

FOX ROTHSCHILD LLP
Trey A. Monsour
State Bar No. 14277200
Saint Ann Court
2501 N. Harwood Street, Suite 1800
Dallas, TX 75201
Telephone: (214) 231-5796
[E-mail: tmonsour@foxrothschild.com](mailto:tmonsour@foxrothschild.com)

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

In re:)	Chapter 11
)	
Tuesday Morning Corporation, <i>et al.</i> ,)	Case No. 20-31476-HDH-11
)	
Debtors. ¹)	Jointly Administered
)	
)	Related to Docket Nos. 1108, 1300

**SMS ASSIST, L.L.C.’S NOTICE OF WITHDRAWAL OF ITS LIMITED OBJECTION (I)
DEBTORS’ REQUEST FOR AUTHORITY TO ASSUME AND ASSIGN CERTAIN
EXECUTORY CONTRACTS AND UNEXPIRED LEASES, AND
(II) DEBTORS’ PROPOSED CURE AMOUNTS [DOCKET NO. 1300]**

SMS Assist, L.L.C. (“SMS Assist”) by and through its undersigned counsel, hereby files this Notice of Withdrawal of Limited Objection (the “Objection”) to Debtors’ *Notice of (I) Debtors’ Request for Authority to Assume and Assign Certain Executory Contracts and Unexpired Leases, and (II) Debtors’ Proposed Cure Amounts* [Docket No. 1300] (the “Limited Objection”), and respectfully represents as follows:

1. On May 27, 2020 (the “Petition Date”), Tuesday Morning Corporation, Inc. and its affiliated debtors and debtors-in-possession (the “Debtors”), filed their voluntary petition for relief under Chapter 11 of the Bankruptcy Code before the United States Bankruptcy Court for the Northern District of Texas (the “Bankruptcy Court”).

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.
118625648.v1

Agreement effective October 2, 2017 (the “Master Services Agreement”).

3. The Master Services Agreement was assumed at confirmation. The Debtors and SMS Assist have reached an agreement on the cure amount owed and the Debtors have tendered payment to SMS Assist in good and sufficient funds. Therefore, SMS Assist withdraws its Limited Objection

Dated: January 14, 2021

/s/ Trey A. Monsour
Trey A. Monsour
FOX ROTHSCHILD LLP
State Bar No. 14277200
Two Lincoln Centre
5420 Lyndon B. Johnson Freeway,
Suite 1200
Dallas, TX 75240-6215
Telephone: (972) 991-0889
[E-mail: tmonsour@foxrothschild.com](mailto:tmonsour@foxrothschild.com)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 14, 2021, a true and correct copy of the foregoing *Notice of Withdrawal of Limited Objection of SMS Assist, LLC to Notice of (I) Debtors' Request for Authority to Assume and Assign Certain Executory Contracts and Unexpired Leases, and (II) Debtors' Proposed Cure Amounts* was duly served on the following parties by the following means:

Haynes and Boone LLP Ian T. Peck Jarom J. Yates 2323 Victory Ave., Suite 700 Dallas, Texas 75182 ian.peck@haynesboone.com jarom.yates@haynesboone.com <i>Counsel to the Debtors</i>	Via Electronic Mail
Vinson & Elkins LLP Bill Wallander 2001 Ross Avenue, Suite 3900 Dallas, Texas 75201-2975 bwallander@velaw.com <i>Counsel for the Agent</i>	Via Electronic Mail
Montgomery McCracken Walker & Rhoads LLP Edward Schnitzer Gilbert Saydah David Banker 437 Madison Avenue New York, NY 10022 eschnitzer@mmwr.com gsaydah@mmwr.com dbanker@mmwr.com Munsch Hardt Kopf & Harr, P.C. Kevin M. Lippman Deborah M. Perry 500 N. Akard Street, Suite 3800 Dallas, Texas 75201-6659 klippman@munsch.com dperry@munsch.com <i>Counsel for the Committee</i>	Via Electronic Mail
Office of the United States Trustee for the Northern District of Texas 1100 Commerce Street, St. #976 Dallas, TX 75242 Lisa.l.lambert@usdoj.gov <i>United States Trustee</i>	Via Electronic Mail

Robert J. Feinstein
Bradford J. Sandler
Shirley S. Cho
Judith Elkin
Steven W. Golden
780 Third Avenue, 34th Floor
New York, NY 10017
rfeinstein@pszjlaw.com
bsandler@pszjlaw.com
scho@pszjlaw.com
jelkin@pszjlaw.com
sgolden@pszjlaw.com

WINSTEAD PC

Rakhee V. Patel
Annmarie Chiarello
500 Winstead Building
2728 N. Harwood Street
Dallas, TX 75201
rpatel@winstead.com
achiarello@winstead.com

Counsel for the Equity Committee

Mail

/s/ Trey A. Monsour
Trey A. Monsour