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PROPOSED ATTORNEYS FOR DEBTORS

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
Tuesday Morning Corporation, <i>et al.</i> , ¹	§	Case No. 20-31476-HDH-11
	§	
Debtors.	§	Joint Administration Requested

**REQUEST FOR EMERGENCY CONSIDERATION
OF CERTAIN "FIRST DAY" MATTERS**

On May 27, 2020, Tuesday Morning Corporation and its above-captioned debtor affiliates, as debtors and debtors in possession (collectively, the "Debtors") filed petitions for relief under Chapter 11 of the Bankruptcy Code. Counsel for the Debtors believes that these cases qualify as "Complex Chapter 11 Cases." The Debtors need emergency consideration of the following initial case matters:

- (i) *Debtors' Emergency Motion for Entry of Order Authorizing Joint Administration of Chapter 11 Cases Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure* [Docket No. 3];
- (ii) *Notice of Designation as Complex Chapter 11 Bankruptcy Case* [Docket No. 4];

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Tuesday Morning Corporation (8532) ("TM Corp."); TMI Holdings, Inc. (6658) ("TMI Holdings"); Tuesday Morning, Inc. (2994) ("TMI"); Friday Morning, LLC (3440) ("FM LLC"); Days of the Week, Inc. (4231) ("DOTW"); Nights of the Week, Inc. (7141) ("NOTW"); and Tuesday Morning Partners, Ltd. (4232) ("TMP"). The location of the Debtors' service address is 6250 LBJ Freeway, Dallas, TX 75240.

- (iii) Debtors' Emergency Motion for Entry of an Order Extending the Time to File Schedules and Statements [Docket No. 6];
- (iv) Debtors' Emergency Application for Authorization to Retain and Employ Epiq Corporate Restructuring, LLC as Claims and Noticing Agent Nunc Pro Tunc to the Petition Date [Docket No. 7];
- (v) Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to File a Consolidated List of Top 40 Unsecured Creditors and Consolidated List of Creditors, (II) Authorizing the Debtors to Redact Certain Personal Identification Information of Individual Creditors and Current and Former Employees, (III) Waiving the Requirement to File an Equity List and Provide Notices Directly to Equity Security Holders, and (IV) Approving the Form and Manner of Notifying Creditors of the Commencement of the Debtors' Chapter 11 Cases and Bar Date [Docket No. 8];
- (vi) Debtors' Emergency Motion for an Order (I) Authorizing the Debtors to (A) Pay Certain Prepetition Employee Wages, Other Compensation and Reimbursable Employee Expenses, (B) Pay Certain Prepetition Independent Contractor and Temporary Staff Obligations, and (C) Continue Employee Benefits Programs and (II) Granting Related Relief [Docket No. 9];
- (vii) Debtors' Emergency Motion for an Order (I) Authorizing Continued Use of Existing Business Forms and Records, (II) Authorizing Maintenance of Existing Corporate Bank Accounts and Cash Management System, (III) Authorizing Payment of Prepetition Costs and Fees Associated with Customer Credit and Debit Card Transactions; and (IV) Waiving Certain U.S. Trustee Requirements [Docket No. 10];
- (viii) Debtors' Emergency Motion for Entry of an Order Pursuant to 11 U.S.C. §§ 105(a) and 363(c) Authorizing the Debtors to (I) Continue, Renew, or Supplement Insurance Policies, (II) Pay Insurance Premiums Thereon, (III) Continue, Renew, or Supplement the Surety Bond Program, and (IV) Granting Related Relief [Docket No. 11];
- (ix) Debtors' Emergency Motion for Entry of an Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Assessments and (II) Authorizing Financial Institutions to Honor and Process Related Checks and Transfers Pursuant to Bankruptcy Code §§ 105(a), 363(b), 507(a)(8), and 541(d) [Docket No. 12];
- (x) Debtors' Emergency Motion for Entry of (I) Authorizing the Debtors to Pay or Honor Prepetition Obligations to Certain Trade Claimants and (II) Granting Related Relief [Docket No. 15];
- (xi) Debtors' Motion for Entry of an Order Authorizing the Debtors to Honor Certain Prepetition Obligations to Customer and to Otherwise Continue Customer Programs in the Ordinary Course of Business [Docket No. 16];
- (xii) Debtors' Emergency Motion for Entry of Interim and Final Orders (A) Establishing Notification and Hearing Procedures for Certain Transfers of, and Claims of

Worthlessness with Respect to, Equity Securities and (B) for Related Relief [Docket No. 17];

- (xiii) *Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Assume the Consulting Agreement; (II) Approving Procedures for Store Closing Sales; (III) Approving the Sale of Store Closure Assets Free and Clear of All Liens, Claims and Encumbrances; (IV) Waiving Compliance with Applicable State Laws and Approving Dispute Resolution Procedures; (V) Approving Procedures to Conduct Sales in Additional Closing Stores, and (VI) Granting Related Relief* [Docket No. 18]; and
- (xiv) *Debtors' Emergency Motion for Entry of Interim and Final Orders Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 (I) Authorizing the Debtors to (A) Use Cash Collateral on a Limited Basis and (B) Obtain Postpetition Financing on a Secured, Superpriority Basis; (II) Granting Adequate Protection, (III) Scheduling a Final Hearing, and (IV) Granting Related Relief* [Docket No. 19].

RESPECTFULLY SUBMITTED this 27th day of May, 2020.

HAYNES AND BOONE, LLP

By: /s/ Ian T. Peck

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Debtors.	§	Joint Administration Requested

**ORDER GRANTING REQUEST FOR EMERGENCY CONSIDERATION
OF CERTAIN “FIRST DAY” MATTERS**

Came on for consideration the *Request for Emergency Consideration of Certain “First Day” Matters*, dated May 27, 2020 (the “Request”), of Tuesday Morning Corporation and its above-captioned debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”), which requests entry of an order authorizing expedited hearings on certain initial case matters. Upon consideration of the Request, the Court finds that the relief requested in the

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Request is in the best interest of the Debtors, their estates, and their creditors. The Court also finds that given the circumstances and the nature of the relief requested, no further notice need be given.

Therefore,

IT IS HEREBY ORDERED THAT:

- I. The Request is GRANTED.

The following matters are scheduled before the Honorable Harlin D. Hale for a hearing on May 28, 2020, at 3:30 p.m. Central Time at the Earl Cabell Federal Building, 1100 Commerce Street, 14th Floor, Courtroom #3, Dallas, TX 75242:

- (i) *Debtors' Emergency Motion for Entry of Order Authorizing Joint Administration of Chapter 11 Cases Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure* [Docket No. 3];
- (ii) *Notice of Designation as Complex Chapter 11 Bankruptcy Case* [Docket No. 4];
- (iii) *Debtors' Emergency Motion for Entry of an Order Extending the Time to File Schedules and Statements* [Docket No. 6];
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- (v) *Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to File a Consolidated List of Top 40 Unsecured Creditors and Consolidated List of Creditors, (II) Authorizing the Debtors to Redact Certain Personal Identification Information of Individual Creditors and Current and Former Employees, (III) Waiving the Requirement to File an Equity List and Provide Notices Directly to Equity Security Holders, and (IV) Approving the Form and Manner of Notifying Creditors of the Commencement of the Debtors' Chapter 11 Cases and Bar Date* [Docket No. 8];
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Payment of Prepetition Costs and Fees Associated with Customer Credit and Debit Card Transactions; and (IV) Waiving Certain U.S. Trustee Requirements [Docket No. 10];

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END OF ORDER

Submitted by:

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