

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

STAGE STORES, INC., *et al.*¹

DEBTORS.

Chapter 11

Case No. 20-32564

Jointly Administered

NOTICE OF FILING OF COMPETING PROPOSED ORDERS REGARDING
JACKSON WALKER LLP'S EMERGENCY MOTION FOR ENTRY OF AN ORDER
REQUIRING ANY PARTY-IN-INTEREST WHO ASSERTS STANDING OR
INDISPENSABLE PARTY STATUS TO FILE A NOTICE STATING A BASIS FOR
INDISPENSABLE PARTY STATUS OR STANDING IN CONNECTION
WITH JACKSON WALKER LLP FEE MATTERS

[Relates to Dkt. Nos. 1222 & 1231]

PLEASE TAKE NOTICE that on January 3, 2024, Jackson Walker LLP filed its *Emergency Motion for Entry of an Order Requiring Any Party-in-Interest Who Asserts Standing or Indispensable Party Status to File a Notice Stating a Basis for Indispensable Party Status or Standing in Connection with Jackson Walker LLP Fee Matters* (the "Motion") [Dkt. No. 1222]. The U.S. Trustee filed an objection to that Motion on January 24, 2024 (the "Objection") [Dkt. No. 1231].

PLEASE TAKE FURTHER NOTICE that, in connection with the upcoming March 21, 2024 continued status conference, (1) attached hereto as **Exhibit A** is Jackson Walker's proposed form of order (the "JW Proposed Order"); (2) attached hereto as **Exhibit B** is the U.S. Trustee's proposed form of order (the "U.S. Trustee Proposed Order"); and (3) attached hereto as **Exhibit C** is a redline of the JW Proposed Order against the U.S. Trustee Proposed Order.

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¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Stage Stores, Inc. (6900) and Specialty Retailers, Inc. (1900). The Debtors' service address is: 2425 West Loop South, Houston, Texas 77027.



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Dated: March 19, 2024

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

By: /s/ Jason L. Boland

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Counsel for Jackson Walker LLP

CERTIFICATE OF SERVICE

I certify that on March 19, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

By: /s/ Jason L. Boland

Jason L. Boland

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FILE A NOTICE STATING A BASIS FOR SUCH STANDING IN CONNECTION WITH
JACKSON WALKER LLP FEE MATTERS**

On November 2, 2023, the United States Trustee (the “**U.S. Trustee**”) filed a *Motion for Relief from Judgment or Order Pursuant to Federal Rule of Civil Procedure 60(b)(6) and Federal Rule of Bankruptcy Procedure 9024 Approving Any Jackson Walker Applications for Compensation and Reimbursement of Expense* [Dkt. No. 1216] (the “**Rule 60(b)(6) Motion**”), requesting that the Court vacate certain orders approving fees previously awarded to Jackson Walker LLP (“**Jackson Walker**”) in these cases. Jackson Walker has disputed the relief requested by the U.S. Trustee.

On December 9, 2023, the Chief Bankruptcy Judge Eduardo V. Rodriguez entered an *Order Commencing Miscellaneous Proceeding Regarding Employment Orders and Awarded Fees and Expenses to Jackson Walker, LLP in Affected Cases*, initiating Case No. 23-00645, *In re Professional Fee Matters Concerning Jackson Walker Law Firm* (the “**Miscellaneous Proceeding**”). The Miscellaneous Proceeding consolidated all procedural pre-trial and discovery matters in cases where the U.S. Trustee filed a Rule 60(b)(6) Motion.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Stage Stores, Inc. (6900) and Specialty Retailers, Inc. (1900). The Debtors’ service address is: 2425 West Loop South, Houston, Texas 77027.

On December 11, 2023, the Court entered its *Case Management Order* [Dkt. No. 1221] (the “**Case Management Order**”) transferring all procedural pre-trial and discovery matters related to the Rule 60(b)(6) Motion to the Miscellaneous Proceeding.

On January 3, 2024, Jackson Walker filed an *Emergency Motion for Entry of an Order Requiring any Party-in-Interest Who Asserts Standing or Indispensable Party Status to File a Notice Stating Basis for Indispensable Party Status or Standing in Connection with Jackson Walker LLP Fee Matters* [Dkt. No. 1222] (the “**Standing Motion**”).

On January 24, 2024, the U.S. Trustee filed an objection to the Standing Motion [Dkt. No. 1231] (the “**Objection**”), and announced that he would amend the Rule 60(b)(6) Motion. On that same date, Chief Bankruptcy Judge Rodriguez entered a Scheduling Order in the Miscellaneous Proceeding that set various dates and deadlines for the U.S. Trustee and Jackson Walker to file certain pleadings and to conduct discovery in respect to the Rule 60(b)(6) Motion.

On February 29, 2024, the U.S. Trustee filed an *Amended and Supplemental Motion for (1) Relief from Judgment Pursuant to Federal Rule of Civil Procedure 60(b)(6) and Federal Rule of Bankruptcy Procedure 9024 Approving the Retention and Compensation Applications of Jackson Walker LLP, (2) Sanctions, and (3) Related Relief* [Dkt. No. 1241] (the “**Amended Rule 60(b)(6) Motion**”). The Amended Rule 60(b)(6) Motion seeks the vacatur of the Order authorizing Jackson Walker’s employment in these cases, return of fees awarded to Jackson Walker by former Judge David R. Jones, and other related relief. Jackson Walker disputes the relief requested by the U.S. Trustee in the Amended Rule 60(b)(6) Motion.

Any party-in-interest that claims to have standing to seek that Jackson Walker return compensation to these bankruptcy estates must file a notice with this Court asserting the basis for such rights. Accordingly, it is hereby **ORDERED** that

1. By **Monday, April 15, 2024, at 5:00 pm (prevailing Central Time)** any party-in-interest that claims to have standing to seek that Jackson Walker return compensation to these bankruptcy estates and who wishes to participate in seeking such relief ***must*** file a notice with the Court asserting the basis of such standing.

2. Jackson Walker and the U.S. Trustee may each file a response to any notices filed no later than **May 3, 2024, at 5:00 p.m. (prevailing Central Time)**.

3. Failure to timely file a notice as required by paragraph 1 of this Order ***will bar*** any party from later asserting the right to participate in the Amended Rule 60(b)(6) Motion and/or from otherwise bringing claims against Jackson Walker related to or arising from the retention and fee orders previously entered in these cases or the allegations set forth in the Amended Rule 60(b)(6) Motion, or otherwise seeking the return of any fees by Jackson Walker to these bankruptcy estates. The forgoing is not intended to expand or diminish the Court's jurisdiction. Further, because a plan has been confirmed, the terms of that confirmed plan may control whether any party-in-interest can participate in these proceedings. Nothing in this Order creates standing that does not otherwise exist under applicable law, or otherwise relieves any party in interest asserting standing from satisfying any applicable standing requirements, whether under statute, the U.S. Constitution, or other applicable law.

4. A party-in-interest eligible to receive distributions under the confirmed plan need not take further action to preserve its rights under the confirmed plan and ***failure to file a Notice will NOT preclude an eligible party-in-interest from receiving distributions under the confirmed plan.***

5. The Court will conduct a hearing on _____ at __:__.m (prevailing Central Time) to determine who has standing to seek that Jackson Walker return compensation to

the bankruptcy estates or has a right to participate in the Amended Rule 60(b)(6) Motion. Any party who files a Notice should appear at the hearing and be prepared to argue the merits of the Notice.

6. The Clerk is directed to serve this Order on all parties-in-interest. The United States Trustee and Jackson Walker must serve a copy of this Order on any additional person or entity who they reasonably believe might have an interest or claim affected by this Order.

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3. Failure to timely file a notice as required by paragraph 1 of this Order ***will bar*** any party from later asserting the right to participate in the Amended Rule 60(b)(6) Motion. Further, because a plan has been confirmed, the terms of that confirmed plan may control whether any party-in-interest can participate in these proceedings. Nothing in this Order creates standing that does not otherwise exist under applicable law, or otherwise relieves any party in interest asserting standing from satisfying any applicable standing requirements, whether under statute, the U.S. Constitution, or other applicable law.

4. A party-in-interest eligible to receive distributions under the confirmed plan need not take further action to preserve its rights under the confirmed plan and ***failure to file a Notice will NOT preclude an eligible party-in-interest from receiving distributions under the confirmed plan.***

5. The Court will conduct a hearing on _____ at __: __.m (prevailing Central Time) to determine who has standing to seek that Jackson Walker return compensation to the bankruptcy estates or has a right to participate in the Amended Rule 60(b)(6) Motion. Any party who files a Notice should appear at the hearing and be prepared to argue the merits of the Notice.

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