

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
www.flmb.uscourts.gov

In re:	Chapter 11
STEIN MART, INC.¹	Case No. 3:20-bk-02387
STEIN MART BUYING CORP.	Case No. 3:20-bk-02388
STEIN MART HOLDING CORP.,	Case No. 3:20-bk-02389
Debtors.	Joint Administration Requested

NOTICE OF EMERGENCY PRELIMINARY HEARING

NOTICE IS HEREBY GIVEN THAT:

1. Except as expressly authorized by the court, appearances of parties or their counsel shall be solely via telephone pursuant to the instructions below.
2. An emergency hearing (the “First Day Hearing”) will be held on Friday, August 14, 2020, at 10:30 a.m. (prevailing Eastern Time) before the Honorable Jerry A. Funk, United States Bankruptcy Judge, to consider and act upon the following matters:²
 - *Debtors’ Emergency Motion Pursuant to Fed. R. Bankr. P. 1015(b) for Entry of Order Directing Joint Administration of Related Chapter 11 Cases and Request for Emergency Hearing* [Docket No. 2];
 - *Omnibus Notice of Filing of Debtors’ Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed* [Docket No. 40];
 - *Certificate of Necessity of Request for Emergency Hearing* [Docket No. 6];
 - *Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Use of Cash Collateral and Affording Adequate Protection; (II) Modifying*

¹ The tax identification numbers of the Debtors are as follows: Stein Mart, Inc. 6198; Stein Mart Buying Corp. 1114; and Stein Mart Holding Corp. 0492. The address of the Debtors’ principal offices: 1200 Riverplace Blvd., Jacksonville, FL 32207. The Debtors’ claims agent maintains a website, <https://cases.stretto.com/SteinMart>, which provides copies of the Debtors’ first day pleadings and other information related to the case.

² Docket numbers referenced herein reflect the docket number filed in the proposed lead case, Stein Mart, Inc., Case No. 3:20-bk-02387.

Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [Docket No. 7];

- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A) And 363 For Entry Of Interim and Final Orders (I) Approving Cash Management System, (II) Authorizing the Debtors to Continue Using Existing Bank Accounts and Business Forms and (III) Authorizing the Debtors to Continue Intercompany Transactions [Docket No. 14];*
 - *Omnibus Notice of Filing of Debtors' Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed [Docket No. 40];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A), 363, and 507(A) for Interim and Final Authority to (I) Pay Certain Pre-Petition Wages and Reimbursable Employee Expenses, (II) Pay and Honor Employee Medical and Other Benefits, and (III) Continue Employee Benefits Programs, and for Related Relief [Docket No. 15];*
 - *Omnibus Notice of Filing of Debtors' Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed [Docket No. 40];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A) and 521, and Fed. R. Bankr. P. 1007(A) and 2002(A) and (F), for Entry of an Order Authorizing the Debtors to (A) Prepare a List of Creditors in Lieu of a Formatted Mailing Matrix, (B) File a Consolidated List of the Debtors' 20 Largest Unsecured Creditors, (C) Mail Initial Notices and (D) Waiving the Requirement to File a List of Equity Security Holders [Docket No. 18];*
 - *Omnibus Notice of Filing of Debtors' Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed [Docket No. 40];*
- *Debtors' Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Assume the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, and (III) Approving the Implementation of Customary Store Bonus Program and Payments to Non-Insiders Thereunder [Docket No. 19];*
 - *Notice of filing of Debtors' Proposed Orders References in Debtors' Amended Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Assume the Consultant Agreement, (II) Approving Procedures for Store Closing Sales, and (III) Approving the Implementation of Customary Store Bonus Program and Payments to Non-Insiders Thereunder [Docket No. 25];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A), 363(B), 365 and 507(A) for Interim and Final Authority to (I) Maintain and Administer Pre-Petition Customer Programs, Promotions, and Practices, (II) Pay and Honor*

Related Pre-Petition Obligations, and (III) Direct the Credit Card Processors to Honor the Debtors' Credit Card Processing Agreement Pending its Assumption or Rejection [Docket No. 23];

- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105 and 363 for Interim and Final Orders Authorizing the Debtors to Pay Pre-Petition Shipping Charges in the Ordinary Course of Business [Docket No. 27];*
- *Debtors' Emergency Motion for Entry of an Order Authorizing and Approving Procedures for Rejection of Executory Contracts and Unexpired Leases [Docket No. 28];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A), 363(B), 507(A), and 541 for Entry of an Order Authorizing, but not Directing, the Debtors to Pay Certain Pre-Petition Taxes and Fees [Docket No. 29];*
- *Debtors' Emergency Motion to Establish Procedures to Permit Monthly Payment of Interim Fee Applications of Chapter 11 Professionals [Docket No. 30];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A), 363(B), and 503(B) for Interim And Final Authority to (I) Maintain, Renew, and Continue Their Insurance Policies and Programs and (II) Honor All Insurance Obligations [Docket No. 31];*
- *Emergency Motion of Debtors Pursuant to 11 U.S.C. §§ 105(A), 327 and 330 for Authority to Employ Professionals Used in the Ordinary Course of Business [Docket No. 32];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A) and 521(A) and Fed. R. Bankr. P. 1007(C) for Entry of an Order Extending Time to File Their Schedules of Assets and Liabilities and Statements of Financial Affairs [Docket No. 33];*
- *Emergency Motion of Debtors for Entry of Order (I) Authorizing Debtors to Redact Certain Personal Identification Information in Creditor List and Certain Other Documents and (II) Granting Related Relief [Docket No. 34];*
- *Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105(A) and 366 for an Order (I) Approving Debtors' Proposed Form of Adequate Assurance of Payment to Utility Providers, (II) Establishing Procedures for Determining Adequate Assurance of Payment for Future Utility Services, and (III) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Service [Docket No. 36];*
- *Debtors' Application for Entry of an Order Pursuant to 28 U.S.C. § 156(c) (I) Approving the Retention and Appointment of Stretto as Notice, Claims, and Solicitation Agent to the Debtors, Effective Nunc Pro Tunc to the Petition Date, and (II) Granting Related Relief [Docket No. 38].*

3. The Court will also conduct a scheduling conference at the First Day Hearing.
4. The Court may continue these matters upon announcement made in open court without further notice.
5. Telephonic Appearance Requirement. Telephonic appearances for this hearing must be arranged by contacting CourtCall
6. March 16, 2020, and continuing until further notice, Judges in all Divisions will conduct all hearings by telephone. For the Honorable Jerry A. Funk, telephonic appearances must be arranged by contacting CourtCall on its website at www.courtcall.com or by telephone at 1-866-582-6878 or 1-888-882-6878. **Parties wishing to use CourtCall must register individually with CourtCall prior to the hearing and provide a payment method for the CourtCall charge, which varies.** Generally, registration must be completed by 5:00 p.m. EST the day before the hearing.

Additional information and court documents related to the bankruptcy cases can be located at <https://cases.stretto.com/SteinMart>.

[Remainder of page intentionally left blank]

Dated: Jacksonville, Florida
August 12, 2020

Respectfully submitted,
FOLEY & LARDNER LLP

/s/ Gardner F. Davis

Gardner F. Davis (FL 0471712)

Telephone: 904.359.8726

Email: gdavis@foley.com

John J. Wolfel (FL 30664)

Telephone: 904.359.8778

Email: jwolfel@foley.com

Neda A. Sharifi (FL 112172)

Telephone: 904.359.8719

Email: nsharifi@foley.com

Richard E. Guyer (FL 1004150)

Telephone: 904.633.8902

Email: rguyer@foley.com

One Independent Drive, Suite 1300

Jacksonville, FL 32202-5017

and

Mark J. Wolfson (FL 0352756)

Foley & Lardner LLP

100 N Tampa St Suite 2700

Tampa, FL 33602

Telephone: 813.225.4119

Email: mwolfson@foley.com

and

Marcus Helt (TX 24052187)

Foley & Lardner LLP

2021 McKinney Avenue, Suite 1600

Dallas, TX 75201

Telephone: 214.999.4526

Email: mhelt@foley.com

Pro hac vice admission pending

*Proposed Counsel for Debtors
and Debtors in Possession*