

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:

CBC RESTAURANT CORP. *et al.*,¹

Debtors

Chapter 11

Case No. 23-10245 (KBO)
(Jointly Administered)

Hearing Date:

May 2, 2023, at 1:00 p.m.(ET)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON MAY 2, 2023
AT 1:00 A.M. (ET) BEFORE THE HONORABLE KAREN B. OWENS OF THE UNITED
STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

This hearing will be conducted in person. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Participation at the in-person court proceeding using Zoom is allowed only in the following circumstances: (i) counsel for a party or a pro se litigant files a responsive pleading and intends to make only a limited argument; (ii) a party or a representative of a party is interested in observing the hearing; (iii) a party is proceeding in a claims allowance dispute on a pro se basis; (iv) an individual has a good faith health-related reason to participate remotely and has obtained permission from chambers to do so; or (v) other extenuating circumstances that warrant remote participation as may be determined by the Court

Please Note: All individuals participating by video must register at least two hours prior to the hearing at the provided link.

Registration Link

<https://debuscourts.zoomgov.com/meeting/register/vJlscO-uzq8tG1oQOM4oJSNNtLcMFrpOk3s>

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include CBC Restaurant Corp. (0801), Corner Bakery Holding Company (3981), and CBC Cardco, Inc. (1938). The Debtors' service address is 121 Friends Lane, Suite 301, Newtown PA 18940.



RESOLVED MATTERS

1. Motion of the Debtors for Entry of an Interim and Final Order: (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Companies; (II) Establishing Procedures for Resolving Additional Adequate Assurance Requests; and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service [Filed: 02/27/23] ([D.I. No. 46](#))

Response Deadline: April 12, 2023 at 4:00 p.m. (ET)

Responses Received: Informal comments received from Frontier Communications of America, Inc.

- A. Objection of Certain Utility Companies [Georgia Power Company; San Diego Gas and Electric Company, Southern California Edison Company, Southern California Gas Company; Baltimore Gas and Electric Company; PECO Energy Company; Commonwealth Edison Company; and The Potomac Electric Power Company] (collectively, the "Objecting Utilities") to the Motion of the Debtors for Entry of an Interim and Final Order: (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Companies; (II) Establishing Procedures for Resolving Additional Adequate Assurance Requests; and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service [Filed 3/13/23] ([D.I. No. 136](#))

1. Notice of Withdrawal of Objection of Certain Utility Companies to the Motion of the Debtors for Entry of an Interim and Final Order: (I) Approving Debtors Proposed Form of Adequate Assurance of Payment to Utility Companies; (II) Establishing Procedures for Resolving Additional Adequate Assurance Requests; and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service [Filed 4/26/23] ([D.I. No. 401](#))

Related Documents:

- A. [SIGNED] Interim Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Companies; (II) Establishing Procedures for Resolving Additional Adequate Assurance Requests; and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service [Entered 3/6/23] ([D.I. No. 97](#))
- B. [SIGNED] Final Order (I) Authorizing Debtors Proposed Form of Adequate Assurance of Payment to Utility Companies; (II) Establishing Procedures for Resolving Objections by Utility Companies; and (III) Prohibiting Utility Companies from Altering, Refusing, or Discontinuing Service [Entered 4/26/23] ([D.I. No. 402](#))

Status: The order has been entered. No hearing will be necessary.

MATTERS GOING FORWARD

1. Debtors' Emergency Motion for Entry of an Order: (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to Use Cash Collateral; (C) Granting

Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/3/23] ([D.I. No. 259](#))

Response Deadline: April 4, 2023 at 3:00 p.m.

Responses Received: Informal comments have been received from: (a) Williamson County Texas, Denton County Texas, City of University Park, Highland Park Independent School District, Richardson Independent School District, City of Highland Village, Carrollton-Farmers Branch Independent School District, Frisco Independent School District, Plano Independent School District, Tyler Independent School District, Spring Branch Independent School District, Harris County Municipal Utility District #345 (the "Ad Valorem Tax Creditors").

- A. Limited Objection to the Debtors' Emergency Motion for Entry of an Order: (A) Authorizing Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to Use Cash Collateral; (C) Granting Liens and Super-Priority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties, (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/5/23] ([D.I. No. 273](#))
- B. Objection to the Debtors Emergency Motion for Entry of An Order (A) Authorizing the Debtors to Use Cash Collateral; (B) Authorizing the Debtors to Use Cash Collateral; (C) Granting Liens and Super-Priority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties, and (E) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 353](#))
- C. United States Trustees Objection to the Debtors Emergency Motion for Entry of an Order: (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to use Cash Collateral; (C) Granting Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/18/23] ([D.I. No. 330](#))
- D. Joinder of Westfield, LLC And Its Landlord Affiliates To United States Trustees Objection To The Debtors Emergency Motion For Entry Of An Order: (A) Authorizing The Debtors To Obtain Postpetition Financing; (B) Authorizing The Debtors To Use Cash Collateral; (C) Granting Liens And Superpriority Administrative Expense Claims; (D) Granting Adequate Protection To The Prepetition Secured Parties; (E) Modifying The Automatic Stay; And (F) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 349](#))
- E. Limited Objection Limited Objection of Brixmor Operating Partnership L.P., Deutsche Asset & Wealth Management, FR Hastings Ranch, LLC, Federal Realty OP LP, GMV (Mall) Owner LLC, Weitzman, and Wexford-UCSC 3737, LLC to Debtors Emergency Motion for Entry of an Order: (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to use Cash Collateral; (C) Granting Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 351](#))

- F. Limited Objection Of Certain Landlords To Debtors Emergency Motion For Entry Of An Order: (A) Authorizing The Debtors To Obtain Postpetition Financing; (B) Authorizing The Debtors To Use Cash Collateral; (C) Granting Liens And Superpriority Administrative Expense Claims; (D) Granting Adequate Protection To The Prepetition Secured Parties; (E) Modifying The Automatic Stay; And (F) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 352](#))
- G. Joinder of Brinker International, Inc. and Its Affiliates to Limited Objection of Brixmor Operating Partnership L.P., Deutsche Asset & Wealth Management, FR Hastings Ranch, LLC, Federal Realty OP LP, GMV (Mall) Owner LLC, Weitzman, and Wexford-UCSC 3737, LLC to Debtors' Emergency Motion for Entry of an Order: (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to use Cash Collateral; (C) Granting Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 357](#))
- H. Joinder to Limited Objection of Certain Landlords to Debtors' Emergency Motion for Entry of an Order: (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to Use Cash Collateral; (C) Granting Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief [Filed: 4/19/23] ([D.I. No. 360](#))
- I. Reservation of Rights - SSCP Restaurant Investors LLC's Response and Reservation of Right to Objections to Entry of Final Senior DIP Order [Filed: 4/27/23] ([D.I. No. 407](#))

Related Documents:

- A. [SIGNED] Interim Order: (I) Authorizing the Debtors to Obtain Junior Secured Postpetition Financing; (II) Granting Liens; (III) Scheduling a Final Hearing; (IV) Granting Related Relief [Entered: 4/6/23] ([D.I. No. 287](#))
- B. [SIGNED] Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Entered: 4/7/23] ([D.I. No. 289](#))
- C. Notice of Amended Milestone re: Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief [Filed: 4/26/23] ([D.I. No. 398](#))
- D. Notice of Submission of Proposed Final Orders (A) Authorizing the Debtors to Obtain Postpetition Financing; (B) Authorizing the Debtors to Use Cash Collateral; (C) Granting Liens and Superpriority Administrative Expense Claims; (D) Granting Adequate

Protection to the Prepetition Secured Parties; (E) Modifying the Automatic Stay; and (F) Granting Related Relief (the "Proposed Final Order") [Filed: 4/27/23] ([D.I. No. 408](#))

Status: The debtors have submitted a Proposed Final Order that resolves the issues raised by the Ad Valorem Tax Creditors and certain issues raised by objecting landlords. The Debtor has circulated an updated budget and financial projections for this case responsive to the majority of the remaining comments and objections that it has received, and it is continuing discussions with SSCP and the parties to seek to resolve, or narrow, these issues. The debtors will be finalizing and filing their updated financial projections prior to the hearing. This matter is going forward at this time.

Dated: April 28, 2023
Wilmington, Delaware

/s/ Mette H. Kurth
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