

**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)  
) (Jointly Administered)  
Debtors. )  
) **Hearing Date: February 4, 2003 at 3:30 p.m.**  
) **Responses Due: January 28, 2003 at 4:00 p.m.**

**EIGHTH OBJECTION TO CLAIMS (NON-SUBSTANTIVE)**

The above-captioned debtors and debtors in possession (the “Debtors”), by and through their undersigned counsel of record, file this Eighth Omnibus Objection to Claims (Non-Substantive) ( the “Eighth Omnibus Objection”). In support of this Eighth Omnibus Objection, the Debtors state the following:

**JURISDICTION**

1. This Court has jurisdiction over the subject matter of this Motion pursuant to 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 the relief requested are 11 U.S.C. §§ 105(a), 506 and 507.

**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. No trustee or examiner has been appointed in these cases. On July 27, 2001, the United States Trustee appointed an official committee of unsecured creditors (the “Committee”).
4. 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 prepetition claims no later than January 28,2002 (the “Bar Date”). All governmental units were required to file prepetition claims no later than January 14, 2002 (the “Governmental Bar Date”).
5. The Debtors have completed the liquidation of substantially all of their assets, other than the remaining causes of action. Therefore, the administration of the Debtors’ estates is nearing an end and the tasks that remain are largely limited to pursuing and collecting on various causes of action, reconciling claims, and making distributions to holders of legitimate claims. To this end, on December 12, 2002, certain of the Debtors filed their Joint Liquidating Plan (the “Plan”) with an accompanying Disclosure Statement.

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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.

## **THE OBJECTION AND REQUEST FOR RELIEF**

6. By this Eighth Omnibus Objection, the Debtors seek disallowance and expungement, as appropriate, of the claims set forth in the attached exhibits for the reasons described, and in such Exhibits:

- (a) The Claims set forth in **Exhibit A**, attached as “Amended” are Claims that subsequently amended the initial proof of claim (the “Surviving Claims”);
- (b) The Claims set forth in **Exhibit B**, attached as “Duplicates,” are Claims that are duplicates of claims previously filed (the “Duplicate Claims”);
- (c) The Claims set forth in **Exhibit C**, attached as “Late Filed,” are Claims which were not properly received prior to the Bar Date, and are not claims by governmental units (the “Late Filed Claims”);
- (d) The Claims set forth in **Exhibit D**, attached as “No Supporting Documentation,” are Claims for which Debtors received no supporting documentation (the “No Supporting Documentation Claims”).

### **THE AMENDED CLAIMS**

7. The Debtors object to the Claims listed on **Exhibit A**, pursuant to § 502(b)(1) of the Bankruptcy Code, because these claims are replaced by later filed amendments to the initial claims. The Debtors propose that the Surviving Claims noted on **Exhibit A** replace the Claims noted on **Exhibit A** and that the initial claims be disallowed and expunged for all purposes.

### **THE DUPLICATE CLAIMS**

8. The Debtors object to the Duplicate Claims listed on **Exhibit B** pursuant to § 502(b)(1), of the Bankruptcy Code, because the claims duplicate other claims previously filed. The Duplicate Claims are listed on **Exhibit B**. The Debtors propose that the Claim Number noted on **Exhibit B** be replaced by the Remaining Claim Number, also noted on **Exhibit B**. The Debtors request that the Duplicate Claims be disallowed and expunged for all purposes.

### **THE LATE FILED CLAIMS**

9. Pursuant to § 502(b)(9) of the Bankruptcy Code, the Debtors object to the Late Filed Claims because these claims are not claims by government units and were not filed before the Bar Date of January 28, 2002, despite timely receipt of the Bar Date notice. Therefore, the Debtors request that the Late Filed Claims listed on **Exhibit C** be disallowed and expunged for all purposes.

### **THE NO SUPPORTING DOCUMENTATION CLAIMS**

10. The Debtors object to the No Supporting Documentation Claims pursuant to § 502(b)(1) of the Bankruptcy Code because these are claims for which no supporting documentation was provided by the claimants. Therefore, the Debtors request that the No Supporting Documentation Claims listed on **Exhibit D** be disallowed and expunged for all purposes.

11. The Debtors hereby reserve the right to object in the future to any of the Claims listed in this Eighth Omnibus Objection or on the attached Exhibits on any ground, and to amend, modify and/or supplement this Eighth 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.

**COMPLIANCE WITH LOCAL RULE 3007-1**

12. The Debtors, by and through their counsel, affirmatively state that the Eighth Omnibus Objection to Claims complies with the requirements of Del. Bankr. LR 3007-1.

**DECLARATION IN SUPPORT**

13. The Declaration of Patrick Regan, Chief Financial Officer of HomeLife Corporation, one of the Debtors, attesting that the information contained in Exhibits A through D is true and correct to the best of his knowledge and belief, is attached in further support of this Eighth Omnibus Objection to Claims.

**NOTICE**

14. The Debtors will serve copies of this Eighth Omnibus Objection on: (i) counsel to the Official Committee of Unsecured Creditors, (ii) counsel to Congress Financial (Central), (iii) counsel to the Sears Entities, (iv) the Office of the United States Trustee, and (v) all parties that have requested that they be served with all pleadings filed in these cases pursuant to Federal Rule of Bankruptcy Procedure 2002.

15. The Debtors' claims agent, BMC, has served a copy of the Eighth Omnibus Objection and customized notice summarizing claim specific detail exactly as reflected in the Exhibit on which such creditor is listed upon those creditors that have filed claims that are affected by the Eighth Omnibus Objection in lieu of serving all Exhibits.

16. The Debtors submit that notice of this Eighth Omnibus Objection is sufficient under Federal Rule of Bankruptcy Procedure 3007 and that no further notice is necessary. No Previous Request

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

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

Dated: January 6, 2003

Respectfully submitted,

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