

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:

Meier's Wine Cellars Acquisition, LLC, et al.,¹

Debtors.

Chapter 11

Case No. 24-11575 (MFW)

(Jointly Administered)

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON SEPTEMBER 24, 2024 AT 10:30 A.M. (ET)**

**THIS HEARING WILL BE CONDUCTED BY ZOOM. PARTIES AND
WITNESSES ARE PERMITTED, BUT NOT REQUIRED, TO APPEAR IN PERSON.
THE COURT HAS NO PREFERENCE.**

**TO ATTEND THIS HEARING REMOTELY, PLEASE REGISTER USING THE
ECOURT APPEARANCES TOOL ON THE COURT'S WEBSITE AT
WWW.DEB.USCOURTS.GOV OR CLICK THE FOLLOWING LINK:
<https://ecf.deb.uscourts.gov/cgi-bin/nvsbAppearances.pl>.**

**PARTIES ARE REQUIRED TO REGISTER FOR THE HEARING NO LATER
THAN 4:00 P.M. (ET) ONE BUSINESS DAY BEFORE THE HEARING.
YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR
YOU WILL NOT BE ALLOWED INTO THE MEETING.**

**AFTER REGISTERING YOUR APPEARANCE, YOU WILL RECEIVE
A CONFIRMATION EMAIL. ZOOM INFORMATION WILL BE
SENT OUT PRIOR TO THE HEARING.**

¹ The Debtors are the following twelve entities (the last four digits of their respective taxpayer identification numbers, if any, follow in parentheses): Meier's Wine Cellars Acquisition, LLC (5557); California Cider Co., Inc. (0443); Girard Winery LLC (5076); Grove Acquisition, LLC (9465); Meier's Wine Cellars, Inc. (2300); Mildara Blass Inc. (1491); Sabotage Wine Company, LLC (8393); Splinter Group Napa, LLC (1417); Thames America Trading Company Ltd. (0696); Vinesse, LLC (3139); Vintage Wine Estates, Inc. (CA) (2279); and Vintage Wine Estates, Inc. (NV) (5902). The Debtors' noticing address in these chapter 11 cases is 205 Concourse Boulevard, Santa Rosa, California 95403.

² **Amended agenda item appear in bold.**

I. RESOLVED MATTER:

1. Motion of the Official Committee of Unsecured Creditors for Entry of an Order Establishing Protocols for (A) the Dissemination of Information by the Committee and (B) Protecting Confidential and Privileged Information, Pursuant to Sections 105(a), 107(b), 1102(b)(3)(a), and 1103 of the Bankruptcy Code [[Docket No. 190](#); filed August 23, 2024]

Response/Objection Deadline: September 6, 2024 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- i. Certification of No Objection Regarding Docket No. 190 [[Docket No. 280](#); filed September 10, 2024]
- ii. Order Approving Creditor Information Protocols Under Section 1102 of the Bankruptcy Code [[Docket No. 283](#); entered September 11, 2024]

Status: On September 11, 2024, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

II. ADJOURNED MATTER:

2. Motion of the Debtors and Debtors in Possession for an Order (I) Establishing Bar Dates for Filing Proofs of Claim, (II) Approving the Form and Manner of Notice Thereof and (III) Granting Related Relief [[Docket No. 281](#); filed September 10, 2024]

Response/Objection Deadline: September 17, 2024 at 4:00 p.m. (ET)

Responses/Objections Received: None at this time

Status: The hearing on this matter is adjourned to the hearing scheduled for October 23, 2024 at 11:30 a.m. (ET).

III. MATTERS UNDER CERTIFICATION:

3. Application of the Official Committee of Unsecured Creditors for an Order Authorizing and Approving the Employment and Retention of Fox Rothschild LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of August 6, 2024 [[Docket No. 261](#); filed September 3, 2024]

Response/Objection Deadline: September 17, 2024 at 4:00 p.m. (ET)

Responses/Objections Received: None at this time

Related Documents:

- i. Supplemental Declaration of Stephanie Slater Ward in Support of Application of the Official Committee of Unsecured Creditors for an Order Authorizing and Approving the Employment and Retention of Fox Rothschild LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of August 6, 2024 [[Docket No. 301](#); filed September 19, 2024]
- ii. Certification of Counsel Regarding Application of the Official Committee of Unsecured Creditors for an Order Authorizing and Approving the Employment and Retention of Fox Rothschild LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of August 6, 2024 [[Docket No. 302](#); filed September 19, 2024]
- iii. **Order Authorizing and Approving the Employment and Retention of Fox Rothschild LLP as Counsel to the Official Committee of Unsecured Creditors Effective as of August 6, 2024 [[Docket No. 317](#); entered September 23, 2024]**

Status: **On September 23, 2024, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.**

4. Application for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to Retain and Employ Berkeley Research Group, LLC, as Financial Advisor Effective as of August 7, [[Docket No. 262](#); filed September 3, 2024]

Response/Objection Deadline: September 17, 2024 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- i. Certification of No Objection Regarding Docket No. 262 [[Docket No. 303](#); filed September 19, 2024]
- ii. **Order Authorizing Official Committee of Unsecured Creditors to Retain and Employ Berkeley Research Group, LLC as Financial Advisor, Effective as of August 7, 2024 [[Docket No. 318](#); entered September 23, 2024]**

Status: **On September 23, 2024, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.**

5. Third Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Certain Related Relief [[Docket No. 282](#); filed September 10, 2024]

Response/Objection Deadline: September 17, 2024 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- i. Certificate of No Objection Regarding Third Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Certain Related Relief [[Docket No. 299](#); filed September 18, 2024]
- ii. **Order Granting Third Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Certain Related Relief [[Docket No. 316](#); entered September 23, 2024]**

Status: **On September 23, 2024, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.**

IV. UNCONTESTED MATTER GOING FORWARD

6. Second Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Certain Related Relief [[Docket No. 141](#); filed August 14, 2024]

Response/Objection Deadline: August 28, 2024 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Terry Wheatley's Objection to Second Omnibus Motion for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Certain Related Relief [[Docket No. 203](#); filed August 28, 2024] (the "Wheatley Objection")

Related Documents:

- i. Order Granting Second Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II)

Granting Certain Related Relief [[Docket No. 249](#); entered September 3, 2024]

- ii. **Certification of Counsel Regarding Second Omnibus Motion of the Debtors and Debtors in Possession for an Order Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date Solely as it Relates to Agreement with Terry Wheatley [[Docket No. 314](#); filed September 20, 2024]**
- iii. **Order Granting Second Omnibus Motion of the Debtors and Debtors in Possession for an Order Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Rejection Date and (II) Granting Related Relief [[Docket No. 315](#); entered September 23, 2024]**

Status: On September 23, 2024, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

- 7. W. J. Deutsch & Sons Ltd.’s Motion to File Redacted Limited Objection to Rejection Motion and Declaration and to File Exhibits Under Seal [[Docket No. 307](#); filed September 19, 2024]

Response/Objection Deadline: August 28, 2024 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. **Informal comments from the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”)**

Status: The U.S. Trustee provided informal comments on this matter and the parties are working to resolve the comments. The hearing on this matter has been adjourned to a date and time to be determined to the extent necessary.

V. CONTESTED MATTERS:

- 8. Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 13](#); filed July 24, 2024]

Response/Objection Deadline: September 17, 2024 at 4:00 p.m. (ET);
extended for W.J. Deutsch & Sons Ltd. d/b/a
Deutsch Family Wine & Spirits and the DIP
Agent

Responses/Objections Received:

- A. W.J. Deutsch & Sons Ltd.'s Limited Objection to the Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject the Parties' Wine Production Agreement *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief (REDACTED) [[Docket No. 304](#); filed September 19, 2024]
- B. W.J. Deutsch & Sons Ltd.'s Limited Objection to the Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject the Parties' Wine Production Agreement *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief (SEALED) [[Docket No. 305](#); filed September 19, 2024]

Related Documents:

- i. Notice of Hearing with Respect to the Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 87](#); filed July 25, 2024]
- ii. Notice of Filing of Revised Order Granting Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 88](#); filed July 25, 2024]
- iii. Notice of (A) Filing of Further Revised Order Granting Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief; and (B) Adjournment of Hearing Solely with Respect to Rejection of Wine Production Agreement with W.J. Deutsch & Sons Ltd. [[Docket No. 125](#); filed August 12, 2024]
- iv. Certificate of No Objection Regarding Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 142](#); filed August 16, 2024]
- v. Order Granting Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory

Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 144](#); entered August 16, 2024]

- vi. W.J. Deutsch & Sons Ltd's Motion to File Redacted Limited Objection to Rejection Motion and Declaration and to File Exhibits Under Seal [[Docket No. 307](#); filed September 19, 2024]
- vii. **Reply in Support of the Omnibus Motion of the Debtors and Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 319](#); filed September 23, 2024]**
- viii. **Motion of Debtors for Entry of an Order Granting Leave to File Reply in Support of the Omnibus Motion of the Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 320](#); filed September 23, 2024]**
- ix. **Order Granting Debtors Leave to File Reply in Support of the Omnibus Motion of the Debtors in Possession for an Order (I) Authorizing the Debtors to Reject Certain Executory Contracts *Nunc Pro Tunc* to the Petition Date and (II) Granting Certain Related Relief [[Docket No. 324](#); filed September 23, 2024]**
- x. **Certification of Counsel Regarding Order Authorizing Rejection of Wine Production Agreement, Effective September 30, 2024, and Granting Certain Related Relief [[Docket No. 327](#); filed September 23, 2024]**

Status: On September 23, 2024, the Debtors submitted an order under certification of counsel on this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

9. Motion of the Debtors and Debtors in Possession for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially all of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases and (C) Granting Related Relief [[Docket No. 14](#); filed July 24, 2024]

Sale Objection Deadline: August 30, 2024 at 4:00 p.m. (ET)

Cure Objection Deadline: September 3, 2024 at 11:59 p.m. (ET)

Adequate Assurance and Supplemental Sale Objection Deadline:

September 20, 2024 at 4:00 p.m. (ET)

Sale Responses/Objections Received:

- A. Limited Objection and Reservation of Rights of the Official Committee of Unsecured Creditors Regarding the Proposed Sale of the Debtors' Assets [[Docket No. 231](#); filed August 30, 2024]
- B. **Informal comments from the U.S. Trustee**

Cure Responses/Objections Received:

- A. Ardagh Glass Inc.'s Limited Objection and Reservation of Rights with Respect to Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets [[Docket No. 232](#); filed August 30, 2024]
- B. Objection of O'Leary Ventures Corporation to Sale, Proposed Contract Assumption and Assignment, and Cure Amount [[Docket No. 259](#); filed September 3, 2024]
- C. Limited Objection of John Deere Credit, Inc. to Debtors' Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets [[Docket No. 257](#); filed September 3, 2024]
- D. Limited Objection and Reservation of Rights of Arthur Kunde & Sons, Inc. to Debtors' Notice of Cure Costs and Potential Assumption and

Assignment of Executory Contracts [[Docket No. 263](#); filed September 3, 2024]

- E. Limited Objection and Reservation of Rights of Creditor Takoma Properties, LLC to Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Lease in Connection with Sale of Substantially all Assets [[Docket No. 266](#); filed September 3, 2024]
- F. Limited Objection and Reservation of Rights of Dirt Farmer & Company to Debtors' Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts [[Docket No. 267](#); filed September 3, 2024]
- G. Limited Objection of Lowenberg Associates, L.P. to Cure Notice [[Docket No. 289](#); filed September 16, 2024]
- H. Objection to Order Approving the (I) Sale of the Debtor's Assets Free and Clear of Liens, Claims, Interests & Encumbrances (II) Approving the Assumption & Assignment of Executory Contracts and Unexpired Leases and (III) Granting Related Relief filed by Yakima County Treasurer [[Docket No. 308](#); filed September 19, 2024]

Related Documents:

- i. Declaration of Jeff Raithel in Support of the Bidding Procedures Motion [[Docket No. 15](#); filed July 24, 2024]
- ii. Declaration of Seth Kaufman in Support of the Bidding Procedures Motion [[Docket No. 16](#); filed July 24, 2024]
- iii. Notice of Hearing with Respect to the Motion of the Debtors and Debtors in Possession for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially all of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases and (C) Granting Related Relief [[Docket No. 86](#); filed July 25, 2024]

- iv. Supplement to Motion of the Debtors and Debtors in Possession for Entry of Orders (I)(A) Approving Bidding Procedures for the Sale of Substantially all of the Debtors' Assets, (B) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures, (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (F) Granting Related Relief; and (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances, (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases and (C) Granting Related Relief [[Docket No. 126](#); filed August 13, 2024]
- v. Declaration of Jeff Raithel in Support of the Supplement to the Bidding Procedures Motion [[Docket No. 127](#); filed August 13, 2024]
- vi. Notice of Filing of Revised Stalking Horse Asset Purchase Agreements [[Docket No. 170](#); filed August 20, 2024]
- vii. Order (I) Approving Bidding Procedures for the Sale of Substantially all of the Debtors' Assets, (II) Authorizing the Debtors to Enter into One or More Stalking Horse Agreements and to Provide Bidding Protections Thereunder, (III) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (IV) Approving Assumption and Assignment Procedures, (V) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof and (VI) Granting Related Relief [[Docket No. 181](#); filed August 21, 2024]
- viii. Notice of Sale, Bidding Procedures, Auction, Sale Hearing and Other Deadlines Related Thereto [[Docket No. 187](#); filed August 22, 2024]
- ix. Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets [[Docket No. 188](#); filed August 23, 2024]
- x. Proof of Publication of Stefanie Puckett of The Press Democrat [[Docket No. 205](#); filed August 28, 2024]
- xi. Order (I) Authorizing the Debtors to Enter into the Additional Stalking Horse Agreements and Provide Bidding Protections in Accordance with the Bidding Procedures and the Additional Stalking Horse Agreements and (II) Granting Related Relief [[Docket No. 210](#); filed August 29, 2024]
- xii. Order (I) Authorizing the Debtors to Enter into Stalking Horse Agreements and Provide Bidding Protections Thereunder in Accordance

with the Bidding Procedures and (II) Granting Related Relief [[Docket No. 265](#); filed September 3, 2024]

- xiii. Supplemental Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets [[Docket No. 279](#); filed September 9, 2024]
- xiv. Notice of Auction, Sale Hearing and Other Deadlines Related Thereto [[Docket No. 285](#); filed September 12, 2024]
- xv. Notice of Primary Auction Results [[Docket No. 291](#); filed September 17, 2024]
- xvi. Declaration of Martin Lipton, President of Cider Leasing LLC, Successful Bidder for Certain of the Assets of California Cider Company Inc., dba Ace Cider Company, in Support of Such Sale [[Docket No. 309](#); filed September 20, 2024]
- xvii. Declaration of Reva Lipton, President of Ace Cider I LLC, Successful Bidder for Certain of the Assets of California Cider Company Inc., dba Ace Cider Company, in Support of Such Sale [[Docket No. 310](#); filed September 20, 2024]
- xviii. **Declaration of Oren Lewin in Support of Sale of Firesteed Assets to Integrated Beverage Group, LLC** [[Docket No. 312](#); filed September 20, 2024]
- xix. **Declaration of David J. Pardus, CEO of Vino.com, L.L.C., Successful Bidder for Certain Assets of the Debtors, in Support of Such Sale** [[Docket No. 313](#); filed September 20, 2024]
- xx. **Notice of Subsequent Auction Results** [[Docket No. 321](#); filed September 23, 2024]
- xxi. **Declaration of Seth Kaufman in Support of the Sale of Certain Assets to Adair Winery, Inc.** [[Docket No. 322](#); filed September 23, 2024]
- xxii. **Declaration of Jeff Raithel in Support of the Debtors' Designation of Successful Bidders** [[Docket No. 323](#); filed September 23, 2024]
- xxiii. **Declaration of Louis Amoroso, CEO of Full – Glass Licensing, LLC Successful Bidder for Certain Assets of the Debtors, in Support of Such Sale** [[Docket No. 325](#); filed September 23, 2024]
- xxiv. **Notice of Filing of Auction Transcript** [[Docket No. 331](#); filed September 23, 2024]

- xxv. **Declaration of Samuel Gudêncio, Authorized Agent Bartow Ethanol of Florida L.C., Successful Bidder for Meier's Wine Cellar's Assets, Including Property, Brand and Inventory [[Docket No. 332](#); filed September 23, 2024]**
- xxvi. **Omnibus Notice of Revised Proposed Orders Approving Sales of Debtors' Assets [[Docket No. 335](#); filed September 24, 2024]**
- Status: The hearing on this matter will go forward. **The hearing with respect to the cure objections is adjourned to a date and time to be determined.**

Dated: September 24, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Matthew P. Milana

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Michael J. Merchant (No. 3854)
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