

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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 : Chapter 11  
 In re: :  
 : Case No. 15-11880 (BLS)  
 QUIKSILVER, INC., *et al.*, :  
 : Jointly Administered  
 Debtors.<sup>1</sup> :  
 :  
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**AMENDED<sup>2</sup> NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON OCTOBER 6, 2015 AT 10:00 A.M. (EASTERN)**

Set forth below are the matters scheduled to be heard before the Honorable Chief Judge Brendan L. Shannon, United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 6th Floor, Courtroom 1, Wilmington, Delaware, on October 6, 2015 beginning at 10:00 a.m. (Eastern).

**I. CONTINUED MATTERS**

1. **PSA MOTION:** Debtors’ Motion For Entry Of An Order Authorizing And Approving (I) The Debtors Assumption Of The Plan Sponsor Agreement; And (II) The Payment Of The Break-Up Fee And Related Transaction Expenses (Docket No. 25) (Date Filed: 9/9/15)

Related Documents

- a. Notice of Hearing (Docket No. 86) (Date Filed: 9/11/15)
- b. Notice Of Filing Of Amended Exhibit To Debtors’ Motion For Entry Of An Order Authorizing And Approving (I) The Debtors’ Assumption Of The Plan Sponsor Agreement; And (II) The Payment Of The Break-Up Fee And Related Transaction Expenses (Docket No. 128) (Date Filed: 9/21/15)

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Quiksilver, Inc. (9426), QS Wholesale, Inc. (8795), DC Direct, Inc. (8364), DC Shoes, Inc. (0965), Fidra, Inc. (8945), Hawk Designs, Inc. (1121), Mt. Waimea, Inc. (5846), Q.S. Optics, Inc. (2493), QS Retail, Inc. (0505), Quiksilver Entertainment, Inc. (9667), and Quiksilver Wetsuits, Inc. (9599). The address of the Debtors’ corporate headquarters is 5600 Argosy Circle, Huntington Beach, California 92649.

<sup>2</sup> Revisions to the prior version of the agenda appear in bold.



Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and until October 8, 2015 at 4:00 p.m. for the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter is being continued until October 14, 2015 at 1:00 p.m.

2. **CRITICAL VENDORS MOTION:** Notice of Entry of Interim Order and Final Hearing Regarding Debtors' Motion for Interim and Final Orders Pursuant to Bankruptcy Code Sections 105(a), 363(b), 1107(a), and 1108 and Bankruptcy Rules 6003 And 6004 Authorizing Payment of Critical Vendors (Docket No. 83) (Date Filed: 9/11/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and until October 8, 2015 at 4:00 p.m. for the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter is being continued until October 14, 2015 at 1:00 p.m.

3. **DIP FINANCING MOTION:** Notice of Entry of Interim Order and Final Hearing Regarding Debtors' Motion For Entry Of Interim And Final Orders Pursuant To Sections 105, 361, 362, 363 And 364 Of The Bankruptcy Code And Bankruptcy Rules 2002, 4001 And 9014 (I) Authorizing The Debtors To (A) Obtain Postpetition Financing On A Super-Priority, Senior Secured Basis And (B) Use Cash Collateral, (II) Granting (A) Liens And Super-Priority Claims And (B) Adequate Protection To Certain Prepetition Lenders, (III) Modifying The Automatic Stay, (IV) Scheduling A Final Hearing, And (V) Granting Related Relief (Docket No. 84) (Date Filed: 9/11/15)

Related

Documents

- a. Notice of Filing Exhibit C to Debtors' Motion (Docket No. 18) (Date Filed: 9/9/15)
- b. Declaration of Durc A. Savini In Support of Debtors' Motion (Docket No. 19) (Date Filed: 9/9/15)
- c. Notice Of Filing Of Executed Debtor-In-Possession Financing Credit Agreements (Docket No. 127) (Date Filed: 9/21/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and until October 8, 2015 at 4:00 p.m. for the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

- a. Limited Objection of Industrial Property Fund VII, LLC to Debtors' Motion (Docket No. 190) (Date Filed: 9/29/15)
- b. Limited Objection of West County Commerce Realty Holding Co. LLC to Debtors' Motion (Docket No. 191) (Date Filed: 9/29/15)
- c. Limited Objection Of The Macerich Company And Boulevard Invest, LLC to Debtors' Motion (Docket No. 200) (Date Filed: 10/1/15)
- d. Joinder of Federal Realty Investment Trust and GGP Limited Partnership in Limited Objection Of The Macerich Company And Boulevard Invest, LLC to Debtors' Motion (Docket No. 201) (Date Filed: 10/1/15)
- e. The Taubman Landlords' Joinder in Limited Objection Of The Macerich Company And Boulevard Invest, LLC to Debtors' Motion (Docket No. 205) (Date Filed: 10/1/15)

Status: This matter is being continued until October 14, 2015 at 1:00 p.m.

## II. MATTERS GOING FORWARD

4. **REJECTION PROCEDURES MOTION:** Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105, 365(a) And 554, Bankruptcy Rules 6006 And 9014, And Local Bankruptcy Rule 9013-1 Authorizing And Approving Procedures For Rejection Of Executory Contracts And Unexpired Leases (Docket No. 26) (Date Filed: 9/9/15)

Related  
Documents

- a. Notice of Hearing (Docket No. 87) (Date Filed: 9/11/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

- a. Objection of Federal Realty Investment Trust and GGP Limited Partnership to Debtors' Motion (Docket No. 180) (Date Filed: 9/29/15)

Status: This response is going forward.

- b. Joinder Of The Macerich Company And Boulevard Invest, LLC In Objection Of Federal Realty Investment Trust And GGP Limited Partnership To Debtors' Motion (Docket No. 183) (Date Filed: 9/29/15)

Status: This response is going forward

- c. The Taubman Landlords' Joinder In Objection Of Federal Realty Investment Trust And GGP Limited Partnership To Debtors' Motion (Docket No. 184) (Date Filed: 9/29/15)

Status: This response is going forward

- d. Joinder Of Simon Property Group, Inc. To Federal Realty Investment Trust And GGP Limited Partnership Objection To Debtors' Motion (Docket No. 185) (Date Filed: 9/29/15)

Status: This response has been resolved.

- e. Informal Response of the Official Committee of the Unsecured Creditors.

Status: This response is going forward

- f. Debtors' Reply To Objection To Debtors' Motion (Docket No. 220) (Date Filed: 10/5/15)**

General

Status: This matter is going forward.

5. **FIRST OMNIBUS REJECTION MOTION:** Debtors' First Omnibus Motion For Order Pursuant To Bankruptcy Code Sections 105(a) And 365(a) And Bankruptcy Rules 6006 And 9014 Authorizing Rejection Of Certain Executory Contracts (Docket No. 27) (Date Filed: 9/9/15)

Related  
Documents

- a. Notice of Hearing (Docket No. 88) (Date Filed: 9/11/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

- a. Nicholas Drake's Objection To Debtor's First Omnibus Motion (Docket No. 195) (Date Filed: 9/30/15)
- b. Debtors' Reply To Objection To Debtors' First Omnibus Motion (Docket No. 217) (Date Filed: 10/2/15)**

Status: This matter is going forward.

6. **SKADDEN RETENTION APPLICATION:** Debtors' Application For Order Pursuant To Bankruptcy Code Sections 327(a) And 329, Bankruptcy Rules 2014 And 2016, And Local Bankruptcy Rules 2014-1 And 2016-1 Authorizing Employment And Retention Of Skadden, Arps, Slate, Meagher & Flom LLP And Affiliates As Bankruptcy Counsel To The Debtors And Debtors In Possession Effective As Of The Petition Date (Docket No. 36) (Date Filed: 9/9/15)

Related  
Documents

- a. Notice of Hearing (Docket No. 89) (Date Filed: 9/11/15)
- b. Declaration Of Andrew Bruenjes In Support Of Debtors' Application (Docket No. 198) (Date Filed: 10/1/15)
- c. First Supplemental Declaration Of Van C. Durrer, II Under Bankruptcy Rule 2014 And Local Bankruptcy Rule 2014-1 (Docket No. 199) (Date Filed: 10/1/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

- a. Informal Response of the Office of the United States Trustee

Status: This matter is going forward.

7. **STORE CLOSING MOTION:** Notice of Entry of Interim Order and Final Hearing Regarding Debtors' Motion For Interim And Final Orders Pursuant To Bankruptcy Code Sections 105, 363, 365, And 554 And Bankruptcy Rules 6003 And 6004 (I) Authorizing The Debtors To Assume The Agreements; (II) Authorizing And Approving The Conduct Of Store Closing Or Similar Themed Sales, With Such Sales To Be Free And Clear Of All Liens, Claims, And Encumbrances, (III) Authorizing Customary Bonuses To Employees Of Closing Store Locations (Docket No. 79) (Date Filed: 9/11/15)

Related

Documents:

- a. Supplemental Declaration of Ian Fredericks in Support of Debtors' Motion (Docket No. 213) (Date Filed: 10/1/15)
- b. Supplemental Declaration of Michael D. Chartock in Support of Debtors' Motion (Docket No. 214) (Date Filed: 10/1/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/

Responses

Filed:

- a. Limited Objection Of The Taubman Landlords To Debtors' Motion (Docket No. 186) (Date Filed: 9/29/15)
- b. Debtors' Reply To The Limited Objection Of The Taubman Landlords (Docket No. 209) (Date Filed: 10/1/15)
- c. Informal Response of the Office of the United States Trustee

Status: The informal response of the Office of the United States Trustee has been resolved by agreement of the parties. This matter is going forward.

8. **EMPLOYEE WAGE MOTION:** Notice of Entry of Interim Order and Final Hearing Regarding Debtors' Motion For Interim and Final Orders Pursuant to Bankruptcy Code Sections 105(a), 363, 507(a), 1107(a) and 1108 And Bankruptcy Rule 6003, Authorizing Debtors To Pay Prepetition Wages, Compensation, And Employee Benefits (Docket No. 80) (Date Filed: 9/11/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Informal Response of the Official Committee of Unsecured Creditors

Status: This matter is going forward. **The Official Committee of Unsecured Creditors has raised certain issues which have been resolved in principle pending agreement upon the final form of order which the Debtors will present to the Court at the hearing.**

9. **UTILITIES MOTION:** Notice of Entry of Interim Order and Final Hearing Regarding Debtors' Motion For Interim And Final Orders Pursuant To Bankruptcy Code Sections 105(a) And 366 (I) Approving Debtors Proposed Form Of Adequate Assurance Of Payment, (II) Establishing Procedures For Resolving Objections By Utility Companies And (III) Prohibiting Utility Companies From Altering, Refusing Or Discontinuing Service (Docket No. 82) (Date Filed: 9/11/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Objection of Certain Utility Companies to the Debtors' Motion For Interim and Final Orders (Docket No. 144) (Date Filed: 9/23/15)

b. Informal Response of the Official Committee of Unsecured Creditors

Status: The objection has been withdrawn by agreement of the parties at Docket No. 204. **The informal response of the Official Committee of Unsecured Creditors has been resolved by agreement of the parties.**  
This matter is going forward.

10. **KCC 327(a) RETENTION APPLICATION:** Debtors' Application For Entry Of Order Pursuant To Bankruptcy Code Sections 327(a), 328, and 1107(b), Bankruptcy Rule 2014, and Local Bankruptcy Rule 2014-1 Authorizing Debtors To Employ And Retain Kurtzman Carson Consultants LLC To Provide Administrative Services *Nunc Pro Tunc* To The Petition Date (Docket No. 102) (Date Filed: 9/15/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Informal Response of the Office of the United States Trustee

Status: **The informal response of the Office of the United States Trustee has been resolved by agreement of the parties.** This matter is going forward.

11. **INTERIM COMPENSATION MOTION:** Debtors' Motion For Administrative Order Pursuant To Bankruptcy Code Sections 105(a) And 331 Establishing Interim Compensation Procedures (Docket No. 103) (Date Filed: 9/15/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Informal Response of the Office of the United States Trustee

b. Informal Response of the Official Committee of the Unsecured Creditors

Status: **This matter is being continued until October 14, 2015 at 1:00 p.m. The informal response of the Office of the United States Trustee has been resolved by agreement of the parties. The Debtors have been working, and will continue to work, with the Official Committee of Unsecured Creditors regarding issues they have communicated in connection with the October 14 continued hearing.**

12. **EXTEND SCHEDULES AND STATEMENTS MOTION:** Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105 And 521, Bankruptcy Rule 1007(c), And Local Bankruptcy Rule 1007-1(b) Extending Time For Debtors To File Schedules And Statements (Docket No. 112) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.



Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

13. **EXTEND RULE 2015.3 MOTION:** Debtors' Motion For Order Pursuant To Bankruptcy Rules 2015.3 And 9006 And Local Bankruptcy Rule 9006-2 Extending Time To File Reports Of Financial Information Under Bankruptcy Rule 2015.3 Or To Seek Modification Of Such Reporting Requirement (Docket No. 113) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

14. **ORDINARY COURSE PROFESSIONALS MOTION:** Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105(a), 327, 330 And 331 Authorizing Debtors To Employ And Pay Professionals Utilized In The Ordinary Course Of Business (Docket No. 114) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed:

a. Informal Response of the Official Committee of Unsecured Creditors

**b. Informal Response of the Office of the United States Trustee**

Status: **The informal response of the Office of the United States Trustee has been resolved by agreement of the parties. The Official Committee of Unsecured Creditors has raised certain issues which have been resolved in principle pending agreement upon the final form of order which the Debtors will present to the Court at the hearing.** This matter is going forward.

15. **PACHULSKI RETENTION APPLICATION:** Debtors' Application For Order Pursuant To Sections 327(A) And 329 Of The Bankruptcy Code And Bankruptcy Rules 2014 And 2016 And Local Bankruptcy Rules 2014-1 And 2016-1 Authorizing The Employment And Retention Of Pachulski Stang Ziehl & Jones LLP As Co-Counsel For The Debtors *Nunc Pro Tunc* To The Petition Date (Docket No. 115) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed: None at the time of filing this agenda.

Status: This matter is going forward.

16. **BAR DATE MOTION:** Debtors' Motion For Order Pursuant To Bankruptcy Code Sections 105, 501, 502, 503, And 1111(a), Bankruptcy Rules 2002, 3003(c)(3), And 9007, And Local Bankruptcy Rules 1009-2 And 2002-1(e) (I) Setting General Bar Date, (II) Establishing Procedures For Filing Proofs Of Claim, And (III) Approving Form And Manner Of Notice Thereof (Docket No. 116) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses

Filed:

- a. Informal Response of the Office of the United States Trustee

Status: **The informal response of the Office of the United States Trustee has been resolved by agreement of the parties.** This matter is going forward.

17. **PETER J. SOLOMON RETENTION APPLICATION:** Debtors' Application Pursuant To Bankruptcy Code Sections 105(a), 327(a), And 328(a), Bankruptcy Rules 2014 And 2016, And Local Bankruptcy Rules 2014-1 And 2016-2 (A) Authorizing Employment And Retention Of Peter J. Solomon Company As Investment Banker For The Debtors And Debtors In Possession, *Nunc Pro Tunc* To The Petition Date, (B) Waiving Certain Timekeeping Requirements Pursuant To Local Bankruptcy Rule 2016-2(h), And (C) Granting Related Relief (Docket No. 117) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Informal Response of the Office of the United States Trustee

**Status: This matter is being continued until October 14, 2015 at 1:00 p.m.**

18. **FTI RETENTION APPLICATION:** Debtors' Application Pursuant To Bankruptcy Code Sections 105(a) And 363(b) (I) Authorizing Debtors To (A) Retain FTI Consulting, Inc. To Provide The Debtors With Stephen Coulombe As Their Designated Chief Restructuring Officer And Other Temporary Employees, Effective As Of The Petition Date; And (II) Approving The Engagement Agreement Between The Debtors And FTI Consulting, Inc. (Docket No. 118) (Date Filed: 9/17/15)

Objection

Deadline: September 29, 2015 at 4:00 p.m. (Eastern), extended until October 2, 2015 at 4:00 p.m. for the Office of the United States Trustee and the Official Committee of Unsecured Creditors.

Objections/  
Responses  
Filed:

a. Informal Response of the Office of the United States Trustee

**Status: This matter is being continued until October 14, 2015 at 1:00 p.m.**

Dated: Wilmington, Delaware  
October 5, 2015

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Van C. Durrer, II

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