

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
HOMELIFE CORPORATION., et al.,<sup>1</sup> ) Case No. 01-2412 (JWV)  
)  
Debtors. ) (Jointly Administered)

**Hearing Date: December 2, 2002 @ 3:00 p.m.**  
**Response due: November 19, 2002 @ 4:00 p.m.**

**DEBTORS' SIXTH OMNIBUS OBJECTION TO CLAIMS (NON-SUBSTANTIVE)**

The above-captioned debtors and debtors in possession (the "Debtors"), by and through their undersigned counsel of record, file their Sixth Omnibus Objection to Claims (Non-Substantive) (the "Sixth Omnibus Objection"), and in support thereof, state the following:

**JURISDICTION**

1. This Court has jurisdiction over this Motion under 28 U.S.C. § 1334. This matter is a core proceeding within the meaning of 28 U.S.C. §§ 157(b)(2)(A) and (O).
2. The statutory bases for relief requested herein are 11 U.S.C. §§ 105(a) and 502.

**BACKGROUND**

3. On July 16, 2001 (the "Petition Date"), each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (as amended, the "Bankruptcy Code"). The Debtors' respective chapter 11 cases (the "Chapter 11 Cases") have been consolidated for procedural purposes only. The Debtors are continuing to operate their

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<sup>1</sup> The Debtors consist of the following entities: HomeLife Corporation, HL Holding Corporation, HomeLife de Puerto Rico, Inc., Furniture Holding LLC, and HLC 1 LLC.

businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. There are five debtors in these cases: HL Holding Corporation (“HLHC”), HomeLife Corporation (“HomeLife Corp.”), HomeLife de Puerto Rico, Inc. (“HL Puerto Rico”), Furniture Holding, LLC, and HLC 1 LLC (collectively, “HomeLife” or the “Debtors”). HLHC is the parent corporation of HomeLife Corp. and HL Puerto Rico. Furniture Holding, LLC is the wholly-owned subsidiary of HomeLife Corp., and HLC 1 LLC is the wholly-owned subsidiary of Furniture Holding, LLC. HomeLife Corp. owns substantially all of the operating assets of the HomeLife entities.

5. No trustee or examiner has been appointed in these cases.

6. On July 27, 2001, the United States Trustee appointed an official committee of unsecured creditors.

7. On December 19, 2001, the Court entered an order fixing the bar date for filing proofs of claim (the “Bar Date Order”). Under the Bar Date Order, all entities other than governmental units were required to file pre-petition claims no later than January 28, 2002 (the “Bar Date”) and all governmental units were required to file pre-petition claims no later than January 14, 2002 (the “Governmental Bar Date”).

*(Remainder of page left blank)*

## THE OBJECTION AND REQUEST FOR RELIEF

8. By this Sixth Omnibus Objection, the Debtors seek disallowance of the claims set forth in the Exhibit attached hereto for the reasons described herein and in the Exhibit:

- (a) The Claims set forth in **Exhibit A** attached hereto as “Amended or Superseded” have been amended or superceded by later-filed claims, or in some instances are redundant to earlier-filed claims (the “Amended or Superseded Claims”).

### The Amended or Superseded Claims

9. The Debtors object to the Amended or Superseded Claims listed on **Exhibit A** pursuant to section 502(b)(1) of the Bankruptcy Code because the Amended or Superseded Claims are claims that have been amended by later filed claims (the “Surviving Claims”). In some instances, a later-filed claim is redundant to an earlier-filed claim. As such, the Amended or Superseded Claims listed on **Exhibit A** are duplicate claims. The Debtors propose that the Surviving Claims noted on **Exhibit A** replace the Amended or Superseded Claims noted on **Exhibit A**. The Debtors propose to treat all supporting documentation that was filed in support of a claim that is expunged as an Amended or Superseded Claim as documentation filed in support of the Surviving Claim. Therefore, the Amended or Superseded Claims set forth in **Exhibit A** should be disallowed and expunged for all purposes.

### RESERVATION

10. The Debtors hereby reserve the right to object in the future to any of the claims listed in this Sixth Omnibus Objection or on the Exhibits attached hereto on any grounds, and to amend, modify and/or supplement this Sixth Omnibus Objection, including, without limitation, to object to amended claims and newly-filed claims. Separate notice and hearing will be scheduled for any such objection.

## **NOTICE**

11. The Debtors will serve copies of this Sixth Omnibus Objection (with the exhibit) on: (i) counsel to the Official Committee of Unsecured Creditors, (ii) counsel to Congress Financial (Central), (iii) counsel to the Sears Entities, and (iv) the Office of the United States Trustee. The Debtors will serve copies of this Sixth Omnibus Objection (without the exhibit) on all parties that have requested that they be served with all pleadings filed in these cases pursuant to Federal Rule of Bankruptcy Procedure 2002 (the “2002 List”). Any party that is on the 2002 List may obtain a copy of the Sixth Omnibus Objection with the Exhibit by requesting the same from Bankruptcy Management Corporation (“BMC”) at (888) 909-0100 or by going onto the BMC website at <http://www.bmccorp.net>.

12. The Debtors’ claims agent, BMC, has served a copy of the Sixth Omnibus Objection and customized notice summarizing claim-specific detail as is reflected in the Exhibit upon those creditors that have filed claims that are affected by the Sixth Omnibus Objection in lieu of serving the Exhibit.<sup>2</sup>

13. The Debtors submit that notice of this Sixth Omnibus Objection is sufficient under Federal Rule of Bankruptcy Procedure 3007 and that no further notice is necessary.

## **NO PREVIOUS REQUEST**

14. No previous request for the relief set forth herein has been made to this or any other court.

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<sup>2</sup> Each claim holder whose rights are affected by the Fifth Omnibus Objection was served with a Notice of Objection to Claim in compliance with Local Rule 3007-1(e) (v).

**COMPLIANCE WITH LOCAL RULE**

15. The Debtors state that this Sixth Omnibus Objection to Claims (Non-Substantive) complies with Local Rule 3007-1.

WHEREFORE, the Debtors respectfully request that the Court enter an order disallowing and expunging each of the Claims more fully described in this Sixth Omnibus Objection and/or shown on the Exhibit attached hereto.

Dated: October 29, 2002

Respectfully submitted,

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