

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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

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Counsel to CoStar Central Place HQ, LLC

In re:

WEWORK INC., *et al.*,¹

Debtors.

Case No.: 23-19865 (JKS)

Chapter 11

Judge John K. Sherwood

(Jointly Administered)

APPLICATION FOR ORDER SHORTENING TIME

CoStar Central Place HQ, LLC (the “Landlord”), by and through its undersigned counsel, hereby requests through this application (the “Application”) that the time period for notice and service of *CoStar Central Place HQ, LLC’s Motion for Entry of an Order Compelling the Debtors’ Payment of Post-Petition Lease Obligations, Request for Adequate Protection and in the Alternative, for Relief from the Automatic Stay and Other Appropriate Relief* (the “Motion to

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/WeWork>. The location of Debtor WeWork Inc.’s principal place of business is 12 East 49th Street, 3rd Floor, New York, NY 10017; the Debtors’ service address in these chapter 11 cases is WeWork Inc. c/o Epiq Corporate Restructuring, LLC 10300 SW Allen Blvd. Beaverton, OR 97005.

Compel”), as required by Fed. R. Bankr. P. 2002, be shortened pursuant to Fed. R. Bankr. P. 2006(c)(1), for the reasons set forth below:

1. As set forth in the Motion to Compel, the Debtors, in an effort to gain leverage in lease negotiations, have refused to pay the previously-budgeted January, February, and March 2024 rent and charges due under the Lease with the Landlord, directly contravening section 365(d)(3) of the Bankruptcy Code. Section 365(d)(3) of the Bankruptcy Code unequivocally requires debtors to satisfy all postpetition rent obligations as they come due until such leases are assumed or rejected. The Debtors have not assumed or rejected the Landlord’s lease.

2. The Landlord files the Motion to Compel contemporaneously with this Application, and the Motion to Compel seeks to compel the Debtors to pay the all past-due post-petition charges and to comply with their post-petition Lease obligations, which to date are in excess of \$3 million and continue to accrue.

3. The next omnibus hearing in these chapter 11 cases is scheduled for March 27, 2024 at 10:00 a.m. (prevailing Eastern Time) before the Honorable John K. Sherwood, United States Bankruptcy Judge, in Courtroom 3D of the United States Bankruptcy Court for the District of New Jersey (the “Court”), 50 Walnut Street, Third Floor, Newark, New Jersey, 07102.

4. If the Debtors continue in their course of action of withholding post-petition rent and charges, the amount of unpaid rent and charges owed to the Landlord, already aggregating over \$3 million dollars, will increase on April 1. Unless this Court grants this Application for expedited scheduling of a preliminary hearing with respect to the Motion to Compel, by the next omnibus hearing, the Debtors will have been operating under chapter 11

protection for five months, while having only made one payment for December 2023 rent to the Landlord. If the Motion to Compel is not heard on expedited time frame, the Debtors will continue to reap the rewards for their violations of section 365(d)(3) of the Bankruptcy Code and their willful continued rent-free use and occupancy of the Landlord's premises, effectively forcing the Landlord to finance these chapter 11 cases.

5. Unless the Debtors are administratively insolvent, the Landlord is entitled to immediate payment of all past due post-petition rent and charges. The Landlord therefore respectfully requests that the Court (i) enter an order shortening the time to consider the Motion to Compel on a preliminary basis; (ii) hold a preliminary hearing on the Motion to Compel at omnibus hearing scheduled for March 27, 2024, or such other date as the Court is available, so the Court can assess whether the facts are disputed and whether an evidentiary hearing is necessary; and (iii) if an evidentiary hearing is necessary, following the preliminary hearing, hold a hearing on the Motion to Compel at the next scheduled omnibus hearing, or such other earlier date as the Court is available.

6. Reduction of the time period is not prohibited under Fed. R. Bankr. P. 9006(c)(1). Landlord requests entry of the proposed order shortening time.

WHEREFORE, the Landlord respectfully requests that this Court (i) grant the Application; (ii) enter the form of order substantially in the form submitted herewith, and (iii) grant such other and further relief as it deems necessary and appropriate.

Dated: March 15, 2024
Wilmington, Delaware

Respectfully submitted,

/s/ Leslie C. Heilman

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**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**.

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After review of the application of CoStar Central Place HQ, LLC (the “Applicant”) for a reduction of time for a hearing on *CoStar Central Place HQ, LLC’s Motion for Entry of an Order Compelling the Debtors’ Payment of Post-Petition Lease Obligations, Request for Adequate Protection and in the Alternative, for Relief from the Automatic Stay and Other Appropriate Relief* 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, 402 East State Street, Trenton, NJ 08608, Courtroom No. 2.

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 said 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 said motion/application and any objections.

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