

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:)	
)	
SOFA EXPRESS, INC.)	Case No. 07-9024
)	Chapter 11
Debtor.)	Judge Paine
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**EXPEDITED MOTION TO SET HEARING PURSUANT TO LOCAL RULE
9075-1 ON DEBTOR’S MOTION FOR AUTHORIZATION TO SELL DEBTOR’S
PROPERTY OUTSIDE OF THE ORDINARY COURSE OF BUSINESS**

Sofa Express, Inc. (the “Debtor”), as debtor and debtor-in-possession herein hereby moves this Court (the “Motion”) for entry of an Order, pursuant to Local Rule 9075-1, setting an expedited hearing on the Debtor’s Motion to sell Debtor’s property outside of the ordinary course of business. In support of this Motion, the Debtor respectfully represents as follows:

1. Relief Requested: Through the instant motion, Debtor requests that the Court set Debtor’s Motion to sell Debtor’s property outside of the ordinary course of business for hearing on March 25, 2008, thereafter as soon as the court’s schedule permits. The Motion to sell Debtor’s property outside of the ordinary course of business requests authority from the Court to sell certain real property owned by the Debtor and located in Madison, Tennessee.

2. Reason for urgency: This Court previously approved, by Order entered December 21, 2007, a Designation Rights Agreement (the “Agreement”) pursuant to which Planned Furniture Promotions, Inc., Hilco Merchant Resources, LLC, HRE Holdings, LLC, Tiger Capital Group, LLC, SB Capital Group, LLC and Kimco Realty Services, Inc. (collectively, the “Agent”) is entitled to procure a buyer for the subject

property and the Debtor is obligated to promptly file a motion to sell its interest in the subject property. The sale of the designation rights for the subject property was part of the consideration paid by the Agent upon entry of the Sale Order in December, 2007. On March 4, 2008, the Agent notified the Debtor, as required by the Agreement, that its interest in the subject property would be sold to HRE Nashville, LLC (“HRE”). In furtherance of the proposed sale of the subject property, the Agent has reached an agreement with HRE, subject to the Court’s approval, to sell the subject property to HRE. Under the Agreement, if the Debtor is not able to procure an Order approving the sale of the subject property, the Debtor is potentially obligated to return consideration previously paid by the Agent. In order to ensure that the estate is required to return consideration previously paid by the Agent, and in order to comply with its obligations under the Agreement, Debtor requests that the Debtor’s Motion to sell Debtor’s property outside of the ordinary course of business be heard on March 25, 2008, and decided before the end of March, 2008.

3. Notice: Notice of the Debtor’s Motion to sell Debtor’s property outside of the ordinary course of business has been given to the Master Service List and all other parties requesting service.

4. Suggested Hearing Date: Debtor requests that the Court set the Debtor’s Motion to sell Debtor’s property outside of the ordinary course of business for hearing on March 25, 2008.

WHEREFORE, for the reasons set forth herein, the Debtor respectfully requests that the Court (i) enter an order, substantially in the form attached as an exhibit hereto setting an expedited hearing the Debtor’s Motion to sell Debtor’s property outside of the

ordinary course of business on March 25, 2008, and (ii) grant such further and general relief as is deemed appropriate.

Dated: March 13, 2008.

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BERRY, PLC

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