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Proposed Counsel to Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

SAM ASH MUSIC CORPORATION, *et al.*

Debtors.¹

Chapter 11

Case No. 24-14727 (SLM)

(Jointly Administered)

**APPLICATION FOR ORDER SHORTENING TIME FOR DEBTORS' MOTION FOR
ENTRY OF AN ORDER AUTHORIZING THE DEBTORS TO FILE UNDER SEAL
CONFIDENTIAL INFORMATION CONTAINED IN THE DEBTORS' MOTION FOR
ENTRY OF AN ORDER APPROVING DEBTORS' KEY EMPLOYEE INCENTIVE
PLAN AND KEY EMPLOYEE RETENTION PLAN**

TO THE HONORABLE STACEY L. MEISEL, UNITED STATES BANKRUPTCY JUDGE:

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) by and through their undersigned counsel request that the time period to notice a hearing on the *Debtors’ Motion for Entry of an Order Authorizing the Debtors to File Under Seal Confidential Information Contained in the Debtors’ Motion for Entry of an Order Approving Debtors’ Key Employee*

¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number, are: Sam Ash Music Corporation (3915); Samson Technologies Corp. (4062); Sam Ash Megastores, LLC (9955); Sam Ash California Megastores, LLC (3598); Sam Ash Florida Megastores, LLC (7276); Sam Ash Illinois Megastores, LLC (8966); Sam Ash Nevada Megastores, LLC (6399); Sam Ash New York Megastores, LLC (7753); Sam Ash New Jersey Megastores, LLC (8788); Sam Ash CT, LLC (5932); Sam Ash Music Marketing, LLC (2024); and Sam Ash Quikship Corp. (7410). The location of debtor Sam Ash Music Corporation’s principal place of business is 278 Duffy Avenue, P.O. Box 9047, Hicksville, NY 11802.

Incentive Plan and Key Employee Retention Plan (the “Motion”),² as required by Fed. R. Bankr. P. 2002 be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), and respectfully submit:

1. A shortened time hearing is requested because: The Debtors prepared the Motion and commenced the filing process in the evening of May 15, 2024. Due to unforeseen CM/ECF issues beyond the Debtors’ control, the filing event required for a motion to seal could not be completed in the Debtors’ chapter 11 cases. Counsel, through members of their staff, immediately contacted the Clerk’s office on May 16, 2024 and confirmed that the issue was caused by the internal CM/ECF designation of the chapter 11 cases. The Debtors respectfully submit that the Motion should be heard with the related *Debtors’ Motion for Entry of an Order (I) Approving Debtors’ Key Employee Incentive Plan and Key Employee Retention Plan, and (II) Granting Related Relief* [Docket No. 80] (the “KERP & KEIP Motion”). The Debtors do not believe that any party will be prejudiced by the shortened notice for a hearing, as all parties in interest will have 20 days’ notice.

2. State the hearing dates requested: The Debtors respectfully request that the Court hear the Motion on June 5, 2024 at 10:00 a.m. (E.T.), the date that the Debtors and parties in interest are scheduled to appear for the Court on other matters, including the KERP & KEIP Motion.

3. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

WHEREFORE, the Debtors respectfully request entry of the proposed order shortening time, in substantially the form submitted herewith, granting the relief requested herein and such other relief as is just and proper under the circumstances.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

DATED: May 16, 2024

Respectfully submitted,

COLE SCHOTZ P.C.

By: /s/ Matteo Percontino

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Proposed Counsel to Debtors and Debtors in Possession

Proposed Order

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.: _____

Chapter: _____

Judge: _____

**ORDER SHORTENING TIME PERIOD FOR NOTICE,
SETTING HEARING AND LIMITING NOTICE**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby **ORDERED**.

—

After review of the application of _____ for the reduction of time for a hearing on _____ under Fed. R. Bankr. P. 9006(c)(1), it is

ORDERED as follows:

1. A hearing will be conducted on the matter on _____ at _____ in the United States Bankruptcy Court, _____, Courtroom No. _____.

2. The Applicant must serve a copy of this Order, and all related documents, on the following parties:

by ☐ each, ☐ any of the following methods selected by the Court:

☐ fax, ☐ overnight mail, ☐ regular mail, ☐ email, ☐ hand delivery.

3. The Applicant must also serve a copy of this Order, and all related documents, on the following parties:

by ☐ each, ☐ any of the following methods selected by the Court:

☐ fax, ☐ overnight mail, ☐ regular mail, ☐ email, ☐ hand delivery.

4. Service must be made:

☐ on the same day as the date of this order, or

☐ within _____ day(s) of the date of this Order.

5. Notice by telephone:

☐ is not required

☐ must be provided to _____

☐ on the same day as the date of this Order, or

☐ within _____ day(s) of the date of this Order.

6. A *Certification of Service* must be filed prior to the hearing date.

7. Any objections to the motion/application identified above:

- ☐ must be filed with the Court and served on all parties in interest by electronic or overnight mail _____ day(s) prior to the scheduled hearing; or
- ☐ may be presented orally at the hearing.

8. ☐ Court appearances are required to prosecute the motion/application and any objections.

- ☐ Parties may request to appear by phone by contacting Chambers prior to the return date.