

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
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In re: Chapter 11
BOND AND COMPANY, JEWELERS, INC., Case No. 8:17-bk-6561-MGW
Debtor.

**MOTION FOR EXTENSION OF (1) PLAN AND DISCLOSURE STATEMENT
FILING DEADLINE, (2) EXCLUSIVE PERIOD TO FILE PLAN, AND
(3) EXCLUSIVE PERIOD TO SOLICIT ACCEPTANCES OF PLAN**

BOND AND COMPANY, JEWELERS, INC. (the “Debtor”) respectfully requests an extension of: (1) the deadline for the filing of a plan and disclosure statement, (2) the exclusive period during which the Debtor has to file a plan, and (3) the exclusive period during which the Debtor has to solicit acceptances of a plan. In support of this motion, the Debtor states the following:

Jurisdiction and Venue

1. This Court has jurisdiction to consider this motion pursuant to 28 U.S.C. §§157 and 1334. The subject matter of this motion is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is proper in this district pursuant to 28 U.S.C. §1408.

2. The statutory predicates for the relief requested by this motion are 11 U.S.C. §§ 1121(b), 1121(c)(2), 1121(c)(3), and 1121(d) of the Bankruptcy Code.

Background

3. On July 27, 2017 (the “Petition Date”), the Debtor filed its Voluntary Petition for Relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”).

4. The Debtor operates eight (8) jewelry stores, four of which are traditional jewelry stores and four of which are Pandora franchises. The Debtor is running court-approved store

closing sales in its four traditional stores (the “**Closing Stores**”), (*See* Doc. No. 36, hereinafter the “**Store Closing Sale Order**”), and to restructure operations around its Pandora locations. The Store Closing Sale Order contemplates the completion of the store closing sale by approximately December 31, 2017.

Relief Requested and Grounds for Relief

5. At a status conference held on August 23, 2017, this Court established November 24, 2017, as the deadline for the Debtor to file a plan and disclosure statement (Doc. No. 66).

6. Additionally, sections 1121(b) and (c) of the Bankruptcy Code prescribe the periods of exclusivity during which only the debtor may file a plan of reorganization. Sections 1121(b) and 1121(c)(2) of the Bankruptcy Code provide that only the debtor may file a plan until after 120 days following the Petition Date. But for the filing of this motion, the 120-day period for the Debtor to file a plan would expire on November 24, 2017.

7. Section 1121(c)(3) statutorily extends the exclusivity period until 180 days after the petition date to permit the debtor to obtain acceptances of a plan as filed. But for the filing of this Motion, the 180-day period for the Debtor to solicit acceptances of a plan would expire on January 23, 2018.

8. Section 1121(d)(1) of the Bankruptcy Code provides that the Court for cause may reduce or increase the 120-day and 180-day periods.

9. The Debtor respectfully requests: (a) an extension through and including January 12, 2018, of the deadline for the Debtor to file a plan and disclosure statement and the exclusivity periods prescribed by Sections 1121(b) and (c)(2) during which only the debtor may file a plan of reorganization; and (b) an extension, through and including the completion of the hearing on confirmation of the Debtor’s timely-filed plan, of the exclusivity period prescribed by § 1121(c)(3) during which only the debtor may solicit acceptances of a plan of reorganization.

10. Cause exists to extend the plan and disclosure statement filing deadline as well as the exclusive periods within which only the Debtor may file and solicit acceptances of a plan. The Debtor is running court-approved store closing sales in its four traditional stores under the Store Closing Sale Order and is restructuring its operations around its Pandora locations. The Debtor needs additional time in order to complete the store closing sales before proposing a plan, which will bring more certitude to the Debtor's ability to propose terms for the treatment of various classes of claims.

11. This Motion is not submitted for purposes of delay and the Debtor submits that the relief requested in this motion will not prejudice any party. The Debtor has discussed this Motion with Synovus Bank, N.A., the Debtor's largest creditor and senior secured lender, who does not oppose the relief requested.

WHEREFORE, the Debtor respectfully requests that the Court enter an order, the proposed form of which is attached hereto as Exhibit A: (a) granting this motion; (b) extending through and including January 12, 2018, the deadline for the Debtor to file a plan and disclosure statement as well as the exclusivity period prescribed by §§ 1121(b) and (c)(2) during which only the Debtor may file a plan of reorganization; (c) extending through and including confirmation of the Debtor's plan, the exclusivity period prescribed by § 1121(c)(3) during which only the debtor may solicit acceptances of a plan of reorganization; and (d) providing such other relief as is just and proper.

/s/ Daniel R. Fogarty

Scott A. Stichter (FBN 0710679)

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Attorneys for Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing *Motion for Extension of (1) Plan and Disclosure Statement Filing Deadline, (2) Exclusive Period to File Plan, and (3) Exclusive Period to Solicit Acceptances of Plan* have been furnished on November 21, 2017, by the Court's electronic CM/ECF noticing system to the United States Trustee and all other parties receiving CM/ECF electronic noticing and by U.S. mail to the LBR 1007-2 Parties in Interest matrix.

/s/ Daniel R. Fogarty
Daniel R. Fogarty

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
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In re: Chapter 11
BOND AND COMPANY, JEWELERS, INC., Case No. 8:17-bk-6561-MGW
Debtor.

**ORDER GRANTING MOTION FOR EXTENSION OF (1) PLAN AND DISCLOSURE
STATEMENT FILING DEADLINE, (2) EXCLUSIVE PERIOD TO FILE
PLAN, AND (3) EXCLUSIVE PERIOD TO SOLICIT ACCEPTANCES OF PLAN**

THIS CASE came before the Court without a hearing for consideration of the Motion for Extensions of: (1) the deadline for the filing of a plan and disclosure statement, (2) the exclusive period during which the Debtor has to file a plan, and (3) the exclusive period during which the Debtor has to solicit acceptances of a plan (Doc. No. __) (the “**Motion**”). The Court, having considered the Motion and the record, finds that the Motion is well taken and should be granted. Accordingly, it is

ORDERED that:

1. The Motion is granted.
2. The Court-ordered deadline by which the Debtor has to file its plan and disclosure statement is extended through and including January 12, 2018.
3. The 120-day time period during which the Debtor has the exclusive right to propose and file a plan of reorganization is extended through and including January 12, 2018.
4. The exclusivity period prescribed by § 1121(c)(3) during which only the Debtor may solicit acceptances of a plan of reorganization is extended through and including the completion of the hearing on confirmation of the Debtor's timely-filed plan.
5. This Order is without prejudice to the Debtor's rights to seek further extensions of the periods set forth above.

Attorney Daniel R. Fogarty is directed to serve a copy of this order on interested parties who are non-CM/ECF users and to file a proof of service within 3 days of entry of the order.

10609-1956724

Label Matrix for local noticing
113A-8
Case 8:17-bk-06561-MGW
Middle District of Florida
Tampa
Tue Nov 21 15:33:12 EST 2017

Citizen Watch Company
1000 W. 190th St.
Torrance, CA 90502-1040

Ema Jewelry Inc
246 W. 38Th St Suite 600
New York, NY 10018-5854

Frederick Goldman, Inc.
PO Box 1958
Old Chelsea Station
New York, NY 10113-1958

Jewelry Investments, LLC
c/o Jennis Law Firm
606 East Madison Street
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Marvin Shavlan
c/o Eric Jacobs
Jennis Law Firm
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Pandora Jewelry
8681 Robert Fulton Dr., #C
Columbia, MD 21046-2621

Simon Capital GP
1361 Momentum Place
Chicago, IL 60689-5313

Stuller Settings
P.O. Box 87777
Lafayette, LA 70598-7777

Tampa Bay Times
Dept 3396
PO Box 123396
Dallas, TX 75312-3396

Aurus
1 Edgewater Dr Suite 200
Norwood, MA 02062-4669

Diamour, Inc.
36 W. 44th St., #1303
New York, NY 10036-8104

Florida Blue
P.O. Box 660299
Dallas, TX 75266-0299

H.J. Namdar
98 Cutter Mill Rd., #284 N
Great Neck, NY 11021-3036

LE Vian Corp
235 Great Neck Rd.
Great Neck, NY 11021-3301

Mercury Ring
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New York, NY 10036-4726

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Iselin, NJ 08830-3023

Sk Diamonds
2909 Hillcroft St Suite 230
Houston, TX 77057-5815

Synovus Bank
c/o Trenam Kemker
101 E Kennedy Boulevard, #2700
Tampa, FL 33602-5150

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Jewelry Investments, LLC	End of Label Matrix	
c/o Jennis Law Firm	Mailable recipients	28
606 East Madison Street	Bypassed recipients	1
Tampa, FL 33602-4029	Total	29