

Hearing Date & Time: April 10, 2019 at 9:30 a.m. (EST)

Objection Deadline: April 4, 2019 at 12:00 a.m. (EST)

Presentment Date if No Objections: April 10, 2019 at 9:30 a.m. (EST)

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*Counsel for the Debtor and
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

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In re:	: Chapter 11
	:
HERB PHILIPSON’S ARMY AND NAVY	:
STORES INC.,	:
	: Case No. 18-61376 (DD)
Debtor. ¹	:
	:
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**NOTICE OF HEARING TO CONSIDER
DEBTOR’S MOTION FOR ENTRY OF AN ORDER AUTHORIZING
(I) THE AMENDMENT AND ASSUMPTION OF AN UNEXPIRED LEASE
OF NONRESIDENTIAL REAL PROPERTY AND (II) GRANTING RELATED RELIEF**

PLEASE TAKE NOTICE that a hearing will be held before the Honorable Diane Davis, United States Bankruptcy Judge, on April 10, 2019 at 9:30 a.m. (EST) (the “Hearing”) at the United States Bankruptcy Court for the Northern District of New York (the “Bankruptcy Court”), Alexander Pirnie United States Courthouse, 10 Broad Street, Utica, New York 13501, to consider, among other things, the Debtor’s Motion for Entry of an Order

¹ The last four digits of the Debtor’s federal tax identification number are 4814.

Authorizing (I) the Amendment and Assumption of an Unexpired Lease of Nonresidential Real Property and (II) Granting Related Relief (the "Motion").

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be made in writing, stating in writing the reasons therefore, and must be filed with the Clerk of the Bankruptcy Court, with paper copies delivered to the chambers of Bankruptcy Judge Diane Davis, United States Bankruptcy Court, Alexander Pirnie United States Courthouse, 10 Broad Street, Utica, New York 13501, and served upon: (i) counsel for the Debtor, Griffin Hamersky LLP (Attn: Scott A. Griffin, Esq. and Michael D. Hamersky, Esq.); (ii) the United States Trustee (Attn: Guy Van Baalen, Esq.); (iii) the United States Attorney for the Northern District of New York; (iv) counsel to the Debtor's secured creditors, Hodgson Russ LLP (Attn: Richard L. Weisz, Esq.), Riemer Braunstein LLP (Attn: Steven F. Fox, Esq.); (v) the New York State Department of Taxation and Finance; (vi) counsel for the official committee of unsecured creditors, Lowenstein Sandler LLP (Attn: Eric Chafetz, Esq. and Jeffrey Cohen, Esq.) and (vii) any parties required to be served under any applicable Bankruptcy Rule or Local Rule, **so as to be actually received no later than 12:00 a.m. (EST) on April 4, 2019.**

PLEASE TAKE FURTHER NOTICE that the hearing to consider the Motion may be adjourned from time to time, without further written notice to any party.

PLEASE TAKE FURTHER NOTICE THAT IF YOU INTEND TO OPPOSE THIS MOTION, WRITTEN OPPOSITION MUST BE FILED WITH THE CLERK OF THE COURT AND SERVED ON MOVANT'S COUNSEL AT LEAST SEVEN (7) DAYS PRIOR TO THE RETURN DATE. IF YOU DO NOT FILE AND SERVE WRITTEN OPPOSITION, NO HEARING WILL BE HELD ON THE RETURN DATE AND THE COURT MAY GRANT THE MOTION AS UNOPPOSED.

Dated: New York, New York
March 20, 2019

GRIFFIN HAMERSKY LLP

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