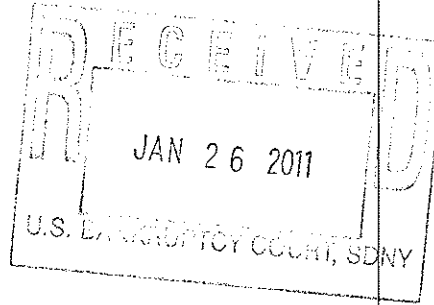


JEFFREY I. AARON  
c/o Larstrand Corp.  
22 East 65<sup>th</sup> Street, 5<sup>th</sup> Fl.  
New York, New York 10021  
212-744-3300, ext. 43

Attorney for Third and Fifty-Eighth LLC

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_)  
In re: )  
\_\_\_\_\_)  
JENNIFER CONVERTIBLES, INC., *et. al.* )  
\_\_\_\_\_)  
Debtors, )  
\_\_\_\_\_)

Chapter 11  
Case No. 10-13779(ALG)  
Jointly Administered

OBJECTION OF THIRD and FIFTY-EIGHTH LLC TO DEBTORS' CURE AMOUNT

Third and Fifty-Eighth LLC, by its attorney, Jeffrey I. Aaron, Esq., hereby submits this Objection to the cure amount set forth by Jennifer Convertibles, Inc., debtor (hereafter, "Jennifer") in its Notice of Filing of Amended Cure Schedule for Assumed Executory Contracts and Unexpired Leases Relating to the Amended Joint Chapter 11 Plan of Reorganization of Jennifer Convertibles, Inc. and Its Affiliated Debtors, dated January 13, 2011 (hereafter, "Notice") and respectfully states as follows:

1. Third and Fifty-Eighth LLC is owner of the condominium unit in which the debtor's store (Store Code UFS) is located.
2. Jennifer's Notice in Exhibit A, the Amended Cure Schedule, Part I - Unexpired Leases, sets forth the following monetary cure amount for the lease in question: \$47,393.20.

3. Objectant's records show that the actual cure amount is \$108,172.52, as shown on the Rent Bill produced by Objectant on 1-19-2011, a copy of which, showing itemized amounts of base rent and additional rent, is annexed hereto as Exhibit 1.

Dated: January 19, 2011  
New York, New York

Respectfully submitted,

Third and Fifty-Eighth LLC

By:

  
\_\_\_\_\_  
JEFFREY V. AARON, Esq.  
As attorney

Jennifer Convertibles, Inc.  
417 Crossways Park Dr  
Woodbury, NY 11797

R E N T B I L L

Third and Fifty-Eighth LLC  
22 East 65th Street  
New York, NY 10065

Date: 01-19-2011  
Account: 906-1202  
Unit # : STORE #3  
Amount enclosed: \_\_\_\_\_

Please enclose this portion with your remittance.

Make checks payable to:  
Third and Fifty-Eighth LLC  
22 East 65th Street  
New York, NY 10065

Statement for:  
Jennifer Convertibles, Inc.  
417 Crossways Park Dr  
Woodbury, NY 11797

Date: 01-19-2011  
Account: 906-1202

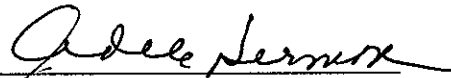
<u>Unit</u>	<u>Due Date</u>	<u>Description</u>	<u>Amount</u>
STORE #3	06-01-2010	CAM Charge	263.51
STORE #3	07-01-2010	Special Assessment Charge	91.86
STORE #3	07-01-2010	CAM Charge	755.99
STORE #3	07-01-2010	NYC R.E. Taxes Charge	68,781.86
STORE #3	07-01-2010	Base Rent Charge	39,801.74
STORE #3	02-01-2011	NYC R.E. Taxes Charge	1,522.44-

Balance: 108,172.52\*

Payment upon receipt.  
Please pay by due date to avoid late charges.

**CERTIFICATE OF SERVICE**

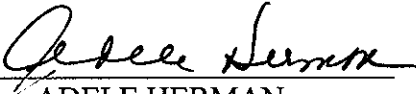
The undersigned hereby certifies that on the 19th day of January, 2011, deponent served the within **Objection of Third and Fifty-Eighth LLC to Debtors' Cure Amount** enclosed in securely sealed postpaid envelope properly addressed to Olshan Grundman Frome Rosenzweig & Wolosky LLP, attorneys for the Debtors and Debtors in Possession, at Park Avenue Tower, 65 East 55<sup>th</sup> Street, New York, NY 10022. Deponent deposited a true copy thereof with the requisite postage and return receipt card affixed, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York. Certified Mail, Return Receipt No.: 7002 0860 0006 1293 7221.



ADELE HERMAN

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 19th day of January, 2011, deponent served the within **Objection of Third and Fifty-Eighth LLC to Debtors' Cure Amount** enclosed in securely sealed postpaid envelope properly addressed to Kelley Drye & Warren, LLP, Counsel to the Official Committee of Unsecured Creditors of Jennifer Convertibles, Inc., et al, at 101 Park Avenue, New York, NY 10178 by depositing a true copy of same enclosed in a post-paid, properly addressed envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
ADELE HERMAN

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 24th day of January, 2011, deponent served the within **Objection of Third and Fifty-Eighth LLC to Debtors' Cure Amount** enclosed in securely sealed postpaid envelope properly addressed to Nazar Khodorovsky, U.S. Trustee, United States Bankruptcy Court, Southern District of New York, 33 Whitehall Street, 21<sup>st</sup> Floor, New York, NY 10004 by depositing a true copy of same enclosed in a post-paid, properly addressed envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
ADELE HERMAN

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 24th day of January, 2011, deponent served the within **Objection of Third and Fifty-Eighth LLC to Debtors' Cure Amount** enclosed in securely sealed postpaid envelope properly addressed to BMC Group, Inc., Attn: Jennifer Convertibles Claims Processing, 18750 Lake Drive East, Chanhassen, MN 55317, by depositing a true copy of same enclosed in an envelope addressed as shown above, into the custody of Federal Express for priority overnight delivery, next business morning.

  
ADELE HERMAN