

**PLATZER, SWERGOLD, KARLIN, LEVINE,  
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*Attorneys for the Landlords*

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**HEARING DATE: NOVEMBER 9, 2010**

**TIME: 10:00 A.M.**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

	)		
In re:	)	Chapter 11	
	)		
JENNIFER CONVERTIBLES, INC. <i>et al.</i> , <sup>1</sup>	)		
	)	Case No.: 10-13779 (ALG)	
Debtor.	)		
	)		

**NOTICE OF MOTION OF JEROME H. MEYER & CO.,  
AGENT FOR HALSTED-CLYBOURN LIMITED PARTNERSHIP,  
ZIFKIN REALTY MANAGEMENT, LLC, AS SUCCESSOR  
AGENT FOR THE BENEFICIARIES OF CHICAGO TITLE LAND  
TRUST COMPANY, TRUST NUMBER 102676-09, AND JEROME H. MEYER & CO.,  
AGENT FOR HALSTED DIVERSEY LLC, FOR AN ORDER COMPELLING  
PAYMENT OF POST-PETITION RENT PURSUANT TO SECTION 365(d)(3)**

**TO: THE HONORABLE ALLAN L. GROPPER,  
UNITED STATES BANKRUPTCY JUDGE:**

**PLEASE TAKE NOTICE**, that upon the motion<sup>2</sup> (the “Motion”) of Jerome H. Meyer & Co., Agent for Halsted-Clybourn Limited Partnership, Zifkin Realty Management, LLC, as successor Agent for the beneficiaries of Chicago Title Land Trust Company, Trust Number 102674-09, and Jerome H. Meyer & Co., Agent for Halsted Diversey LLC (collectively, the

<sup>1</sup> The Debtors in these chapter 11 cases are: (i) Jennifer Convertibles, Inc.; (ii) Jennifer Convertibles Boylston MA, Inc.; (iii) Jennifer Chicago Ltd.; (iv) Elegant Living Management, Ltd; (v) Hartsdale Convertibles, Inc.; (vi) Jennifer Management III Corp.; (vii) Jennifer Purchasing Corp.; (viii) Jennifer Management II Corp.; (ix) Jennifer Management V Ltd.; (x) Jennifer Convertibles Natick, Inc.; (xi) Nicole Convertibles, Inc.; (xii) Washington Heights Convertibles, Inc.

<sup>2</sup> A copy of the Motion will be made available upon request of same to counsel for the Landlords, Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow LLP.

“Landlords”), the undersigned shall move this Court before the Honorable Allan L. Gropper, United States Bankruptcy Judge located at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York, on the 9<sup>TH</sup> day of November, 2010 at 10:00 a.m. (the “Hearing Date”) of said day or as soon thereafter as counsel can be heard, for the entry of an order requiring Jennifer Convertibles, Inc. *et al.* (collectively, the “Debtors”) to immediately pay post-petition rent for the month of July 2010 and other charges pursuant to 11 U.S.C. §365(d)(3).

**PLEASE TAKE FURTHER NOTICE, DUE TO THE VOLUMINOUS NATURE OF THE MOTION AND EXHIBITS, THE MOTION AND EXHIBITS ARE ON FILE WITH THE BANKRUPTCY COURT AND COPIES OF THE SAME CAN BE OBTAINED UPON REQUEST TO COUNSEL FOR THE LANDLORDS, PLATZER, SWERGOLD, KARLIN, LEVINE, GOLDBERG & JASLOW, LLP, ATTN: HENRY G. SWERGOLD, ESQ., AT (212) 593-3000 OR HSWERGOLD@PLATZERLAW.COM.**

**PLEASE TAKE FURTHER NOTICE**, that any objection filed by the parties with legal representation shall be filed (a) (i) through the Bankruptcy Court’s electronic filing system (in accordance with General Order M-399), which may be accessed (with a password which is available by contacting the Bankruptcy Court’s technical assistance at (212) 668-2780, ext. 3522, Monday through Friday, 8:30 a.m. to 5:00 p.m.) through the Internet at the Bankruptcy court’s website: [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), using Netscape Navigator Software Version 3.0 or higher; and (ii) in portable document format (PDF) using Adobe Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the objection in PDF format on a diskette in an envelope with the case name, case number, type and title of document, document number of the document to which the objection refers, and the file name on the outside of the

envelope; or (c) if a party is unable to file electronically or use PDF format, such party shall submit the objection on a diskette in either WORD, WORDPERFECT or DOS TEXT (ASCII) format. An objection filed by a party with no legal representation shall comply with Section (b) or (c) as set forth in this paragraph. A hard copy of the objection, whether filed pursuant to Section (a), (b) or (c), as set forth in this paragraph shall be hand-delivered to the Chambers of the Honorable Allan L. Gropper, United States Bankruptcy Judge. Any such objection shall be served in accordance with General Order M-399 so as to be actually received no later than seven (7) business days prior to the Hearing Date by: (i) counsel for the Landlords, Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP, Attn: Henry G. Swergold, Esq., 1065 Avenue of the Americas, 18<sup>th</sup> Floor, New York, New York 10018; and (ii) the Office of the United States Trustee, 33 Whitehall Street, 21<sup>st</sup> Floor, New York, New York 10004, Attention: Nazar Khodorovsky, Esq.

**PLEASE TAKE FURTHER NOTICE**, that the Hearing Date may be adjourned from time to time without notice to any creditor or any other party-in-interest other than by announcement of the adjourned date in open Court on the Hearing Date or by notice filed on the docket.

Dated: New York, New York  
October 7, 2010

PLATZER, SWERGOLD, KARLIN, LEVINE,  
GOLDBERG & JASLOW, LLP  
*Counsel for the Landlords*

By: /s/ Henry G. Swergold  
Henry G. Swergold, Esq.  
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