

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

**FIRST DAY AGENDA FOR HEARING
ON AUGUST 14, 2020 AT 10:30 A.M. [PREVAILING EASTERN TIME]**

I. INTRODUCTION

1. “First Day Declaration” *Declaration of Hung Hawkins in Support of Debtors’ Chapter 11 Petitions and First Day Motions* [Docket No. 5].²
 - a. *Debtors’ Chapter 11 Case Management Summary* [Docket No. 5, Exhibit A].

II. JOINT ADMINISTRATION & CERTIFICATE OF NECESSITY

2. “Joint Administration Motion” *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].
 - a. *Omnibus Notice of Filing of Debtors’ Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed* [Docket No. 40];
3. “Certificate of Necessity” *Certificate of Necessity of Request for Emergency Hearing* [Docket No. 6].

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.

III. FINANCING MOTION

4. *“Cash Collateral Motion” Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Use of Cash Collateral and Affording Adequate Protection; (II) Modifying Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [Docket No. 7].*
 - a. *Declaration of Patrick Diercks in Support of the Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Use of Cash Collateral and Affording Adequate Protection; (II) Modifying Automatic Stay; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [Docket No. 16].*

IV. STORE CLOSING MOTION

5. *“Store Closing Motion” 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].*
 - a. *Declaration of Ian Fredericks in Support of Debtors’ 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. 11].*
 - b. *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];*

V. OPERATIONAL MOTIONS

6. *“Rejection Procedures Motion” Debtors’ Emergency Motion for Entry of an Order Authorizing and Approving Procedures for Rejection of Executory Contracts and Unexpired Leases [Docket No. 28].*
7. *“Cash Management Motion” 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].*
 - a. *Omnibus Notice of Filing of Debtors’ Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed [Docket No. 40];*

8. *“Wages Motion” 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].*
 - a. *Omnibus Notice of Filing of Debtors’ Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed [Docket No. 40];*
9. *“Customer Programs Motion” 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].*
10. *“Shippers Motion” 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].*
11. *“Insurance Motion” 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].*
12. *“Taxes Motion” 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].*
13. *“Utilities Motion” 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].*
14. *“OCB Motion” 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].*

VI. ADMINISTRATIVE MOTIONS

15. *“Claims and Noticing Agent Retention Application” 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].*

16. “Creditor Matrix Motion” 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].
 - a. *Omnibus Notice of Filing of Debtors’ Proposed Interim and Final Orders in Connection with Certain Motions Previously Filed* [Docket No. 40];
17. “Schedules Extension Motion” 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].
18. “Interim Compensation Motion” Debtors’ Emergency Motion to Establish Procedures to Permit Monthly Payment of Interim Fee Applications of Chapter 11 Professionals [Docket No. 30].
19. “PII Redaction Motion” 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].

VII. SCHEDULING CONFERENCE

The Debtors reserve the right to amend this *First Day Agenda* as appropriate.

Dated: Jacksonville, Florida
August 12, 2020

Respectfully submitted,
FOLEY & LARDNER LLP

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Pro hac vice admission pending

*Proposed Counsel for Debtors
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