

WINDELS MARX LANE & MITTENDORF, LLP
Proposed Bankruptcy Counsel for Buyk Corp.
156 West 56th Street
New York, New York 10019
Telephone (212) 237-1000
Attorneys Appearing: James M. Sullivan (jsullivan@windelsmarx.com)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 11
) Case No. 22-10328 (MEW)
BUYK CORP.¹)
)
Debtor.)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
TELEPHONIC HEARING ON APRIL 19, 2022 AT 2:00 P.M.**

I. INITIAL CASE CONFERENCE

Related Document:

A. Order signed on 3/17/2022 Scheduling Initial Case Conference [ECF No. 3]

II. MOTIONS

2. Motion to Pay Taxes for Sales, Franchise, and Annual Reporting Taxes and Fees [ECF No. 4]

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications [ECF No. 9]

¹ The Debtor in this case, along with the last four digits of its federal tax identification number is Buyk Corp. (1477). The principal place of business for the Debtor is 360 West 31st Street, Floor 6, New York, NY 10001.



B. Interim Order signed on 3/23/2022 Granting Motion Authorizing Payment of Sales, Franchise, and Annual Reporting Taxes and Fees and Setting a Hearing to Consider Entry of a Final Order **[ECF No. 42]**

Status: This matter is going forward on an uncontested basis.

3. Debtor's Emergency Motion for Entry of Interim and Final Order (i) Authorizing Debtor to, in the Ordinary Course, Use Cash Management System and Bank Accounts; and (ii) Authorizing Banks and Financial Institutions to Honor and Process All Related Checks and Electronic Payment Requests **[ECF No. 7]**

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications **[ECF No. 9]**

B. Interim Order signed on 3/23/2022 Authorizing the Debtor to, in the Ordinary Course, Use its Cash Management System and Bank Accounts, Authorizing Banks and Financial Institutions to Honor and Process All Related Check and Electronic Payment Requests and Granting Related Relief **[ECF No. 41]**

Status: This matter is going forward on an uncontested basis.

4. Debtor's Emergency Motion for Entry of an Order (i) Authorizing, but not Directing, Debtor to (a) Maintain Existing Insurance Programs and Existing Premium Financing Agreement, and (b) Fund All Obligations in Respect Thereof, and (ii) Granting Related Relief **[ECF No. 10]**

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications **[ECF No. 9]**

B. Interim Order signed on 3/24/2022 (i) Authorizing, but not Directing, Debtor to (a) Maintain Existing Insurance Programs and Existing Premium Financing Agreement, and (b) Fund All Obligations in

Respect Thereof, and (ii) Granting Related Relief **[ECF No. 48]**

Status: This matter is going forward on an uncontested basis.

5. Debtor's Motion for Entry of Order (i) Authorizing Debtor to Pay Pre-Petition Wages and (ii) Authorizing Banks and Financial Institutions to Pay All Checks and Electronic Payment Requests **[ECF No. 12]**

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications **[ECF No. 9]**

B. Interim Order signed on 3/24/2022 Authorizing Debtor to Pay Pre-Petition Wages and Authorizing Banks and Financial Institutions to Pay All Checks and Electronic Payment Requests **[ECF No. 45]**

Status: This matter is going forward on an uncontested basis.

6. Debtor's Motion for Entry of Interim and Final Orders, Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, 503, 506, 507, and 552, (i) Authorizing the Debtor to Obtain Senior Secured Superpriority Post-Petition Financing, (ii) Granting Liens and Administrative Expense Claims, (iii) Authorizing the Use of Cash Collateral, (iv) Granting Adequate Protection, (v) Modifying the Automatic Stay, (vi) Scheduling a Final Hearing and (vii) Granting Related Relief **[ECF No. 13]**

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications **[ECF No. 9]**

B. Interim Order signed on 3/30/2022 Authorizing the Debtor to Use Cash Collateral, Granting Adequate Protection to the Secured Party, Scheduling a Final Hearing and Granting Related Relief **[ECF No. 66]**

Status: This matter is going forward on an uncontested basis. The Debtor is not seeking debtor-in-possession financing at this time. Instead, the Debtor will only be seeking entry of a final Cash Collateral Order at this time.

7. Debtor's Emergency Motion for Entry of Interim and Final Orders (I) Determining that Utility Providers have been Provided with Adequate Assurance of Payment, (II) Approving Proposed Adequate Assurance Procedures, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, (IV) Determining that Debtor is not Required to Provide any Additional Assurance, (V) Scheduling a Hearing to Consider Entry of a Final Order, and (VI) Granting Related Relief **[ECF No. 14]**

Response Deadline: April 12, 2022

Responses Filed: None

Related Documents:

A. Affidavit Pursuant to LR 1007-2 of James Walker Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Motions and Applications **[ECF No. 9]**

B. Notice of Hearing (Telephonic) of Certain Motions **[ECF No. 62]**

Status: This matter is going forward on an uncontested basis.

8. Omnibus Motion of Debtor Pursuant to 11 U.S.C. 105(a) and 365(a) and Fed. R. Bankr. P. 6006 for Entry of an Order Authorizing Rejection of Certain Unexpired Leases **[ECF No. 37]**

Response Deadline: April 12, 2022

Responses Filed: Yes (see below)

Related Documents:

A. Notice of Hearing (Telephonic) of Certain Motions **[ECF No. 62]**

B. Objection to Motion (Limited) and Reservation of Rights to the Debtors Motion Pursuant to 11 U.S.C. §§ 105(a) and 365(a) and FED. R. BANKR. P. 6006 for Entry of an Order Authorizing Rejection of Certain Unexpired Leases on behalf of 1860 N. Milwaukee Comet LLC **[ECF No. 104]**

C. Limited Objection to Motion Pursuant to 11 U.S.C. 105(a) and 365(a) and Fed. R. Bankr. P. 6006 for Entry of an Order Authorizing Rejection of Certain Unexpired Leases on behalf of BTM Development

Partners, LLC, Gateway Elton II LLC **[ECF No. 107]**

D. Limited Objection to Motion on behalf of Blanchard Naperville Property Group, L.L.C., Hickory Property Group, L.L.C., Nation Property Group, L.L.C., Sweeney Property Group, L.L.C. **[ECF No. 108]**;

E. Limited Objection and Reservation of Rights to Motion of Debtor to Pursuant to 11 U.S.C. 105(a) and 365(a) and Fed. R. Bankr. P. 6006 for Entry of an Order Authorizing Rejection of Certain Unexpired Leases on behalf of 2269 FIRST AVE OWNER LLC **[ECF No. 109]**

F. Limited Objection to Motion and Reservation of Rights of 47 East 34 Owner LLC to Debtor's Omnibus Motion Pursuant to 11 U.S.C Sections 105(a) and 365(a) and Fed R. Bankr. P. 6006 for Entry of an Order Authorizing Rejection of Certain Unexpired Leases **[ECF No. 110]**

G. Limited Objection to Motion on behalf of One Eleven Third LLC **[ECF No. 111]**

H. Limited Objection to Motion on behalf of 356 Broadway Retail LLC **[ECF No. 116]**

I. Limited Objection to Motion; Joining Limited Objection and Reservation of Rights of 1860 N. Milwaukee Comet LLC **[ECF No. 104]** in connection with Landlords 231st Riverdale LLC and CA 5-15 West 125th LLC **[ECF No. 117]**

J. Limited Objection and Reservation of Rights to Motion on behalf of 1937 Coney Island LLC **[ECF No. 118]**

K. Limited Objection on behalf of 2717 Clark LLC and MR 3629 Western Waveland, LLC. and Joinder in Landlord Objections **[ECF No. 119]**

L. Joinder of 8904 5th Ave LLC to Limited Objection of BTM Development Partners, LLC and Gateway Elton II LLC to Motion **[ECF No. 124]**

Status: Proposed counsel for the Debtor is continuing to work with counsel for the objecting parties above to potentially resolve some or all of the objections. The Debtor intends to go forward with the Motion as to certain of the leases identified in the Motion at this time and to create a protocol for confirming the rejection of additional leases identified in the Motion on notice to affected landlords upon completion of Debtor's negotiations with such landlords.

Dated: New York, New York
April 18, 2022

WINDELS MARX LANE & MITTENDORF, LLP
Proposed Bankruptcy Counsel for Buyk Corp.

By: /s/ James M. Sullivan
James M. Sullivan (jsullivan@windelsmarx.com)
156 West 56th Street
New York, New York 10019
Tel. (212) 237-1000 / Fax. (212) 262-1215