# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

In re:

TUESDAY MORNING CORPORATION, ET AL.,

No. 20-31476

Chapter 11

**Debtors** 

(Jointly Administered)

### TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2) of the Federal Rules of Bankruptcy Procedure of the transfer, other than for security, of the claim referenced in this evidence and notice.

## **Nationwide Retail Services Inc**

Name of Transferor

Name and Current Address of

Transferor:

Nationwide Retail Services Inc 2865 Exchange Blvd. Southlake, TX 76092 Attn: Randy Hughes

## **Invictus Global Management, LLC**

Name of Transferee

Name and Address where notices and payments to transferee should be sent:

Invictus Global Management, LLC 310 Comal Building A, Suite 229 Austin, Texas 78702 Attn: Cindy Chen Delano

Schedule/Claim No.	Creditor Name	Amount	Debtor	Case No.
Claim No. 158	Nationwide Retail Services Inc	\$100,798.31	Tuesday Morning Corporation	20-31476
Schedule F	Nationwide Retail Services Inc	\$101,224.16	Tuesday Morning, Inc.	20-31478
(#478024820)				

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

Transferee/Transferee's Agent

Date: November 19, 2020

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571.

#### **EVIDENCE OF TRANSFER OF CLAIM**

Annex B

TO:

United States Bankruptcy Court ("Court")

Northern District of Texas

Attn: Clerk

AND TO:

TUESDAY MORNING CORPORATION ("Debtor")

Case No. 20-31476 ("Case")

Claim #: 158

NATIONWIDE RETAIL SERVICES INC ("Seller"), for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby unconditionally and irrevocably sell, transfer and assign unto:

INVICTUS GLOBAL MANAGEMENT, LLC

310 Comal Building A, Suite 229 Austin, Texas 78702 Attn: Cindy Chen Delano

its successors and assigns ("Buyer"), all rights, title and interest in and to the claim of Seller, including all rights: (a) of reclamation and all administrative priority claims, and any cure payments made on account of Seller in the Case; (b) to any proof(s) of claim filed; (c) in and to any secured claim, collateral or any liens held by Seller; (d) to vote on any guestion relating to the claim in the Case; (e) to cash, interest, principal, securities or other property in connection with the Case; and (f) to any amounts listed on the Debtor's schedules, in the principal amount of \$100,798.31 ("Claim"), which represents 100 % of the total claim amount of \$100,798.31, against the Debtor in the Court, or any other court with jurisdiction over the Debtor's Case.

Seller hereby waives any objection to the transfer of the Claim to Buyer on the books and records of the Debtor and the Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as may be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law, Seller acknowledges, understands, agrees, and hereby stipulates that an order of the Court may be entered without further notice to Seller transferring the Claim to Buyer and recognizing the Buyer as the sole owner and holder of the Claim.

Buyer does not assume and shall not be responsible for any obligations of liabilities of Seller related to or in connection with the Claim or the Case. You are hereby directed to make all future payments and distributions free and clear of all setoffs and deductions, and to give all notices and other communications, in respect of the Claim to Buyer.

IN WITNESS WHEREOF, each of the undersigned have duly executed this Evidence of Transfer of Claim by their duly authorized representative dated November 19, 2020.

NATIONWIDE RETAIL SERVICES INC

INVICTUS GLOBAL MANAGEMENT, LLC

Name: Cindy Chen Delano

Title: Partner

#### **EVIDENCE OF TRANSFER OF CLAIM**

Annex B

TO:

United States Bankruptcy Court ("Court")

Northern District of Texas

Attn: Clerk

AND TO:

TUESDAY MORNING, INC. ("Debtor")

Case No. 20-31478 ("Case")

Claim #: N/A (SCHEDULE #: 478024820)

NATIONWIDE RETAIL SERVICES INC ("Seller"), for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby unconditionally and irrevocably sell, transfer and assign unto:

#### INVICTUS GLOBAL MANAGEMENT, LLC

310 Comal Building A, Suite 229 Austin, Texas 78702 Attn: Cindy Chen Delano

its successors and assigns ("Buyer"), all rights, title and interest in and to the claim of Seller, including all rights: (a) of reclamation and all administrative priority claims, and any cure payments made on account of Seller in the Case; (b) to any proof(s) of claim filed; (c) in and to any secured claim, collateral or any liens held by Seller; (d) to vote on any question relating to the claim in the Case; (e) to cash, interest, principal, securities or other property in connection with the Case: and (f) to any amounts listed on the Debtor's schedules, in the principal amount of \$101,224.16 ("Claim"), which represents 100 % of the total claim amount of \$101,224.16, against the Debtor in the Court, or any other court with jurisdiction over the Debtor's Case.

Seller hereby waives any objection to the transfer of the Claim to Buyer on the books and records of the Debtor and the Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as may be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Seller acknowledges, understands, agrees, and hereby stipulates that an order of the Court may be entered without further notice to Seller transferring the Claim to Buyer and recognizing the Buyer as the sole owner and holder of the Claim.

Buyer does not assume and shall not be responsible for any obligations of liabilities of Seller related to or in connection with the Claim or the Case. You are hereby directed to make all future payments and distributions free and clear of all setoffs and deductions, and to give all notices and other communications, in respect of the Claim to Buyer.

IN WITNESS WHEREOF, each of the undersigned have duly executed this Evidence of Transfer of Claim by their duly authorized representative dated November  $\underline{19}$ , 2020.

**NATIONWIDE RETAIL SERVICES INC** 

Name

**INVICTUS GLOBAL MANAGEMENT, LLC** 

Name: Cindy Chen Delano

Title: Partner