the provisions of this order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses, the Court may reconsider any part of this order and may grant relief, if appropriate.

### END OF ORDER ###

**Submitted by:**

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**PROPOSED ATTORNEYS FOR DEBTORS**