

David B. Shemano, Esq.
ROBINS KAPLAN LLP
601 Lexington Ave., Suite 3400
New York, NY 10022-4611
Telephone: (212) 980-7400
Fax: (212) 980-7499

- and -

Howard J. Weg, Esq.
Scott F. Gautier, Esq.
ROBINS KAPLAN LLP
2049 Century Park East, Suite 3400
Los Angeles, CA 90067
Telephone: (310) 552-0130
Fax: (310) 229-5800

Proposed Counsel for Debtors and Debtors in Possession

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

In re:	Chapter 11
33 PECK SLIP ACQUISITION LLC, <i>et al.</i> ¹	Case No. 15-12479
Debtor.	(Jointly Administered)

**NOTICE OF TREATMENT OF EXECUTORY CONTRACTS
AND UNEXPIRED LEASES UNDER THE DEBTORS'
JOINT LIQUIDATING PLAN DATED OCTOBER 16, 2015**

PLEASE TAKE NOTICE that a hearing to confirm the Debtors' Joint Plan Of Liquidation (the "Plan")² filed by 33 Peck Slip Acquisition LLC; 36 West 38th Street LLC; Gemini 37 West 24th Street Mt, LLC; and 52 West 13th P, LLC, as debtors and debtors-in-possession in the above-captioned jointly administered chapter 11 cases (the

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: 33 Peck Slip Acquisition LLC (3412), 52 West 13th P, LLC (4970), 36 West 38th Street, LLC (6842), and Gemini 37 West 24th Street MT, LLC (4143).

² Capitalized terms used herein shall have the meaning ascribed to them in the Plan unless otherwise defined.

“Debtors”), will commence on November 30, 2015 at 2:00 p.m. (prevailing Eastern time) before the Honorable James L. Garrity, United States Bankruptcy Judge, in Room 601 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004.

Attached as Exhibit A is a list of all known executory contracts and unexpired leases (collectively, “Executory Contracts”) affected by the Plan.

Article 7.1 of the Plan governs the treatment of Executory Contracts and Unexpired Leases under the Plan and should be carefully reviewed by all parties to an Executory Contract with the Debtors. In summary, all Executory Contracts and Unexpired Leases will be rejected unless, on or prior to the Effective Date, the Debtors serve notice of intent to assume such Executory Contract or Unexpired Lease. The Debtors expect that substantially all of the Executory Contracts will be assumed and assigned to the respective buyers of the Debtors’ Real Estate Assets.

Assumed Contracts

Pursuant to Real Estate Sale Agreements entered into between the Debtors and buyers of the Debtors’ Real Estate Assets, the buyers of the assets have the right to designate Executory Contracts to be assumed. When a decision is made by the Debtors or the buyers, as applicable, to assume an Executory Contract, the Debtors shall serve a Notice of Assumption and Assignment on the non-Debtor party to the Executory Contract. The Notice of Assumption and Assignment shall provide for the cure of any defaults and satisfaction of other preconditions to assumption and assignment consistent with the requirements of section 365(b)(1) of the Bankruptcy Code. No provision of any agreement or other document that permits a person to terminate or modify an agreement or to otherwise modify the rights of the Debtors based on the filing of the Chapter 11 Cases or the financial condition of the Debtors shall be enforceable. All cure payments under any assumed contract will be made on the Effective Date or as soon as practicable thereafter. If the cure payment is required by a Real Estate Sale Agreement, the cure payment will be made in accordance with the Real Estate Sale Agreement.

If the non-Debtor party to the Executory Contract or Unexpired Lease objects to the assumption and assignment or cure amount, the non-Debtor party must file an objection with the Bankruptcy Court within 14 days of the service of the Notice of Assumption and Assignment. In the event of a dispute concerning the assumption, Article 6.8 of the Plan and an applicable Real Estate Sale Agreement shall govern and cure payments required by section 365(b)(1) of the Bankruptcy Code shall be paid upon entry of a Final Order resolving such dispute or otherwise consistent with the applicable Real Estate Sale Agreement.

Rejected Contracts

If you receive a notice that your Executory Contract or Unexpired Lease will be or has been rejected, or if the Effective Date occurs and you have not received a Notice of Assumption and Assignment, you must file a proof of claim for rejection damages no later than thirty (30) days after the earlier of: (1) the Effective Date of the Plan; and (2) the effective date of such rejection.

Dated: New York, New York
October 16, 2015

ROBINS KAPLAN LLP

By: /s/ David B. Shemano
David B. Shemano, Esq.
601 Lexington Avenue
Suite 3400
New York, NY 10022-4611
Tel: (212) 980-7400
Fax: (212) 980-7499

-and-

Howard J. Weg, Esq.
Scott F. Gautier, Esq.
2049 Century Park East
Suite 3400
Los Angeles, CA 90067-3208
Tel: (310) 552-0130
Fax: (310) 229-5800

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EXHIBIT A

33 PECK SLIP ACQUISITION LLC**EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Name of Other Party to Lease or Contract	Description of Contract or Lease
33 Peck Slip Hotel Capital LLC	Master Loan Agreement dated 3/14/14
33 Peck Slip Hotel Capital LLC	Consolidated, Amended and Restated Acquisition Loan Promissory Note dated 3/14/14.
33 Peck Slip Hotel Capital LLC	Building Loan Agreement dated 3/14/14
33 Peck Slip Hotel Capital LLC	Building Loan Agreement dated 3/14/14
33 Peck Slip Hotel Capital LLC	Building Loan Promissory Note dated 3/14/14
33 Peck Slip Hotel Capital LLC	Building Loan Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Project Loan Agreement dated as of March 14, 2014, the Project Loan Promissory Note dated March 14, 2014; Project Loan Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Gap Promissory Note dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Full Recourse Guaranty dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Completion Guaranty dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Guaranty (Recourse Carve-outs) dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Indemnity Agreement dated March 14, 2014
33 Peck Slip Hotel Capital LLC	Gap Mortgage dated March 14, 2014
Autoclerk, Inc.	End-user license agreement
Best Western International	Membership application
Best Western International	Transferee acknowledgment

Booking.com	Service contract
Casey Fire Systems, Inc.	Maintenance contract
Classic Recycling	Service agreement
Concord Elevator Services	Service contract
Enviro Pest Management Inc.	Pest control service contract
Key Computing	Contract for monthly service
Local 966, Intl Brotherhood	Collective bargaining agreement
LodgeNet Interactive Corp	Service Agreement
LodgeNet Interactive Corp	Service Agreement
Time Warner Cable	Service Agreement
Vizergy	Service contract
33 Peck Slip Property Management LLC	Hotel Management Agreement

36 West 38th Street, LLC**EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Name of Other Party to Lease or Contract	Description of Contract or Lease
36 West 38th St Hotel Cap. LLC	Master Loan Agreement dated 10/17/13
36 West 38th St Hotel Cap. LLC	Gap Note dated 10/17/13
36 West 38th St Hotel Cap. LLC	Consolidate, Amended and Restated Loan Promissory Note dated 10/17/13
36 West 38th St Hotel Cap. LLC	Amended and Restated Acquisition Loan Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Building Loan Agreement dated as of October 17, 2013
36 West 38th St Hotel Cap. LLC	Building Loan Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Building Loan Assignment of Rents and Leases dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Project Loan Agreement dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Project Loan Promissory Note dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Project Loan Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Project Loan Assignment of Rents and Leases dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Full Recourse Guaranty dated as of October 17, 2013
36 West 38th St Hotel Cap. LLC	Completion Guaranty dated October 17, 2013

36 West 38th St Hotel Cap. LLC	Guaranty (Recourse Carve-outs) dated October 17, 2013
36 West 38th St Hotel Cap. LLC	Indemnity Agreement dated October 17, 2013
AGL Industries, Corp	Subcontractor Agreement Structural and Misc Steel
Atelier & Co	Additional Services Revised Proposal
Best Plumbing & Heating Inc.	Subcontractor agreement
Best Plumbing & Heating Inc.	Subcontractor agreement sprinklers
Eastern Air Inc	Subcontractor HVAC
Ettinger Engineering Assoc	Consulting Contract
Explorer Security Services	Security Services Agreement
Gene Kaufman Architect PC	Architect Proposal
Gene Kaufman Architect PC	Architect Contract Mechanical System
IBK Construction Group	Subcontractor Agreement Super Structure
IBK Construction Group LLC	Subcontractor Agreement Excavation and Foundation
KD Brothers Inc.	Subcontractor Agreement drywall, ceilings, rough carpentry & Temp Protection
RD2 Construction & Demolition LLC	Construction and demolition contract
Severud Associates	Structural engineering design contract
Sigma Electric Inc.	Subcontractor Agreement Electrical and Fire Alarm
Site Safety, LLC	Site Safety Management Contract
ZDG Construction Management	Construction Management Contract

EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Name of Other Party to Lease or Contract	Description of Contract or Lease
Central Office Alarm Company	Alarm Contract
Constellation An Execton Co	Electricity Supply Agreement
Fire Star Carting, Inc.	Contract for Removal of Non-Hazardous Trade Waste
GenServe	Standby Power Maintenance Agreement
Imacuclean Cleaning Services Inc.	Cleaning Contractor Agreement
Pro Active Gold	Equipment maintenance
Rotavele Elevator	Elevator Service Contract
SBNP SIA Mortgage I LLC	Master Loan Agreement dated 11/21/14, First Amendment to Master Loan Agreement Dated January 13, 2014 and Collateral Assignment of Interest Rate Cap Agreement dated as of November 21, 2103
SBNP SIA Mortgage I LLC	Term Loan Promissory Note dated 11/21/03, the amended and Restated Consolidated Term Loan Mortgage, Assignment of Leases and Rents Security Agreement and Fixture Filing dated 11/21/13
SBNP SIA Mortgage I LLC	Assignment of Consolidated, Amended and Restated Mortgage, Assigned of Leases and Rents Security Agreement and Fixture Filing dated 11/21/13
SBNP SIA Mortgage I LLC	Building Loan Agreement dated 11/21/13
SBNP SIA Mortgage I LLC	Project Loan Agreement dated 11/21/13
SBNP SIA Mortgage I LLC	Gap Promissory Note dated 11/21/13
SBNP SIA Mortgage I LLC	Recourse Guaranty Agreement dated 11/21/14, Guaranty of Payment and Completion dated 11/21/13

SBNP SIA Mortgage I LLC	Recourse Guaranty Agreement dated 11/21/14
Time Warner Business Class	Cable Television
World Cinema	License and Equipment Lease
Gemini Property Management, LLC	Hotel Management Agreement
Wyndham Hotels & Resorts, LLC	Franchise Agreement

EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Name of Other Party to Lease or Contract	Description of Contract or Lease
A&L Cesspool Service Corp	Cesspool Service agreement
Agoda	Hotel Distribution Agreement
Booking.com	On line booking agreement
CEMF 1 USB LLC	Loan Agreement dated June 25, 2013
CEMF 1 USB LLC	Amended, Restated and Consolidated Promissory Note dated June 25, 2013
CEMF 1 USB LLC	Consolidated Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated June 25, 2013
CEMF 1 USB LLC	Gap Note dated 6/25/13
CEMF 1 USB LLC	Gap Mortgage dated 6/25/13
CEMF 1 USB LLC	Recourse Guaranty Agreement dated 6/25/13
CEMF 1 USB LLC	Recourse Guaranty Agreement dated June 25, 2013
CEMF 1 USB LLC	Environmental Indemnification
CEMF 1 USB LLC	Assignment and Subordination of Management Agreement dated as of June 25, 2013 by Gemini Property Management, LLC, the Debtor and the Lender
CEMF 1 USB LLC	Assignment and Subordination of Management Agreement dated June 25, 2013
CEMF 1 USB LLC	Assignment and Subordination of Management Agreement dated June 25, 2013
CEMF 1 USB LLC	Letter Agreement dated June 25, 2013
Constellation	Electricity Supply Contract

Expedia HC Lodging	Booking contract
Forbes Travel Guide	Star rating program agreement
GAM Inventory Mgmt Services	Storage Unit Contract
Gotham Refining Chemical	Water Treatment contract
IESI NY Corporation	Contract for Non-Hazardous Trade Waste
Open Hospitality	Agreement and Statement of Work
Open Table	Client Agreement (restaurant reservations)
Pegasus Solutions Inc.	Telephone booking contract
Polar Bear of NY	Equipment Lease
Premium Pest Control	Pest control agreement
Pure Force	Equipment rental agreement
Quench	Rental Agreement
RateTiger Suite	Subscription contract
Rotavele Elevator	Basic elevator service agreement
SMBC Capital Markets, Inc.	Collateral Assignment of Interest Rate Cap Agreement dated June 25, 2013
Sumitomo Mitsui Banking Corp.	Sumitomo Mitsui Banking Corporation Guaranty dated as of June 25, 2013
Superior Cleaning Services	Cleaning services contract
Tablet	Website Contract
The Ritz Dry Cleaning Services	Dry cleaning agreement
Tripadvisor	Booking contract