

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re:	:	Chapter 11
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FILENE'S BASEMENT, LLC, <u>et al.</u> ,	:	Case No. 11-13511 (KJC)
	:	
Debtors. <sup>1</sup>	:	Jointly Administered
	:	
	:	Hrg. Date: 7/9/12 at 11:00 a.m. (Eastern)
	:	Obj. Due: At Hearing
	:	
	X	Related Docket Nos. 1563 & 1569

**NOTICE OF HEARING ON DEBTORS' MOTION FOR ORDER PURSUANT TO 11  
U.S.C. §§ 105(A), 1125, 1126, AND 1129 (I) AUTHORIZING THE DEBTORS TO  
DISTRIBUTE AN ACCREDITED INVESTOR QUESTIONNAIRE TO SYMS CORP.  
EQUITY HOLDERS, (II) APPROVING PROCEDURES RELATED THERETO, AND  
(III) ESTABLISHING A RIGHTS OFFERING RECORD DATE**

PLEASE TAKE NOTICE that, on June 29, 2012, the debtors and debtors in possession in the above-captioned cases (collectively, the "Debtors") filed and served the Debtors' Motion for Order Pursuant to 11 U.S.C. §§ 105(a), 1125, 1126, and 1129 (I) Authorizing the Debtors to Distribute an Accredited Investor Questionnaire to Syms Corp. Equity Holders, (II) Approving Procedures Related Thereto, and (III) Establishing a Rights Offering Record Date (Docket No. 1563) (the "Motion"). The Motion was previously served upon you by email, facsimile and/or overnight mail on June 29, 2012.

PLEASE TAKE FURTHER NOTICE that, on July 2, 2012, an order was entered shortening the notice period for the Motion and setting a hearing on the Motion (the "Hearing") for **July 9, 2012 at 11:00 a.m. (Eastern)** before the Honorable Kevin J. Carey, United States

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Filene's Basement, LLC (8277), Syms Corp. (5228), Syms Clothing, Inc. (3869), and Syms Advertising Inc. (5234). The Debtors' address is One Syms Way, Secaucus, New Jersey 07094.



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Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware, 5<sup>th</sup> Floor, Courtroom 5, 824 North Market Street, Wilmington, Delaware 19801.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion or the relief requested therein must be (a) made in writing, filed with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801, and served so as to be received by the following parties no later than **July 9, 2012 at 11:00 a.m. (Eastern)**: (i) Filene's Basement, LLC, One Syms Way, Secaucus, New Jersey, 07904, Attn: Laura Brandt, Esq.; (ii) counsel to the Debtors, Skadden, Arps, Slate, Meagher & Flom, LLP, One Rodney Square, Wilmington, Delaware 19801, Attn: Mark S. Chehi, Esq. and Jason M. Liberi, Esq. and Skadden, Arps, Slate, Meagher & Flom, LLP, Four Times Square, New York, New York 10036, Attn: Mark A. McDermott, Esq. and Suzanne D.T. Lovett, Esq.; (iii) counsel to the Committee of Unsecured Creditors, Hahn & Hessen LLP, 488 Madison Avenue, 15th Floor, New York, New York 10022, Attn: Mark S. Indelicato, Esq., Mark T. Power, Esq., and Janine M. Cerbone, Esq. and Richards, Layton & Finger, P.A., One Rodney Square, 920 North King Street, Wilmington, Delaware 19801, Attn: Paul N. Heath, Esq., and Michael J. Merchant, Esq.; (iv) counsel to the Official Committee of Syms Corp. Equity Security Holders, Munger, Tolles & Olson LLP, 355 South Grand Avenue, 35th Floor, Los Angeles, California 90071, Attn: Thomas B. Walper, Esq., Seth Goldman, Esq. and Bradley R. Schneider and Morris Nichols Arsht & Tunnell LLP, 1201 N. Market Street, P.O. Box 1347, Wilmington, Delaware 19899, Attn: Robert J. Dehney, Gregory W. Werkheiser, and Matthew B. Harvey; (v) counsel to the Pre-Petition Agent, Riemer & Braunstein, LLP, Three Center Plaza, Boston, MA 02108, Attn: David S. Berman, Esq., Riemer & Braunstein, LLP, Seven Times Square, New York, New York 10036, Attn: Maura I. Russell, Esq. and Womble Carlyle Sandridge & Rice, PLLC, 222 Delaware Avenue, Suite 1501,

Wilmington, Delaware 19801, Attn.: Steven K. Kortanek, Esq.; and (vi) the Office of the United States Trustee, J. Caleb Boggs Federal Bldg., 844 North King Street, Room 2207, Lockbox 35, Wilmington, DE 19801, Attn: David Klauder, Esq., or (b) raised at the Hearing.

**PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE MOTION ARE TIMELY RAISED IN ACCORDANCE WITH THE ABOVE PROCEDURES, THE RELIEF REQUESTED IN THE MOTION MAY BE GRANTED WITHOUT FURTHER NOTICE.**

Dated: Wilmington, Delaware  
July 2, 2012

/s/ Jason M. Liberi

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