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 and Debtors in Possession*

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

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 :
In re : **Chapter 11**
 :
PACIFICCO INC., et al., : **Case No. 23-10470 (PB)**
 :
Debtors.¹ : **(Joint Administration Requested)**
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**NOTICE OF COMMENCEMENT OF CHAPTER 11
 CASES AND SECOND² AMENDED AGENDA FOR FIRST DAY HEARING**

PLEASE TAKE NOTICE that on March 28, 2023 (the “**Commencement Date**”), PacificCo Inc. and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”) with the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”).

PLEASE TAKE FURTHER NOTICE that a hearing (the “**First Day Hearing**”) has been scheduled for March 30, 2023 at 2:00 p.m. (Prevailing Eastern Time) at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004, in order to consider among other things, the relief requested by the Debtors in the First Day

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Catalina Marketing Corporation (9007); PacificCo Inc. (1563); PacificCo Intermediate Corp. (8394); PacificCo Acquisition Corp. (4852); Catalina Marketing Procurement, LLC (9333); Catalina Marketing Technology Solutions, Inc. (8728); Modiv Media, LLC (3507); Cellfire LLC (5599); Catalina Marketing Worldwide, LLC (9687); Catalina-Pacific Media, L.L.C. (3931); CMJ Investments L.L.C. (0561); Supermarkets Online, Inc. (6998); Supermarkets Online Holdings, Inc. (1736); Catalina Marketing Loyalty Holdings, Inc. (3746); and Catalina Digital Holdings, LLC (3488). The Debtors’ principal offices are located at 200 Carillon Parkway, Suite 200, St. Petersburg, FL 33716.

² **Changes to the previously filed agenda at ECF No. 23 have been indicated by bolded font.**



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Pleadings (as defined below).

PLEASE TAKE FURTHER NOTICE that in the interim, the Honorable Lisa G. Beckerman, United States Bankruptcy Judge will preside over the First Day Hearing.

PLEASE TAKE FURTHER NOTICE that the First Day Hearing will be conducted using Zoom for Government for audio and video purposes. Parties should not appear in person and those wishing to appear or participate at the First Day Hearing (whether “live” or “listen only”) must make an electronic appearance through the Electronic Appearance Portal located on the Court’s website (<https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>) by no later than 4:00 p.m. today. Failure to register by the specified deadline will result in the party not being admitted to the First Day Hearing. The Court will circulate the Zoom link to such persons by email after 4:00 p.m. today. Parties are strictly forbidden from circulating or sharing the Zoom link.

PLEASE TAKE FURTHER NOTICE that an agenda with respect to the First Day Hearing is set forth below. Copies of each pleading identified below may be obtained (a) by written request to the Debtor’s Claims and Noticing Agent, Kurtzman Carson Consultants LLC (“KCC”); (b) by contacting KCC by phone at (888) 251-2764 (toll free) and (310) 751-2610 (international); (c) by e-mail to CatalinaInfo@kccllc.com; (d) by accessing the Debtors’ case website at <http://www.kccllc.net/catalina>; (e) through the Bankruptcy Court’s website www.nysb.uscourts.gov; or (f) at the office of the Clerk of the Bankruptcy Court, One Bowling Green, New York, New York 10004, between 9:00 a.m. – 5:00 p.m. (Prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that the First Day Hearing may affect your rights. Please read the below motions and applications to be heard at the First Day Hearing (the “**First Day Pleadings**”) carefully.

PLEASE TAKE FURTHER NOTICE that if you oppose the relief requested in the First Day Pleadings, or if you want the Court to hear your position on the First Day Pleadings, then you or your attorney must attend the First Day Hearing. If you or your attorney do not follow the foregoing steps, the Court may decide that you do not oppose the relief requested in the First Day Pleadings and may enter orders granting the relief requested by the Debtor.

PLEASE TAKE FURTHER NOTICE that an agenda for the First Day Hearing is set forth below.

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Agenda for March 30, 2023 at 2:00 p.m. – First Day Hearing

I. Motions and Applications to Be Heard at the First Day Hearing:

1. Motion of Debtors for Entry of Order Directing Joint Administration of Related Chapter 11 Cases **(ECF No. 3)**
2. Motion of Debtors for (I) Entry of Interim and Final Orders to Pay Certain Prepetition Trade Claims in Ordinary Course of Business, and (II) Granting Related Relief **(ECF No. 11)**
3. Motion of Debtors for Interim and Final Orders (I) Authorizing Debtors to (A) Pay Prepetition Wages, Salaries, Commissions, Employee Benefits, and Other Compensation and (B) Maintain Employee Benefit Programs and Pay Related Administrative Obligations and (II) Granting Related Relief **(ECF No. 10)**
4. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Continue Existing Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, and (C) Maintain Business Forms and Existing Bank Accounts; and (II) Granting Related Relief **(ECF No. 9)**
5. Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to (A) Prepare and Maintain Consolidated List of Creditors in Lieu of Submitting Separate Mailing Matrix for Each Debtor, (B) File Consolidated List of 30 Largest Unsecured Creditors, and (C) Redact Certain Personally Identifiable Information and Commercial Information, and (II) Granting Related Relief **(ECF No. 6)**
6. Application for an Order Appointing Kurtzman Carson Consultants LLC as Claims and Noticing Agent for the Debtors and Granting Related Relief **(ECF No. 5)**
7. Motion of Debtors for Entry of Order (I) Authorizing Debtors to (A) Continue Their Insurance Policies and Programs and (B) Pay All Obligations with Respect Thereto, and (II) Granting Related Relief **(ECF No. 13)**
8. Motion of Debtors Requesting Entry of Interim and Final Orders (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures Providing Adequate Assurance and Resolving Objections by Utility Providers, (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service, and (IV) Granting Related Relief **(ECF No. 8)**
9. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief **(ECF No. 12)**

10. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Related Thereto and (II) Granting Related Relief **(ECF No. 14)**
11. Motion of Debtors for Entry of Interim and Final Orders Establishing Notification Provisions and Approving Restrictions on Certain Transfers of Interests in the Debtors **(ECF No. 15)**
12. Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing (A) the Use of Cash Collateral, (B) Granting Adequate Protection to the Prepetition Secured Parties, (C) Modifying the Automatic Stay, and (D) Scheduling a Final Hearing, and (II) Granting Related Relief **(ECF No. 16)**
13. Motion of Debtors for Order (I) Scheduling Combined Hearing to Consider (A) Approval of Disclosure Statement, (B) Approval of Solicitation Procedures and Forms of Ballot, and (C) Confirmation of Prepackaged Plan; (II) Establishing a Deadline to Object to Disclosure Statement and Plan; (III) Shortening Notice Requirements Related Thereto; (IV) Approving the Form and Manner of Notice of Combined Hearing, Objection Deadline, and Notice of Commencement; (V) Conditionally Waiving Requirement of Filing Statements of Financial Affairs and Schedules of Assets and Liabilities; (VI) Conditionally Waiving Requirement to Convene the Section 341 Meeting of Creditors; and (VII) Granting Related Relief **(ECF No. 7)**

II. Related Pleadings:

14. Consolidated Corporate Ownership Statement Pursuant to Federal Rules of Bankruptcy Procedures 1007 and 7007.1 and Local Rule 1007-3 **(ECF No. 2)**
15. Notice of Filing of Revised Proposed Order Directing Joint Administration of Related Chapter 11 Cases **(ECF No. 21)**
16. Declaration of Michael Huffmaster Pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York **(ECF No. 17)**
17. Declaration of Robert A. Del Genio in Support of the Debtors' Chapter 11 Petitions and First Day Relief **(ECF No. 18)**
18. Joint Prepackaged Chapter 11 Plan of PacificCo Inc. and Its Affiliated Debtors **(ECF No. 19)**
19. Disclosure Statement for Joint Prepackaged Chapter 11 Plan of PacificCo Inc. and Its Affiliated Debtors **(ECF No. 20)**

20. **Supplemental Declaration of Robert A. Del Genio in Support of the Debtors'
Chapter 11 Petitions and First Day Relief (ECF No. 31)**

Dated: March 30, 2023
New York, New York

/s/ Gary T. Holtzer
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