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ATTORNEY FOR THE SHOPS AT SUMMERLIN NORTH, LP

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

<b>In re:</b>	§	
	§	<b>Chapter 11</b>
<b>BCBG Max Azria Global Holdings, LLC, et al</b>	§	<b>Case No. 17-10466 (SCC)</b>
	§	
	§	
<b>Debtors.</b>	§	

**LIMITED OBJECTION TO DEBTORS’ MOTION FOR ENTRY OF  
AN ORDER (I) AUTHORIZING AND APPROVING PROCEDURES  
TO REJECT OR ASSUME EXECUTORY CONTRACTS AND  
UNEXPIRED LEASES AND (II) GRANTING RELATED RELIEF**

The Shops at Summerlin North, LP, landlord and party-in-interest herein (“**Landlord**”), by and through its undersigned counsel, hereby files this limited objection (the “**Objection**”) to the Debtors’ Motion for Entry of an Order (I) Authorizing and Approving Procedures to Reject or Assume Executory Contracts and Unexpired Leases and (II) Granting Related Relief ([Docket No. 134], the “**Motion**”) filed in the above-captioned case. In support thereof, Landlord respectfully states as follows:

1. Landlord is the lessor of the property located at 10801 West Charleston Blvd., Suite 300, Las Vegas, NV 89135 (the “**Premises**”). The Premises are leased by one or more of the debtors in the above-captioned case (the “**Debtors**”).

2. While Landlord does not object to the bulk of the procedures set forth in the Motion, the Motion requests prior approval to remove “personal property of the Debtors, including, without

limitation, equipment, fixtures, furniture, and other personal property that may be located or have been installed in” the Premises.

3. Landlord objects to the removal of any fixtures which have become annexed to the Premises such that they are now regarded as real property under applicable non-bankruptcy law. Landlord further objects to the removal of any personal property from the Premises absent an opportunity for the Landlord to seek adequate protection of its interests in the event that the Debtors’ proposed removal of personal property from the Premises will be of a magnitude that might damage the Premises or the real property (owned by Landlord) surrounding the Premises. To that end, Landlord respectfully requests that, to the extent the Debtors seek to remove any personal property other than inventory, the Court require that the Rejection Notice (as defined in the Motion) be served upon the Landlord not later than twenty-one (21) days prior to the proposed effective date of the rejection of the lease of the Premises.

4. Finally, to the extent that the Motion is not clear, Landlord requests that the Court clarify in any order granting the Motion, that the Debtors are not authorized to reject the lease of the Premises *nunc pro tunc*, absent further motion and order.

WHEREFORE PREMISES CONSIDERED, Landlord respectfully requests that the Court grant the Motion subject to Landlord’s limited objections and grant Landlord such other and further relief as is just.

Submitted on March 21, 2017.

Respectfully submitted,

By: /s/ Howard Marc Spector  
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**CERTIFICATE OF SERVICE**

This is to certify that on March 21, 2017, a copy of the foregoing pleading will be electronically delivered to the parties that are registered or otherwise entitled to receive electronic notices in this case pursuant to the Electronic Filing Procedures in this District, and via fax transmission to (212) 446-4900 to Debtor's counsel, Joshua Sussberg.

/s/ Howard Marc Spector  
Howard Marc Spector