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Debtors in Possession

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Debtors and Debtors in Possession

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

-----X  
: **Chapter 11 Case No.**  
: **09-11977 (ALG)**  
: **(Jointly Administered)**  
: **Debtors.<sup>1</sup>**  
: **Debtor's.**  
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**AGENDA OF MATTERS SCHEDULED FOR HEARING ON  
JUNE 26, 2009 AT 11:00 A.M. (EASTERN TIME)**

**Location of Hearing:** The Honorable Allan L. Gropper  
United States Bankruptcy Judge, One Bowling Green, Room 617  
New York, New York 10004

**ADJOURNED MATTERS**

I. Motion of Goldman Sachs Mortgage Company and Brookfield Financial, LLC and Certain Affiliates for Allowance and Payment of a Chapter 11 Administrative Expense Claim Against the Estates Pursuant to Bankruptcy Code Sections 503(b)(3)(D) and 503(b)(4) (Docket No. 661)

Response Deadline: June 19, 2009 at 4:00 p.m.

<sup>1</sup> A list of the Debtors, along with the last four digits of each Debtor's federal tax identification number, is filed with the Court at Docket No. 593 and is also available for free online at [www.kccllc.net/GeneralGrowth](http://www.kccllc.net/GeneralGrowth).



Responses Filed/Received:

1. Response of General Growth Properties, Inc. to Motion of Goldman Sachs Mortgage Company and Brookfield Financial, LLC and Certain Affiliates for Allowance and Payment of a Chapter 11 Administrative Expense Claim Against the Estates Pursuant to Bankruptcy Code Sections 503(b)(3)(D) and 503(b)(4) (Docket No. 787)
2. Objection of the United States Trustee to the Motion of Goldman Sachs Mortgage Company and Brookfield Financial, LLC and Certain Affiliates for Allowance and Payment of Administrative Expense Claim Against the Estates Pursuant to Sections 503(b)(3)(D) and 503(b)(4) (Docket No. 803)
3. Statement of the Official Committee of Unsecured Creditors in Support of the Motion of Goldman Sachs Mortgage Company and Brookfield Financial, LLC and Certain Affiliates for Allowance and Payment of Administrative Expense Claim Against the Estates Pursuant to Sections 503(b)(3)(D) and 503(b)(4) (Docket No. 825)

Related Documents:

4. Notice of Filing of Updated Exhibits to Declaration of Deborah M. Buell in Support of Motion for Allowance and Payment of a Chapter 11 Administrative Expense Claim Against the Estates (Docket No. 792)
5. Declaration of Deborah M. Buell (Docket No. 662)
6. Declaration of Paul V. Shalhoub (Docket No. 663 and 664)
7. Notice of Hearing on Motion of Goldman Sachs Mortgage Company and Brookfield Financial, LLC and Certain Affiliates for Allowance and Payment of a Chapter 11 Administrative Expense Claim Against the Estates Pursuant to Bankruptcy Code Sections 503(b)(3)(D) and 503(b)(4) (Docket No. 665)
8. Notice of Filing of Updated Exhibits to Declaration of Deborah M. Buell in Support of Motion for Allowance and Payment of a Chapter 11 Administrative Expense Claim Against the Estates (Docket No. 792)
9. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is adjourned to July 28, 2009 at 11:00 a.m.**

**RESOLVED/WITHDRAWN MATTERS**

- I. Debtors' Motion for Entry of a Protective Order Pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Establishing Procedures for the Protection of Confidential Information in Connection with First-Day Motions (Docket

No. 271)

Response Deadline: June 1, 2009 at 12:00 p.m.

Responses Filed/Received:

1. Limited Objection of Teachers Insurance and Annuity Association of America to the Debtors' Motion for Entry of a Protective Order and Procedures for Protecting Confidential Information (Docket No. 408)
2. Limited Objection to Debtors' Motion for a Confidentiality Order (Docket No. 411)
3. Objection of the 2008 Facility Lenders to "Debtors' Motion for Entry of a Protective Order Pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Establishing Procedures for the Protection of Confidential Information in Connection with First-Day Orders" (Docket No. 414)
4. Limited Objection to Debtors' Motion for Entry of a Protective Order Establishing Procedures for the Protection of Confidential Information (Docket No. 417)
5. Limited Objection to Motion for Entry of a Protective Order (Docket No. 419)
6. Joinder to Objection of the 2008 Facility Lenders to Debtors' Motion for Entry of a Protective Order (Docket No. 430)

Related Documents:

7. Declaration of Adam P. Stochak in Support of the Order to Show Cause Scheduling a Hearing to Consider Debtors' Motion for Entry of a Protective Order Pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Establishing Procedures for the Protection of Confidential Information in Connection with First-Day Motions (Docket No. 273)
8. Notice of Proposed Order Pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code, and Bankruptcy Rule 9018 Establishing Procedures for the Protection of Confidential Information (Docket No. 799)
9. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is resolved and an Order will be presented to the Court.**

**UNCONTESTED MATTERS**

- I. Application of the Official Committee of Unsecured Creditors of General Growth Properties, Inc., *et al.* to Retain and Employ Akin Gump Strauss Hauer & Feld LLP as

Counsel, *Nunc Pro Tunc* to April 24, 2009 (Docket No. 643)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received: None.

Related Documents:

1. Supplemental Declaration of Michael S. Stamer in Connection with the Retention of Akin Gump Strauss Hauer & Feld LLP by the Official Committee of Unsecured Creditors (Docket No. 835)

Status: **This matter is uncontested and an Order will be presented to the Court.**

- II. Debtors' Motion for Entry of an Order Pursuant to Bankruptcy Rule 1007(c) Further Extending Time to File Schedules of Assets and Liabilities, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs (Docket No. 650)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received: None

Related Documents:

1. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is uncontested and an Order will be presented to the Court.**

## **CONTESTED MATTERS**

- I. Motion of the Debtors for an Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019(b) Authorizing the Establishment of Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 658)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received:

1. Limited Objection [by CWCapital Asset Management, *et al.*]<sup>2</sup> to Debtors' Motion to Establish Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 810)
2. Limited Objection of Howard S. Wright Constructors, LP, to Motion of the Debtors for an Order Authorizing the Establishment of Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 816)

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<sup>2</sup> Party names not appearing in the original filing title are inserted in brackets for clarification.

3. Joinder of ING Clarion Capital Loan Services LLC in Limited Objection to Debtors' Motion to Establish Procedures to Settle Certain Prepetition Mechanics Lien Claims Filed by CWCapital Asset Management LLC (Docket No. 818)
4. Response of George Reed, Inc. to Motion of the Debtors for an Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019(b) Authorizing the Establishment of Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 826)
5. Joinder [by Bank of America, N.A.] in Limited Objection to Debtors' Motion to Establish Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 838)
6. Joinder of Lenders Serviced by Helios AMC LLC in Limited Objection to Debtors' Motion to Establish Procedures to Settle Certain Pre-Petition Mechanics' Lien Claims Filed by CWCapital Asset Management LLC (Docket No. 842)

Related Documents:

7. Debtors' Omnibus Reply to Objections to Debtors' Motion for an Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019(b) Authorizing the Establishment of Procedures to Settle Certain Prepetition Mechanics' Lien Claims (Docket No. 875)
8. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- II. Debtors' Motion Pursuant to Sections 105(a), 327, and 330 of the Bankruptcy Code for Authorization to Employ Professionals Utilized in the Ordinary Course of Business *Nunc Pro Tunc* to the Commencement Date (Docket No. 659)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received: The Debtors received certain informal comments to the proposed form of Order from the Office of the United States Trustee ("**U.S. Trustee**"). The Debtors will present an Order that has resolved the U.S. Trustee's concerns.

Related Documents:

1. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- III. Debtors' Motion Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rule 9019 (I) Establishing Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims, (II) Granting Debtors Limited Settlement Authority for Personal Injury Claims, and (III) Granting Debtors Limited Settlement Authority for Past Due

Rent Involving Tenant Rent Collection Matters, and Tenant Bankruptcy Matters and, (IV) Granting Authority to Resolve Certain *De Minimis* Customer Accommodation Matters (Docket No. 660)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received:

1. One Personal Injury Claimant's Objection to Debtors' Motion to (I) Establish Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims and (II) Granting Debtors Limited Settlement Authority for Personal Injury Claims and Personal Injury Claimant's Request for Relief from Stay (Docket Nos. 806 and 808)
2. Limited Objection [of certain "Mortgagees"] to Debtors' Motion Seeking Certain Settlement Authority (Docket No. 815)
3. Motion in Opposition to Debtors' Motion for Mandatory Alternative Dispute Resolution as an Absolute Condition Precedent for Resolution of the Personal Injury Claims of Creditors Sophie Arab and Abdulmenhem Arab (Docket No. 819)
4. Objection of Century Indemnity Company to Motion Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rule 9019 (I) Establishing Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims, (II) Granting Debtors Limited Settlement Authority for Personal Injury Claims, and (III) Granting Debtors Limited Settlement Authority for Past Due Rent Involving Tenant Rent Collection Matters, and Tenant Bankruptcy Matters and, (IV) Granting Authority to Resolve Certain *De Minimis* Customer Accommodation Matters (Docket No. 822)
5. Robert A. Norman's Limited Objection to Debtors' Motion for an Order Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rule 9019 to Establish Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims (Docket No. 823)
6. Memorandum [of Dillion L. Bracken] in Opposition to Debtors' Motion Establishing Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims (Docket No. 832)
7. Joinder of Liberty Mutual Insurance Company in Century Indemnity Company's Objection to Debtors' Motion, *Inter Alia*, to Establish Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims (Docket No. 846)
8. Objection of ACE to Debtors' Motion Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rule 9019 (I) Establishing Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims, (II) Granting Debtors Limited Settlement Authority for Personal Injury Claims, and (III) Granting

Debtors Limited Settlement Authority for Past Due Rent Involving Tenant Rent Collection Matters, and Tenant Bankruptcy Matters, and (IV) Granting Authority to Resolve Certain *De Minimis* Customer Accommodation Matters (Docket No. 852)

Related Documents:

9. Debtors' Omnibus Reply to Objections to Debtors' Motion Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rule 9019 (I) Establishing Alternative Dispute Resolution Procedures for Resolution of Personal Injury Claims, (II) Granting Debtors Limited Settlement Authority for Personal Injury Claims, and (III) Granting Debtors Limited Settlement Authority for Past Due Rent Involving Tenant Rent Collection Matters, and Tenant Bankruptcy Matters, and (IV) Granting Authority to Resolve Certain *De Minimis* Customer Accommodation Matters (Docket No. 877)
10. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- IV. Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 656)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received:

1. Limited Objection of Dimeo Construction Company to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 784)
2. Limited Objection and Reservation of Rights of J.C. Penney Corporation, Inc. and J.C. Penney Properties, Inc. to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims and Encumbrances Without Further Notice or Order from the Court (Docket No. 800)
3. Limited Objection of A&K Endowment, Inc. to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 807)
4. Salt Lake County Treasurer's Objection to Debtors' Motion Authorizing Sales and Conveyances Without Notice or Order from the Court (Docket No. 809)

5. Limited Objection [of CWCapital Asset Management LLC, *et al.*] to Debtors' Motion Authorizing Certain Ordinary Course Sales and Conveyances of Assets (Docket No. 811)
6. Objection [of Arlington ISD, *et al.*] to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 812)
7. Opposition by Centerline Mortgagees to Debtors' Motion Authorizing Certain Sales (Docket No. 814)
8. Joinder of ING Clarion Capital Loan Services LLC in Limited Objection to Debtors' Motion Authorizing Certain Ordinary Course Sales and Conveyance of Assets Filed by CWCapital Asset Management LLC (Docket No. 820)
9. Joinder of Certain Prepetition Secured Property Level Lenders to Limited Objection to Debtors' Motion Authorizing Certain Ordinary Course Sales and Conveyances of Assets (Docket No. 821)
10. Limited Objection of Lewisville Independent School District to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 824)
11. L&F Design Build, LLC's Limited Objection to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 827)
12. Joinder in Limited Objection to Debtors' Motion Authorizing Certain Ordinary Course Sales and Conveyances of Assets (Docket No. 839)
13. Joinder of Lenders Serviced by Helios AMC LLC in Limited Objection to Debtors' Motion Authorizing Certain Ordinary Course Sales and Conveyances of Assets Filed by CWCapital Asset Management LLC (Docket No. 843)
14. Joinder of Dick's Sporting Goods, Inc. to J.C. Penney Corporation, Inc.'s Limited Objection and Reservation of Rights to Debtors' Motion for Entry of an Order Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 861)
15. Joinder of Dillard's Inc. to J.C. Penny Corporation's Limited Objection and



Reservation of Rights (Docket No. 874)

Related Documents:

16. Debtors' Omnibus Reply to Objections to the Motion Pursuant to Sections 105 and 363 of the Bankruptcy Code Authorizing Certain Ordinary Course Sales and Conveyances of Assets Free and Clear of All Liens, Claims, and Encumbrances Without Further Notice or Order from the Court (Docket No. 876)
17. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- V. Application for an Order Pursuant to Sections 327(a) and 328(a) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure Authorizing the Employment and Retention of Cushman & Wakefield, Inc. as Appraisers, *Nunc Pro Tunc*, to April 16, 2009 (Docket No. 678)

Response Deadline: June 22, 2009 at 4:00 p.m.

Responses Filed/Received: The Debtors received certain comments to the proposed form of Order from the U.S. Trustee and the Debtors will present an Order that has resolved those concerns.

Related Documents:

1. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- VI. Motion of Kern River Gas Transmission Co. for Relief from Stay under 11 U.S.C. §362(d) and Opportunity for Hearing (Docket No. 299)

Response Deadline: May 22, 2009 at 4:00 p.m.

Responses Filed/Received:

1. Response and Limited Objection of General Growth Properties, Inc. and Certain of its Affiliates to the Motion of Kern River Gas Transmission Co. for Relief from the Automatic Stay (Docket No. 596)
2. Joinder of the Official Committee of Unsecured Creditors of General Growth Properties, Inc., *et al.* to the Debtors' Response and Limited Objection to the Motion of Kern River Gas Transmission Co. for Relief from the Automatic Stay (Docket No. 597)

Related Documents:

3. Order Granting, In Part, and Adjourning, In Part, Motion of Kern River for Relief

from the Automatic Stay (Docket No. 740)

4. Declaration of John T. Dushinske in Support of Motion for Relief from Stay to Proceed with District Court Litigation in Nevada (Docket No. 301)
5. Reply Memorandum of Kern River Gas Transmission Co. in Further Support of Motion for Relief from Stay Under 11 U.S.C. §362(d) and Opportunity for Hearing (Docket No. 601)
6. Supplement to Motion of Kern River Gas Transmission Co. for Relief from Stay Under 11 U.S.C. §362(d) (Docket No. 712)
7. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

**Status: This matter is going forward.**

- VII. Motion to Modify Automatic Stay Under 11 U.S.C. §362(d)(1) of Creditors Sophie Arab and Abdulmenhem Arab (Docket No. 672)

**Response Deadline:** June 19, 2009 at 4:00 p.m.

**Responses Filed/Received:**

1. Debtors' Opposition to the Motion of Sophie Arab and Abdulmenhem Arab to Modify Automatic Stay Under 11 U.S.C. §362(d)(1) (Docket No. 828)
2. Omnibus Joinder of the Official Committee of Unsecured Creditors of General Growth Properties, Inc., *et al*, to (I) Debtors' Opposition to the Motion of Sophie Arab and Abdulmenhem Arab to Modify Automatic Stay under 11 U.S.C. § 362(d)(1) and (II) Debtors' Opposition to the Motion of Dillon L. Bracken for Limited Relief from Automatic Stay (Docket No. 833)

**Related Documents:**

3. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

**Status: This matter is going forward.**

- VIII. Motion [of Dillon L. Bracken] for Limited Relief from Automatic Stay (Docket No. 701)

**Response Deadline:** June 19, 2009 at 4:00 p.m.

**Responses Filed/Received:**

1. Debtors' Opposition to the Motion of Dillon L. Bracken for Limited Relief from Automatic Stay (Docket No. 829)
2. Omnibus Joinder of the Official Committee of Unsecured Creditors of General Growth Properties, Inc., *et al*, to (I) Debtors' Opposition to the Motion of Sophie

Arab and Abdulmenhem Arab to Modify Automatic Stay under 11 U.S.C. § 362(d)(1) and (II) Debtors' Opposition to the Motion of Dillon L. Bracken for Limited Relief from Automatic Stay (Docket No. 833)

Related Documents:

3. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward.**

- IX. Motion of Cheri D. Webb for Relief from the Automatic Stay (Docket No. 685)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received: None

Related Documents:

1. Notice of Adjournment of Omnibus Hearing (Docket No. 844)

Status: **This matter is going forward. However, Debtors' are presently negotiating with Movant and an Agreed Stipulation may be presented to the Court at the hearing.**

- X. Expedited Motion of Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 731)

Response Deadline: June 19, 2009 at 4:00 p.m.

Responses Filed/Received:

1. Debtors' Objection to the Expedited Motion by Fashion Show and Palazzo Agent for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 830)

Related Documents:

2. Order to Show Cause and Notice of Fixing Hearing Date to Consider Motion by Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 735)
3. Declaration of Donald Berger in Support of the Motion by Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 732)
4. [Proposed] Order to Show Cause and Notice Fixing Hearing Date to Consider Motion by Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 733)
5. Declaration of Robert J. Rosenberg Pursuant to Local Bankruptcy Rule 9077-1(a)

in Support of Order to Show Cause Scheduling a Hearing to Consider the Motion by Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 734)

6. Notice of Hearing on Expedited Motion by Fashion Show Agent and Palazzo for Entry of an Order Enforcing Final Cash Collateral Order (Docket No. 739)
7. Notice of Adjournment of Omnibus Hearing (Docket No. 844)
8. Fashion Show and Palazzo Agent's Reply to Debtors' Objection to Expedited Motion for Entry of an Order Enforcing the Cash Collateral Order (Docket No. 858)

**Status: This matter is going forward.**

Dated: June 25, 2009  
New York, New York

Respectfully submitted,

/s/ Adam P. Strochak

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