

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Eastern Division)

Jean M. Fawcett

In re:

SW BOSTON HOTEL VENTURE, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 10-14535-JNF

(Jointly Administered)

**ASSENTED TO MOTION TO RESCHEDULE RESPONSE DEADLINE FOR
POSTPETITION INTEREST MOTION
(Emergency Determination Requested)**

SW Boston Hotel Venture, LLC (“SW Boston”) and the Affiliated Debtors (collectively, the “Debtors”), the debtors and debtors-in-possession in the above-captioned, jointly administered Chapter 11 cases, hereby respectfully request that the response deadline (the “Response Deadline”) for the *Motion of the Prudential Insurance Company of America for an Order Authorizing the Application of Payments Received During Chapter 11 Cases to Payment of Postpetition Interest Pursuant to Section 506(b) of the Bankruptcy Code* [Docket No. 546] (the “Postpetition Interest Motion”) be rescheduled to the date and time that the Court sets for submitting objections to confirmation of the *Joint Plan of Reorganization of SW Boston Hotel Venture LLC, Auto Sales & Service, Inc., General Trading Company, Frank Sawyer Corporation, 100 Stuart Street, LLC, 30-32 Oliver Street Corporation, General Land Corporation And 131 Arlington Street Trust* [Docket No. 512] (the “Plan”).

¹ The other debtors in the jointly administered cases besides SW Boston are Auto Sales & Service, Inc. (Case No. 10-14528-JNF), General Trading Company (Case No. 10-14532-JNF), Frank Sawyer Corporation (Case No. 10-14533-JNF), 100 Stuart Street, LLC (Case No. 10-14534-JNF), 30-32 Oliver Street Corporation (Case No. 10-16173-JNF), General Land Corporation (Case No. 10-16174-JNF), and 131 Arlington Street Trust (Case No. 10-16177-JNF) (the “Affiliated Debtors”).

05/13/2011 Motion allowed.

In support of this motion, the Debtors state as follows:

JURISDICTION

1. This Court has jurisdiction to consider and determine this motion pursuant to 28 U.S.C. § 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for this Motion are 11 U.S.C. § 105.

BACKGROUND

2. On April 28, 2010 (the “Petition Date”), SW Boston and four Affiliated Debtors filed voluntary petitions for relief under Chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Massachusetts (the “Court”).

3. On June 4, 2010, the remaining Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in the Court. The Debtors’ cases are being jointly administered. The Debtors continue to operate as debtors and debtors-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code.

BASIS FOR RELIEF REQUESTED

4. On May 13, 2011, the Prudential Insurance Company of America (“Prudential”) filed its motion [Docket No. 594] (the “Rescheduling Motion”) seeking to reschedule the hearing on the Postpetition Interest Motion from May 18, 2011 to the date and time that the Court sets for the hearing on confirmation of the Plan.

5. Also, on May 13, 2011, the Court granted the Rescheduling Motion by endorsed order [Docket No. 595].

6. For the convenience of the parties and the Court, it is appropriate that the Response Deadline for the Postpetition Interest Motion also be rescheduled to a date and time reasonably in advance of the rescheduled hearing on the Postpetition Interest Motion. The Debtors therefore request that the Response Deadline for the Postpetition Interest Motion be rescheduled to the date and time that the Court sets for submitting objections to confirmation of the Plan.

7. Prudential has consented to the relief sought in this motion.

8. The Debtors ask that the Court determine this motion on an emergency basis pursuant to MLBR 9013-1(g) just as it determined the Rescheduling Motion. Emergency determination is requested because the Rescheduling Motion did not ask that the Response Deadline be rescheduled and the Response Deadline, as presently set by the Court, is May 16.

NOTICE

9. The Debtors have served this motion on (a) counsel to Prudential, (b) counsel to the City of Boston, (c) counsel to the Committee, (d) the Office of the United States Trustee, and (d) all parties who have filed a notice of appearance in these cases. Because the relief sought herein is non-adversarial in nature and has been consented to by the affected party, the Debtors submit that service in this manner provides sufficient notice in light of the nature of the relief requested and constitutes a reasonable, good faith effort to advise all affected parties of the substance of the motion and the request for emergency determination as required by MLBR 9013-1(g)(1)(C).

WHEREFORE, the Debtors respectfully request that the Court enter an order:

- (i) Rescheduling the Response Deadline for the Postpetition Interest Motion to the date and time that the Court sets for submitting objections to confirmation of the Plan; and
- (ii) Granting to the Debtors such other relief as this Court deems proper.

Respectfully submitted,

SW BOSTON HOTEL VENTURE LLC, *et al.*,

By their counsel,

/s/ John C. Elstad

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Dated: May 13, 2011

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**SW Boston Hotel Venture LLC, et al.
Chapter 11, Case No. 10-14535-JNF**

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