

**ALSTON & BIRD LLP**

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*Counsel to the Debtors and  
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	CHAPTER 11
	)	
KG WINDDOWN, LLC, <i>et al.</i> , <sup>1</sup>	)	
	)	CASE NO. 20-11723 (MG)
Debtors.	)	
	)	(Jointly Administered)

**AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JUNE 7, 2021 AT 11:00 A.M. (EASTERN TIME)**

Location of Hearing: Pursuant to *Order Establishing Procedures for Remote Evidentiary Hearing at 3:00 p.m., December 16, 2020, for Sale of Debtors' Assets* (Dkt. 339) the hearing will be held via Zoom for Government.

**I. UNCONTESTED MATTERS**

1. Second and Final Application of Alston & Bird LLP for Allowance of Fees and Reimbursement of Expenses as Counsel for the Debtors and Debtors In Possession (I)

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number (if any), include: KG Winddown, LLC (8556); KG USA Winddown, LLC (1682); KG III Winddown, LLC (2613); KG LV Winddown, LLC (9805); KG Florida Winddown, LLC (9385); KG Puerto Rico Winddown, LLC (0901); KG AC Winddown, LLC (5082); KG Products Winddown, LLC (0303); KG LI Restaurant Group Winddown, LLC (1623); KG LI Winddown, LLC (1488); KG Franchise Winddown, LLC (0565); KG 60<sup>th</sup> St Holdings Winddown, LLC (9997); KG Broadway Winddown, LLC (4335); KG Hamptons Winddown, LLC (0423) and KG Payroll Winddown, LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 12 Penns Trail, Suite 125, Newton, PA 18940.

For the Period November 1, 2020 through June 7, 2021; and (II) for the Period July 28, 2020 through June 7, 2021 [Dkt. No. 475]

**Responses Filed:** None filed.

**Related Pleadings:**

- a. Second and Final Application of Alston & Bird LLP for Allowance of Fees and Reimbursement of Expenses as Counsel for the Debtors and Debtors In Possession (I) For the Period November 1, 2020 through June 7, 2021; and (II) for the Period July 28, 2020 through June 7, 2021[Dkt. 490]

**Status:** This matter is going forward. Alston & Bird LLP has received an informal objection from the United States Trustee (“UST”). Alston & Bird LLP has agreed to a voluntary reduction of \$10,000 in resolution of the UST’s informal objection.

2. Second and Final Application of Davis & Gilbert LLP, Special Counsel to Debtors, for Compensation and Reimbursement of Expenses (I) for the Period November 1, 2020 through March 31, 2021 and (II) For the Period July 28, 2020 through March 31, 2021 [Dkt. 476]

**Responses Filed:** None filed.

**Related Pleadings:** None filed.

**Status:** This matter is going forward. Davis & Gilbert LLP has received an informal objection from the United States Trustee. Davis & Gilbert LLP has agreed to a voluntary reduction of \$500 in resolution of the UST’s informal objection.

3. First and Final Application of Mackinac Partners, LLC for Allowance of Fees and Reimbursement of Expenses as Chief Restructuring Officer for the Debtors for the Period August 14, 2020 through June 7, 2021 [Dkt. 477]

**Responses Filed:** None filed.

**Related Pleadings:** None filed.

**Status:** This matter is going forward.

4. First and Final Application for Allowance of Compensation for Services Rendered by Keen-Summit Capital Partners LLC as Real Estate Advisor for the Debtors [Dkt. 478]

**Responses Filed:** None filed.

**Related Pleadings:** None filed.

**Status:** This matter is going forward.

5. Debtors' First Omnibus Objection to (A) Duplicative Claims, (B) Claims Inconsistent with the Debtors' Books and Records, and (C) Reclassified Claims [Dkt. 469] (the "**First Omnibus Objection**")

**Responses Filed:** None filed.

**Related Pleadings:**

- a. Notice of Filing of Revised Proposed Order Granting Debtors' First Omnibus Objection to (A) Duplicative Claims, (B) Claims Inconsistent with the Debtors' Books and Records, and (C) Reclassified Claims [Dkt. 488]

**Status:** This matter is going forward. Counsel received inquiries from various claimants and an informal objection from the State of New Jersey. No objections were filed with the Court. The Debtors will be submitting a stipulation resolving the claims of the State of New Jersey and have filed a revised proposed order removing the State of New Jersey claims from the proposed order approving the First Omnibus Objection.

## **II. CONTESTED MATTERS**

6. Debtors' Motion for Entry of Orders (I) Authorizing the Debtors to Make Distributions to Allowed Administrative Expense Claims; (II) Dismissing the Debtors' Chapter 11 Cases; (III) Establishing Procedures with Respect to Final Fee Applications; (IV) Authorizing the Debtors Entities to be Disallowed in Accordance with Applicable State Law; and (V) Granting Related Relief [Dkt. 480]

**Responses Filed:**

- a. United States Trustee's Objection to the Debtors' Motion for Entry of Orders (I) Authorizing the Debtors to Make Distributions to Allowed Administrative Expense Claims; (II) Dismissing the Debtors' Chapter 11 Cases; (III) Establishing Procedures with Respect to Final Fee Applications; (IV) Authorizing the Debtors Entities to be Disallowed in Accordance with Applicable State Law; and (V) Granting Related Relief [Dkt. 482].

**Related Pleadings:**

- a. Declaration of Craig M. Boucher in Support of Debtors' Motion for Entry of Orders (I) Authorizing the Debtors to Make Distributions to Allowed Administrative Expense Claims; (II) Dismissing the Debtors' Chapter 11 Cases; (III) Establishing Procedures with Respect to Final Fee Applications; (IV) Authorizing the Debtors Entities to be Disallowed in Accordance with Applicable State Law; and (V) Granting Related Relief [Dkt. 480]
- b. Debtors' Reply to the United State Trustee's Objection to the Motion for Entry of Orders (I) Authorizing the Debtors to Make Distributions to Allowed Administrative Expense Claims; (II) Dismissing the Debtors' Chapter 11 Cases; (III) Establishing Procedures with Respect to Final Fee Applications; (IV) Authorizing the Debtors Entities to be Disallowed in Accordance with Applicable State Law; and (V) Granting Related Relief [Dkt. 484]
- c. Declaration of Craig M. Boucher in Support of Debtors' Reply to the United State Trustee's Objection to the Motion for Entry of Orders (I) Authorizing the Debtors to Make Distributions to Allowed Administrative Expense Claims; (II) Dismissing the Debtors' Chapter 11 Cases; (III) Establishing Procedures with Respect to Final Fee Applications; (IV) Authorizing the Debtors Entities to be Disallowed in Accordance with Applicable State Law; and (V) Granting Related Relief [Dkt. 485].
- d. BSP's Reply in Support of the Dismissal Motion [Dkt. 483]
- e. Notice of Filing of Stipulation Regarding Revised Proposed Order of Dismissal [Dkt. 486]

**Status:** This matter is going forward.

Dated: June 4, 2021

**ALSTON & BIRD LLP**

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