

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re: § Chapter 11
A’GACI, L.L.C., §
Debtor. § Case No. 18-50049-rbk-11
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§

**AGENDA
OF MATTERS SCHEDULED FOR HEARING
January 10, 2018**

Matters Set for 2:30 p.m.

UNCONTESTED MATTERS

A. CASH COLLATERAL MOTION

Debtor’s Emergency Motion for an Order Authorizing Use of Cash Collateral and Granting Adequate Protection [Docket No. 4]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Attorney Checklist Concerning Motions and Orders Pertaining to Use of Cash Collateral and Post-Petition Financing [Docket No. 5]
3. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
4. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]
5. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
6. Order Setting Emergency Hearing on “First Day” Matters [Docket No. 25]
7. Notice of Filing of Budget [Docket No. 26]
8. Debtor’s Witness and Exhibit List for January 10, 2018 Hearing [Docket No. 29]



B. EXTENSION OF TIME TO FILE SCHEDULES

Debtor’s Emergency Motion for Extension of Time to File Schedules of Assets and Liabilities, Schedule of Executory Contracts, and Statement of Financial Affairs [Docket No. 6]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
3. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]
4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
5. Order Setting Emergency Hearing on “First Day” Matters [Docket No. 25]

C. NOTICE MOTION

Debtor’s Emergency Motion for an Order (I) Authorizing the Debtor to Redact Certain Personal Identification Information for Individual Creditors, and (II) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Case and Other Information [Docket No. 7]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
3. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]
4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
5. Order Setting Emergency Hearing on “First Day” Matters [Docket No. 25]
6. Debtor’s Witness and Exhibit List for January 10, 2018 Hearing [Docket No. 29]

D. CASH MANAGEMENT MOTION

Debtor’s Emergency Motion for an Order (I) Authorizing Continued Use of Existing Business Forms and Records, (II) Authorizing Maintenance of Existing Corporate Bank Accounts and Cash Management System, (III) Authorizing Payment of Prepetition Costs and Fees Associated with Customer Credit and Debit Card Transactions; and (IV) Waiving Certain U.S. Trustee Requirements [Docket No. 8]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
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4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
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6. Debtor’s Witness and Exhibit List for January 10, 2018 Hearing [Docket No. 29]

E. KURTZMAN CARSON RETENTION APPLICATION

Debtor’s Application for Entry of an Order, Pursuant to 28 U.S.C. § 156(c), Authorizing the Retention and Appointment of Kurtzman Carson Consultants LLC as Claims, Noticing, and Balloting Agent Nunc Pro Tunc to the Petition Date [Docket No. 9]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
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4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]

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F. WAGE MOTION

Debtor’s Emergency Motion for an Order Authorizing the Debtor to (I) Pay Certain Prepetition (A) Employee Wages, Other Compensation and Reimbursable Employee Expenses and (B) Independent Contractor Obligations; and (II) Continue Employee Benefits Programs [Docket No. 10]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
3. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]
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5. Order Setting Emergency Hearing on “First Day” Matters [Docket No. 25]

G. TAX MOTION

Debtor’s Emergency Motion for an Order Pursuant to 11 U.S.C. §§ 105(a), 363(b), and 507(a)(8) (I) Authorizing the Debtor to Pay Certain Prepetition Taxes and (II) Directing Financial Institutions to Honor and Process Related Checks and Transfers [Docket No. 11]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
3. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]

4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
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H. INSURANCE MOTION

Debtor’s Emergency Motion for an Order Pursuant to 11 U.S.C. §§ 105(a) and 363(c) Authorizing the Debtor to (I) Continue its Insurance Policies, and (II) Pay Insurance Premiums Thereon [Docket No. 12]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding “First Day” Matters [Docket No. 18]
3. Request for Emergency Consideration of Certain “First Day” Matters [Docket No. 19]
4. Notice of Expedited Hearing on Certain “First Day” Matters [Docket No. 20]
5. Order Setting Emergency Hearing on “First Day” Matters [Docket No. 25]
6. Notice of Filing of Correction to Declaration of Mark Butterbach in Support of the Debtor’s Chapter 11 Petition and First Day Motions [Docket No. 27]
7. Notice of Filing of Correction to Debtor’s Emergency Motion for an Order Pursuant to 11 U.S.C. §§ 105(a) and 363(c) Authorizing the Debtor to (I) Continue its Insurance Policies, and (II) Pay Insurance Premiums Thereon [Docket No. 28]

I. UTILITIES MOTION

Debtor’s Emergency Motion for an Order Under 11 U.S.C. §§ 105(a) and 366 (I) Prohibiting Utility Companies From Altering or Discontinuing Service on Account of Prepetition Invoices, (II) Approving Deposit Account as Adequate Assurance of Payment, and (III) Establishing Procedures for Resolving Requests by Utility Companies for Additional Adequate Assurance of Payment [Docket No. 13]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor's Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding "First Day" Matters [Docket No. 18]
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J. CUSTOMER PROGRAMS MOTION

Debtor's Emergency Motion for Entry of an Order Authorizing Debtor to Honor Certain Prepetition Obligations to Customers and to Otherwise Continue Customer Programs in the Ordinary Course of Business [Docket No. 14]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor's Chapter 11 Petition and First Day Motions [Docket No. 3]
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K. SHIPPERS AND WAREHOUSEMEN MOTION

Debtor's Emergency Motion for Entry of an Order (i) Authorizing the Debtor to Pay or Honor Prepetition Obligations to Certain Shippers, Warehousemen, and Miscellaneous Lien Claimants, and (ii) Confirming Administrative Expense Priority of Outstanding Orders [Docket No. 15]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor's Chapter 11 Petition and First Day Motions [Docket No. 3]
2. Certificate of Conference Regarding "First Day" Matters [Docket No. 18]
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L. FIRST OMNIBUS LEASE REJECTION MOTION

Debtor's Emergency First Omnibus Motion to Reject Certain Unexpired Real Property Leases Pursuant to Bankruptcy Code § 365 and Bankruptcy Rule 6006 Nunc Pro Tunc to the Petition Date and to Abandon Related Personal Property [Docket No. 16]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor's Chapter 11 Petition and First Day Motions [Docket No. 3]
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M. GOB SALE MOTION

Debtor's Emergency Motion for Entry of Interim and Final Orders (i) Authorizing the Debtor to Assume the Consulting Agreement; (ii) Approving the Sale Guidelines; (iii) Approving the Sale of Store Closure Assets Free and Clear of All Liens, Claims and Encumbrances; (iv) Waiving Compliance with Applicable State Laws and Approving Dispute Resolution Procedures; (v) Approving Procedures to Conduct Sales in Additional Closing Stores; and (vi) Granting Related Relief [Docket No. 17]

Response Deadline: Prior to hearing

Status: Going forward

Related Matters:

1. Declaration of Mark Butterbach in Support of the Debtor's Chapter 11 Petition and First Day Motions [Docket No. 3]
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RESPECTFULLY SUBMITTED this 9th day of January, 2018.

HAYNES AND BOONE, LLP

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PROPOSED ATTORNEYS FOR DEBTOR