

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FIC RESTAURANTS, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 20-12807 (CSS)
)
) (Joint Administration Requested)
)

**NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND
RELATED DOCUMENTS AND (II) AGENDA FOR TELEPHONIC
AND VIDEO HEARING ON FIRST DAY MOTIONS SCHEDULED FOR
NOVEMBER 3, 2020 AT 10:00 A.M. (PREVAILING EASTERN TIME),
BEFORE THE HONORABLE CHRISTOPHER S. SONTCHI, AT THE UNITED
STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE²**

This hearing will be held telephonically and by video. All parties wishing to appear must do so telephonically by contacting COURTCALL, LLC at 866-582-6878 prior to the scheduled hearing. Only those parties that will be addressing the Court should appear by Zoom and CourtCall.

**PLEASE NOTE THAT THE MICROPHONES
ON THE ZOOM MEETING WILL BE MUTED AND
THE ONLY AUDIO WILL BE THROUGH COURTCALL.**

**Topic: FIC 20-12807 – First Day Hearing
Time: Nov 3, 2020 10:00 AM Eastern Time (US and Canada)**

Join ZoomGov Meeting

<https://debuscourts.zoomgov.com/j/1608064148>

Meeting ID: 160 806 4148

Passcode: 284593

¹ The Debtors in these chapter 11 cases, their jurisdictions of organization, and the last four digits of their U.S. taxpayer identification numbers are: (1) FIC Restaurants, Inc., a Massachusetts, corporation (1388) (“FIC”); (2) FIC Holdings, LLC, a Delaware limited liability company (0204) (“FIC Holdings”); (3) Neapolitan Group Holdings, LLC, a Delaware limited liability company (7922) (“Neapolitan”); (4) Friendly’s Restaurants, LLC, a Delaware limited liability company (0696) (“Friendly’s”); and (5) Friendly’s Franchising, LLC, a Delaware limited liability company (4364) (“Franchising”). The Debtors’ corporate headquarters is located at 1855 Boston Road, Suite 300, Wilbraham, MA 01095.

² All motions and other pleadings referenced herein are available online at the following address: <https://www.donlinrecano.com/clients/fr/index>.

PLEASE TAKE NOTICE that, on November 1, 2020, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the following voluntary petitions (collectively, the “Voluntary Petitions”) for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), and related pleadings with the United States Bankruptcy Court for the District of Delaware. The Debtors continue to operate their business as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

A. Voluntary Petitions:

1. Neapolitan Group Holdings, LLC (Case No. 20-12805) [[Docket No. 1](#)]
2. FIC Holdings, LLC (Case No. 20-12806) [[Docket No. 1](#)]
3. FIC Restaurants, Inc. (Case No. 20-12807) [[Docket No. 3](#)]
4. Friendly’s Restaurants, LLC (Case No. 20-12807) [[Docket No. 1](#)]
5. Friendly’s Franchising, LLC (Case No. 20-12809) [[Docket No. 1](#)]

PLEASE TAKE FURTHER NOTICE that in addition to filing the Voluntary Petitions, the Debtors filed the following first day motions and related documents (collectively, the “First Day Motions”):

B. First Day Declaration:

1. Declaration Marc L. Pfefferle in Support of Chapter 11 Petitions and First Day Motions [[Docket No. 17; filed 11/2/2020](#)]

C. First Day Motions:

2. Debtors’ Motion for Entry of an Order (I) Directing Joint Administration of Their Related Chapter 11 Cases and (II) Granting Relief [[Docket No. 4; filed 11/1/2020](#)]

Status: This matter is going forward.

3. Debtors’ Application for Entry of an Order, Pursuant to 28 U.S.C. § 156(c), Authorizing the Retention and Appointment of Donlin, Recano & Company, Inc. as Claims and Noticing Agent for the Debtors, *Nunc Pro Tunc* to the Petition Date [[Docket No. 5; filed 11/1/2020](#)]

Status: This matter is going forward.

4. Debtors’ Motion for Entry of an Order (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors’ Thirty Largest Unsecured Creditors, and (C) Redact Certain Personally Identifiable Information for Individual Creditors, and (II) Granting Related Relief [[Docket No. 7; filed 11/2/2020](#)]

Status: This matter is going forward.

5. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing, but Not Directing, the Debtors to (A) Pay Prepetition Employee Wages, Salaries, Other Compensation and Reimbursable Employees Expenses and (B) Continue Employee Benefit Programs, and (II) Granting Related Relief [[Docket No. 8; filed 11/2/2020](#)]

Status: This matter is going forward.

6. Debtors' Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Utility Services, (II) Determining Adequate Assurance of Payment for Future Utility Services, (III) Establishing Procedures for Determining Adequate Assurance of Payment, and (IV) Granting Related Relief [[Docket No. 9; filed 11/2/2020](#)]

Status: This matter is going forward.

7. Debtors' Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to Maintain and Administer Their Existing Customer Programs and Honor Certain Prepetition Obligations Thereto and (II) Granting Related Relief [[Docket No. 10; filed 11/2/2020](#)]

Status: This matter is going forward.

8. Debtors' Motion for Entry of Interim and Final Orders Authorizing Debtors to Pay Certain Prepetition Claims of Its Critical Vendor [[Docket No. 11; filed 11/2/2020](#)]

Status: This matter is going forward.

9. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and Non-Debtor Affiliate Transactions, and (II) Granting Related Relief [[Docket No. 12; filed 11/2/2020](#)]

Status: This matter is going forward.

10. Debtors' Motion for Entry of Interim and Final Orders (A) Authorizing the Use of Cash Collateral, (B) Providing Adequate Protection, (C) Modifying the Automatic Stay, and (D) Granting Related Relief [[Docket No. 13; filed 11/2/2020](#)]

Status: This matter is going forward.

11. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing, but Not Directing, the Debtors to (A) Pay Their Obligations Under Insurance Policies Entered Into Prepetition, (B) Continue to Pay Brokerage Fees, (C) Renew, Supplement, Modify or Purchase Insurance Coverage, and (D) Honor the Terms of the Financing Agreements and Pay Premiums Thereunder, and (II) Granting Relief [[Docket No. 14; filed 11/2/2020](#)]

Status: This matter is going forward.

12. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing, But Not Directing, the Payment of Certain Prepetition Taxes and Fees and (II) Granting Related Relief [[Docket No. 15; filed 11/2/2020](#)]

Status: This matter is going forward.

13. Debtors' Motion for Entry of an Order (I) Scheduling Hearing on Approval of the Combined Disclosure Statement and Chapter 11 Plan; (II) Fixing Deadline to Object to the Combined Disclosure Statement and Plan; (III) Waiving Solicitation of the Plan and Approving Manner of Notice of Commencement, Combined Hearing, and Objection Deadline; and (IV) Granting Related Relief [[Docket No. 16; filed 11/2/2020](#)]

Related Documents:

- A. Combined Disclosure Statement and Joint Chapter 11 Plan of Liquidation [[Docket No. 18; filed 11/2/2020](#)]

Status: This matter is going forward.

PLEASE TAKE FURTHER NOTICE that a telephonic and video hearing with respect to the First Day Motions will be held on **November 3, 2020 at 10:00 a.m. (prevailing Eastern Time)** before The Honorable Christopher S. Sontchi, Chief United States Bankruptcy Judge for the United States Bankruptcy Court for the District of Delaware (the "First Day Hearing"). Parties who wish to participate in the First Day Hearing may do so by contacting CourtCall at 844-925-0626 and by joining the Zoom hearing at <https://debuscourts.zoomgov.com/j/1608064148>; Meeting ID: 160 806 4148, Passcode: 284593.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the First Day Motions may be made at the First Day Hearing.

PLEASE TAKE FURTHER NOTICE that, in addition to the Voluntary Petitions and the First Day Motions, the Debtors have filed the following motions which will be scheduled to heard on a date and time to be determined:

D. Additional Motions:

14. Debtors' Motion for Entry of (I) an Order (A) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with the Private Sale of the Debtors' Assets; (B) Scheduling a Sale Hearing; (C) Approving the Form and Manner and Notice Thereof; and (D) Granting Related Relief; and (II) an Order Authorizing and Approving (A) the Private Sale of Substantially All of the Debtors' Assets to Purchaser Free and Clear of Liens, Claims, and Interests Thereunder, (B) the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, and (C) Granting Related Relief [[Docket No. 19; filed 11/2/2020](#)]

15. Debtors' Motion for Entry of an Order (I) Establishing Bar Dates for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof [[Docket No. 20; filed 11/2/2020](#)]

Dated: November 2, 2020
Wilmington, Delaware

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