

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
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In re: Chapter 11
CINEMEX HOLDINGS USA, INC., Case No. 20-14696-LMI
Reorganized Debtor. (Formerly Jointly Administered Under
Lead Case: Cinemex USA Real Estate
Holdings, Inc., Case No. 20-14695-LMI)

**FIFTH JOINT MOTION REQUESTING AN EXTENSION OF
TIME FOR USEF HCG FENTON LLC TO FILE A RESPONSE
TO THE OBJECTION TO CLAIM NOS. 26 AND 36 OF
USEF HCG FENTON LLC**

Cinemex Holdings USA, Inc. (“Cinemex” or the “Reorganized Debtor”) and USEF HCG Fenton LLC (“Fenton” and together with the Reorganized Debtor, the “Parties”) file this Fifth Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (the “Fifth Joint Motion”) and state as follows:

1. On July 3, 2020, Fenton filed two proofs of claim with the Court: Proof of Claim no. 26 filed in Case No. 20-14696, and Proof of Claim no. 36 filed in Case No. 20-14699 (together, “Proofs of Claim”).
2. On June 23, 2021, Cinemex filed an Objection to Claim Nos. 26 and 36 of Fenton (ECF No. 179) (the “Objection”).
3. The deadline for Fenton to file a response to the Objection was July 23, 2021 (the “First Objection Deadline”).
4. On July 23, 2021, the Parties filed a Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 198).

5. On July 23, 2021, the Court entered an Agreed Order Granting Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 200), setting the new objection deadline as August 6, 2021 (the “Second Objection Deadline”).

6. On August 6, 2021, the Parties filed Second Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 222).

7. On August 11, 2021, the Court entered an Agreed Order Granting the Second Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 233), setting the new objection deadline as August 20, 2021 (the “Third Objection Deadline”).

8. On August 20, 2021, the Parties filed the Third Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 227).

9. On August 30, 2021, the Court entered an Agreed Order Granting the Third Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 229), setting the new objection deadline as September 3, 2021 (the “Fourth Objection Deadline”).

10. On September 3, 2021, the Parties filed the Fourth Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 227).

11. On September 10, 2021, the Court entered an Agreed Order Granting the Fourth Joint Motion Requesting an Extension of Time for USEF HCG Fenton LLC to File a Response to

the Objection to Claim Nos. 26 and 36 of USEF HCG Fenton LLC (ECF No. 231), setting the new objection deadline as September 17, 2021 (the “Fifth Objection Deadline”).

12. Fenton and the Reorganized Debtors have now agreed (i) that the administrative portion of Claim Nos. 26 and 36 will be reclassified as general unsecured claims in amounts to be agreed by Fenton and the GUC Trustee or as determined by the Court; (ii) that the priority Claim No. 36 of Fenton in Case No. 20-14699 will be reclassified as general unsecured; and (iii) that the objection to the unsecured portions of claim Nos. 26 and 36 will be held in abeyance pending agreement of Fenton and the GUC Trustee or a determination by the Court regarding the amount of the unsecured portion of Claim Nos. 26 and 36.

13. This extension is without prejudice to further written extensions as may be agreed upon by the Parties.

WHEREFORE, the Reorganized Debtor and Fenton respectfully request entry of an order granting the Fifth Joint Motion and holding the deadline for Fenton to file a response to the Objection in abeyance as set forth herein.

Respectfully submitted this 17th day of September, 2021.

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