

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:) Chapter 11
)
Oberweis Dairy, Inc., *et al.*,¹) Case No. 24-05385
) (Joint Administration Requested)
Debtors.)
) Honorable David D. Cleary
_____)

NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON APRIL 18, 2024, AT 9:00 A.M.

MATTERS GOING FORWARD:

1. *Motion of Debtors for Entry of an Order: (I) Authorizing (A) Maintenance of Existing Bank Accounts, (B) Continued Use of Existing Cash Management System, (C) Continued Use of Existing Business Forms, and (D) Continued Use of Existing Books and Records; (II) Finding the Investment and Deposit Requirements of 11 U.S.C. § 345(b) are Satisfied or Otherwise Excused; and (III) Granting Related Relief* [ECF No. 13] [Calendar No. 3].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

2. *Motion of Debtors (A) for Authority to (I) Pay Certain Prepetition Employee Wages, Salaries and Other Compensation, (II) Pay and Honor Employee Medical and Other Benefits, and (III) Continue Employee Benefit Programs; (B) to Obtain Related Relief; and (C) for Shortened and Limited Notice Thereof* [ECF No. 11] [Calendar No. 2].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

¹ The Debtors in this case, and the last four digits of their respective federal employer identification numbers, are Oberweis Dairy, Inc. ('7516); The Oberweis Group, Inc. ('1378); North Aurora Ice Cream, LLC ('8506); TOGI RE I, LLC ('5952); Third Millennium Real Estate L.L.C. ('1589); and TOGI Brands, LLC ('7072).

3. *Motion of Debtors for Authority to Pay Prepetition Sales, Use, Trust Fund, and Similar Taxes and Related Obligations* [ECF No. 18] [Calendar No. 8].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

4. *Motion of Debtors for Entry of an Order Directing Joint Administration of Chapter 11 Cases*, filed in:
- In re Oberweis Dairy, Inc., Case No. 24-05385 [ECF No. 10] [Calendar No. 1];
 - In re The Oberweis Group, Inc., Case No. 24-05388 [ECF No. 10] [Calendar No. 10];
 - In re North Aurora Ice Cream, LLC, Case No. 24-05389 [ECF No. 10] [Calendar No. 11];
 - In re TOGI RE I, LLC, Case No. 24-05391 [ECF No. 10] [Calendar No. 12];
 - In re Third Millennium Real Estate L.L.C., Case No. 24-05392 [ECF No. 10] [Calendar No. 13]; and
 - In re TOGI Brands, LLC, Case No. 24-05393 [ECF No. 10] [Calendar No. 14].

Status: These matters are going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

5. *Motion of Debtors to Extend Time to File Schedules and Statements of Financial Affairs* [ECF No. 15] [Calendar No. 5].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

6. *Motion of the Debtors for Leave to File Documents in Excess of Fifteen Pages* [ECF No. 20] [Calendar No. 9].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

7. *Motion of Debtors to Motion of Debtors for Entry of an Order Authorizing the Employment and Retention of CPT Group, Inc. as Noticing, Claims, and Solicitation Agent Effective as of the Petition Date* [ECF No. 16] [Calendar No. 6].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

8. *Motion of Debtors to Continue Honoring (A) Gift Card Obligations, (B) Customer Loyalty Program, (C) Customer Delivery Subscriptions, and (D) Bottle Deposits, in the Ordinary Course of Business* [ECF No. 17] [Calendar No. 7].

Status: This matter is going forward.

Notice: Served upon secured lender and UST via ECF on 4/15; upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

9. *Motion for Order: (I) Authorizing (A) Secured Post Petition Financing on a Super Priority Basis Pursuant to 11 U.S.C. § 364, (B) Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and (C) Grant of Adequate Protection Pursuant to 11 U.S.C. §§ 363 and 364; (II) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(C); and (III) Shortening Notice* [ECF No. 14] [Calendar No. 4].

Status: This matter is going forward. The Debtors intend to submit a revised proposed interim order.

Notice: Served upon secured lender and UST via ECF on 4/15; upon lienholders of records via overnight delivery received 4/16; and upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

MATTERS SET FOR HEARING NEXT WEEK:

1. *Motion of Debtors to Authorize Payment of Deposits as Adequate Assurance of Payment for Utility Services* [ECF No. 9].

Status: Anticipated to go forward on Wednesday, April 24, 2024, at 10:00 a.m.

Notice: Served upon secured lender and UST via ECF on 4/15; upon utilities via U.S. mail sent on 4/16; and upon 20 largest creditors via email on 4/16 and via overnight delivery received on 4/17.

Objections Filed: None

Dated: April 17, 2024

OBERWEIS DAIRY, INC. *et al.*

By: /s/ Alexander F. Brougham
One of their attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that, on April 17, 2024, he served a copy of the foregoing **Notice of Agenda of Matters Scheduled for Hearing on April 18, 2024, at 9:00 a.m.** upon the following parties via the Court's CM/ECF system:

- Patrick Layng, U.S. Trustee for Region 11;
- Eric Rein and Nathan Delman, Counsel for CIBC Bank USA; and
- Charles Stahl, Jr., Counsel for Associated Material Handling Solutions, Inc.

By: /s/ Alexander F. Brougham
Proposed Counsel for the Debtors

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