

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

ROOMSTORE, INC.,

Debtor.

Chapter 11

Case No. 11-_____

**MOTION OF DEBTOR FOR ORDER PURSUANT TO 11
U.S.C. § 521 AND FEDERAL RULE OF BANKRUPTCY
PROCEDURE 1007(C) AND LOCAL RULE 1007-1
EXTENDING TIME TO FILE ITS SCHEDULES OF
ASSETS AND LIABILITIES, STATEMENTS OF
FINANCIAL AFFAIRS, AND SCHEDULES OF
EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

The debtor and debtor-in-possession (the “Debtor”) in the above-captioned chapter 11 case (the “Bankruptcy Case”) hereby seeks the entry of an order (the “Order”), in the form attached hereto as **Exhibit A** pursuant to section 521 of title 11 of chapter 11 of the United States Code, 11 U.S.C. § 101, et seq., as amended (the “Bankruptcy Code”), Rule 1007(c) of the Federal Rule of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 1007-1 of the Local Rules for the United States Bankruptcy Court for the Eastern District of Virginia (“Local Rules”), to extend its time to file (i) schedules of assets and liabilities, (ii) statements of financial affairs, and (iii) schedules of executory contracts and unexpired leases (collectively, the

LOWENSTEIN SANDLER PC

Kenneth A. Rosen (NJ Bar No. 02160) (Admission Pro Hac Vice Pending)
Bruce D. Buechler (NJ Bar No. 02886) (Admission Pro Hac Vice Pending)
Mary E. Seymour (NJ Bar No. 04564) (Admission Pro Hac Vice Pending)
Cassandra M. Porter (NJ Bar No. 01917) (Admission Pro Hac Vice Pending)
Andrew David Behlman (NJ Bar No. 03878) (Admission Pro Hac Vice Pending)
65 Livingston Avenue
Roseland, New Jersey 07068
(973) 597 2500

- and -

KAPLAN & FRANK, PLC
Troy Savenko (Va. Bar No. 44516)
Leslie A. Skiba (Va. Bar No. 48783)
7 East 2nd Street (23224-4253)
Post Office Box 2470
Richmond, Virginia 23218-2470
(804) 525-1891
*Proposed Co-Counsel to the Debtor
and Debtor-in-Possession*

“Schedules and Statements”) (the “Motion”). In support of this Motion, the Debtor respectfully represents as follows:

BACKGROUND

1. On the date hereof (the “Petition Date”), the Debtor commenced the Bankruptcy Case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

2. No trustee or examiner has been appointed in the Bankruptcy Case. No official committee of unsecured creditors of the Debtor has yet been appointed. The Debtor continues to manage and operate its business as a debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. The Debtor was founded in 1992 in Dallas, Texas with four retail furniture stores. With over \$300 million in net sales for its fiscal year ending 2010, the Debtor is one of the thirty largest furniture retailers in the United States.

4. Currently, the Debtor is headquartered in Richmond, Virginia and operates a chain of sixty-three retail furniture stores, including both large-format stores and clearance centers (collectively the “Retail Stores”) in eight states: Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Florida, Alabama, and Texas. In addition, the Debtor has seven warehouses and distribution centers (the “Warehouses”) located in Maryland, North Carolina, Texas, and Virginia that service the Retail Stores.

5. Prior to the Petition Date, the Debtor commenced “store closing sales” at five of its Retail Stores, located in Hoover, Alabama; Fayetteville, North Carolina; Houston, Texas, Norfolk, Virginia, and Baltimore, Maryland.

6. General information about the Debtor, its business, its capital structure, the events leading to the filing of its Bankruptcy Case, and the relief sought by the Debtor in its various First Day Pleadings is contained in the *Declaration of Lewis M. Brubaker, Jr., Senior Vice President and Chief Financial Officer of RoomStore, Inc., in Support of Chapter 11 Petition and*

First Day Pleadings (the “Brubaker Declaration”) filed contemporaneously herewith.

JURISDICTION

7. This Court has jurisdiction over this Motion under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b).

8. Venue is proper under 28 U.S.C. §§ 1408 and 1409.

9. The statutory predicates for the relief sought herein are 11 U.S.C. § 521, Bankruptcy Rule 1007(c) and Local Rule 1007-1.

RELIEF REQUESTED

10. By this Motion, the Debtor seeks entry of an order, pursuant to Bankruptcy Rule 1007, extending the time within which the Debtor must file its Schedules and Statements for an additional thirty days through and including **January 25, 2012**.

11. On the Petition Date, the Debtor filed with the Court a list of the creditors holding the twenty-five largest unsecured claims against the Debtor’s estate.

12. To prepare the Schedules and Statements, the Debtor must gather substantial information from its books and records and certain documentation held by third-parties. Consequently, collection of the necessary information requires the expenditure of substantial time and effort on the part of the Debtor. Also, the time of the Debtor’s financial personnel during the early stages of this case has been consumed with many new tasks as the Debtor transitions into Chapter 11.

13. The Debtor anticipates that it will require an additional thirty days following the fifteen day deadline within which to prepare and file its Schedules and Statements in the appropriate formats prescribed by the Bankruptcy Code, the Bankruptcy Rules and the Local Bankruptcy Rules.

14. Bankruptcy Rule 1007(c) permits the extension, for cause, of the time for the filing of the Schedules and Statements. In view of the size, scope and complexity of this case, there is adequate cause for the requested short extension.

15. Accordingly, the Debtor requests an additional extension of time to file the Schedules and Statements for an additional thirty days through and including **January 25, 2012**, without prejudice to its right to seek a further extension for cause shown.

NOTICE

16. Notice of this Motion will be given to (i) the Office of the United States Trustee for the Eastern District of Virginia; (ii) counsel to the Debtor's prepetition lender; and (iii) the Debtor's twenty-five largest unsecured creditors.

WAIVER OF MEMORANDUM OF LAW

17. Pursuant to Rule 9013-1(G) of the Local Rules of the Bankruptcy Court and because there are no novel issues of law presented in the Motion and all applicable authority is set forth in the Motion, the Debtor respectfully requests that the Court waive the requirement that this Motion be accompanied by a separate memorandum of law.

NO PRIOR REQUEST

18. No previous request for the relief sought herein has been made to this or any other Court.

WHEREFORE, the Debtor respectfully requests that the Court enter an Order, substantially in the form annexed hereto as **Exhibit A**, extending the time for the Debtor to file its schedules and statements for an additional thirty days through and including **January 25, 2012**, and granting the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: December 12, 2011
Richmond, Virginia

Respectfully submitted,

/s/ Troy Savenko

LOWENSTEIN SANDLER PC
Kenneth A. Rosen (NJ Bar No. 02160)
(Admission Pro Hac Vice Pending)
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(Admission Pro Hac Vice Pending)
Andrew David Behlman (NJ Bar No. 03878)
(Admission Pro Hac Vice Pending)
65 Livingston Avenue
Roseland, New Jersey 07068
Telephone: (973) 597-2500
Facsimile: (973) 597-2400

- and -

KAPLAN & FRANK, PLC
Troy Savenko (Va. Bar No. 44516)
Leslie A. Skiba (Va. Bar No. 48783)
7 East Second Street (23224-4253)
Post Office Box 2470
Richmond, Virginia 23218-2470
Telephone: (804) 423-7921

*Proposed Counsel to the Debtor
and Debtor in Possession*

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In re:

ROOMSTORE, INC.,

Debtor.

Chapter 11

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**ORDER PURSUANT TO 11 U.S.C. § 521 AND FEDERAL
RULE OF BANKRUPTCY PROCEDURE 1007(C) AND
LOCAL RULE 1007-1 EXTENDING TIME TO FILE ITS
SCHEDULES OF ASSETS AND LIABILITIES,
STATEMENTS OF FINANCIAL AFFAIRS, AND
SCHEDULES OF EXECUTORY CONTRACTS AND
UNEXPIRED LEASES**

Upon consideration of the Motion¹ for entry of an order extending the Debtor's time to file its (i) schedules of assets and liabilities, (ii) statements of financial affairs, and (iii) schedules of executory contracts and unexpired leases (collectively, the "Schedules and Statements"); and notice of the Motion being sufficient and no other or further notice is necessary; and sufficient cause appearing therefor; it is hereby:

ORDERED that the Motion is granted to the extent set forth herein; and it is

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

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further

ORDERED that the Debtor's time to file its Schedules and Statements is extended through, and including, **January 25, 2012**; and it is further

ORDERED that this Order shall be effective, nunc pro tunc, to the Petition Date; and it is further

ORDERED that this Order is without prejudice to the Debtor's right to seek a further extension its time to file its schedules of assets and liabilities, statement of financial affairs, and schedules of executory contracts and unexpired leases on notice to all interested parties.

ENTERED:

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

LOWENSTEIN SANDLER PC

Kenneth A. Rosen (NJ Bar No. 02160) (Admission Pro Hac Vice Pending)
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CERTIFICATION UNDER LOCAL RULE 9022-1(C)

I hereby certify that notice of the Debtor's intent to seek entry of the foregoing proposed order was provided to the parties identified in the Motion and copy of this proposed order was provided to the Office of the United States Trustee for the Eastern District of Virginia prior to submission to this Court.
