

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re

VWS Holdco, Inc., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 25-10979 ( )

Joint Administration Requested

**DEBTORS' MOTION FOR ENTRY OF AN ORDER  
EXTENDING TIME TO FILE SCHEDULES OF ASSETS  
AND LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS**

The above-captioned debtors and debtors in possession (the “Debtors”), by and through its undersigned proposed counsel, hereby moves this Court (the “Motion”) pursuant to sections 105(a) and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”), rules 1007(c) and 9006(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rule 1007-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), seeking entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the time for the Debtors to file their schedules of assets and liabilities and statement of financial affairs (collectively, the “Schedules”) through and including July 16, 2025 (which is approximately thirty (30) days after the current deadline of June 16, 2025, established by Bankruptcy Rule 1007(c)). In support of this Motion, the Debtors incorporate by reference the *Declaration of Steven F. Agran in Support of First Day Pleadings* (the “First Day Declaration”)<sup>2</sup> and respectfully represents as follows:

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification numbers are as follows: VWS Holdco, Inc. (5412) and Shoosmith Bros., Inc. (6914). The Debtors’ mailing address is P.O. Box 2770, Chesterfield, VA 23832.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the First Day Declaration.



### **JURISDICTION**

1. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this proceeding and the Motion is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory bases for the relief requested herein are sections 105(a) and 521 of the Bankruptcy Code, Bankruptcy Rules 1007(c) and 9006(b), and Local Rule 1007-1.

3. Pursuant to Local Rule 9013-1(f), the Debtors consent to the entry of a final order by the Court if it is determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

### **BACKGROUND**

4. On June 1, 2025 (the “Petition Date”), the Debtors commenced the above-captioned cases (these “Chapter 11 Cases”) by filing voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in this Court. The Debtors are operating their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. No trustee, examiner or official committee has been appointed in these Chapter 11 Cases.

5. Additional detail regarding the Debtors, the events leading to commencement of these Chapter 11 Cases, and the facts and circumstances supporting the relief requested herein is set forth in the First Day Declaration and is incorporated herein by reference.

**RELIEF REQUESTED**

6. By this Motion, the Debtor requests a brief extension of the deadline to file their Schedules through and including July 16, 2025 (the “Extension”) without prejudice to the Debtors’ right to apply to this Court, upon appropriate notice, for further extension(s) of time to file Schedules or to seek a waiver of the requirement for filing certain Schedules.

**BASIS FOR RELIEF**

7. Bankruptcy Code section 521 and Bankruptcy Rule 1007(c) generally require a debtor under chapter 11 of the Bankruptcy Code to file, among other things, its schedules of assets and liabilities, schedules of current income and current expenditures, and a statement of financial affairs within fourteen (14) days of the petition date. Pursuant to Bankruptcy Rules 1007(a)(5) and (c), this Court is authorized to grant the Debtor additional time to file its Schedules beyond date provided under Bankruptcy Rule 1007(c) for cause.

8. The Court has authority to grant the requested Extension under Bankruptcy Rule 1007(c). Bankruptcy Rule 1007(c) provides that “any extension of time to file schedules, statements and other documents required under this rule may be granted only on motion for cause shown and on notice to the United States trustee, any [official] committee. . . trustee, examiner, or other party as the court may direct.” Fed. R. Bankr. P. 1007(c). Similarly, Local Rule 1007-1(b) provides that such an extension “shall be granted, for cause, only upon filing of a motion by the debtor.” Del. Bankr. L.R. 1007-1(b).

9. The Debtors submit that cause exists to extend the Debtors’ deadline to file the Schedules based upon, among other things, (i) the limited workforce the Debtors have to complete the Schedules, and (ii) the numerous burdens imposed on the Debtors and its professionals by the Debtors’ restructuring efforts, particularly in the early days of these Chapter 11 Cases.

10. The Debtors only have a part-time controller and very few other employees to assist in preparing the Schedules.

11. The Debtors have a limited number of creditors. Although the Schedules were not filed with the Debtors' petition, annexed to the petition is a list containing the names and addresses of the Debtors' twenty largest unsecured creditors.

12. The Debtors believe they will be unable to complete its Schedules at this early stage in this case because (a) the limited staffing available to perform the required internal review of the Debtors' books and records and accounts and affairs; and (b) the accelerated pace at which the Debtors' time-sensitive bankruptcy efforts will proceed, including the expedited drafting of first-day pleadings.

13. In addition, the requested extension is reasonable because a deadline to file claims in the Chapter 11 Cases has not been set by the Court. Under Bankruptcy Rules 3003(b)(1) and (c)(2), a creditor must file a proof of claim only if its debt is listed as contingent, unliquidated or disputed in a debtor's schedules of assets and liabilities or if it disagrees with the stated amount listed therein. *See* Fed. R. Bankr. P. 3003(b)(1), (c)(2). The requested extension deadline, July 16, 2025, will still give all creditors adequate time to digest how its claim is included in the Schedules and to prepare and file a proof of claim if necessary. Accordingly, parties in interest are not burdened by the Extension requested herein.

14. The relief requested herein will not prejudice or adversely affect the rights of the Debtors' creditors or other parties in interest. Similar relief has been granted by this Court in other chapter 11 cases. *See, e.g., In re R.Riveter LLC*, Case No. 24-12378 (THM) (granting 30 day extension); *In re: Jamby's, Inc.*, Case No. 24-10913 (KBO) (granting 20 day extension) (May 30, 2024); *In re Smallhold, Inc.* Case No. 24-10267 (CTG) (granting 11-day extension); (Bankr. D.

Del. Apr. 1, 2024); *In re Lunya Company*, Case No. 23-10783 (BLS) (Bankr. D. Del. Aug. 1, 2023) (granting 21-day extension); *In re Semrad Law Firm, LLC*, Case No. 23-10512 (JTD) (Bankr. D. Del. May 5, 2023) (granting 15-day extension); *In re Blank Label Group, Inc., et al.*, Case No. 23-10286 (JTD) (Bankr. D. Del. Mar. 31, 2023) (granting 16-day extension); *In re Gleamin, Inc.*, Case No. 22-10768 (JTD) (Bankr. D. Del. Aug. 26, 2022) (granting 26-day extension); *In re Orexigen Therapeutics, Inc.* Case No. 18-10518 (KG) (Bankr. D. Del. Apr. 10, 2018) (granting 32-day extension). Rather, the Extension requested herein will aid the Debtor's efforts to ensure the accuracy and completeness of the Schedules which, in turn, will promote efficient administration of these Chapter 11 Cases and ultimately benefit the Debtors' creditors and parties in interest.

### **NOTICE**

15. Notice of this Motion will be provided to: (i) the Office of the United States Trustee for the District of Delaware, J. Caleb Boggs Building, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware, 19801, Attn: Jane Leamy (jane.m.leafy@usdoj.gov); (ii) counsel to the DIP Lenders, Cole Schotz P.C., 1325 Avenue of the Americas, New York, NY 10019, Attn: Daniel F. X. Geoghan (DGeoghan@coleschotz.com); (iii) the Debtor's twenty (20) largest unsecured creditors; and (iv) all parties requesting notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested herein, the Debtor submits that no other or further notice is necessary.

### **NO PRIOR REQUEST**

16. The Debtors have not previously sought the relief requested herein from the Court or any other court.

### **CONCLUSION**

**WHEREFORE**, for the reasons set forth herein, the Debtors respectfully requests that the

Court (a) enter the Proposed Order substantially in the form annexed hereto as **Exhibit A** granting the relief requested in this Motion and (b) granting such other and further relief as may be just and proper.

Dated: June 1, 2025  
Wilmington, Delaware

**PASHMAN STEIN WALDER HAYDEN, P.C.**

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*Proposed Counsel to the Debtors and Debtors in Possession*

**Exhibit A**

**Proposed Order**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re

VWS Holdco, Inc., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 25-10979( )

Joint Administration Requested

**Re: D.I.**

**ORDER EXTENDING TIME TO FILE SCHEDULES OF ASSETS  
AND LIABILITIES AND STATEMENTS OF FINANCIAL AFFAIRS**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors and debtors in possession (the “Debtors”) for entry of an order (this “Order”), under Bankruptcy Rule 1007(c), extending the time for Debtors to file their schedules of assets and liabilities and statements of financial affairs (collectively, the “Schedules”), through and including July 16, 2025; and upon consideration of the First Day Declaration; and this Court having found that it has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012; and this Court having found that the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b); and that the Debtors consent to entry of a final order under Article III of the United States Constitution; and this Court having found that venue of these Chapter 11 Cases and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having determined that the relief requested in the Motion is in the best interests of the Debtors, its estate, its creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has

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been given and that no other or further notice is necessary; and this Court having reviewed the Motion and having the opportunity for a hearing held before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Motion and the First Day Declaration and at the Hearing establish just cause for the relief granted herein; and any objections to the relief requested herein having been withdrawn or overruled on the merits; and after due deliberation thereon and good and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. The time by which the Debtors must file their Schedules required by Bankruptcy Rule 1007(b) is enlarged and extended pursuant to Bankruptcy Rule 1007(b) through and including, July 16, 2025.
3. The entry of this Order shall be without prejudice to the Debtors’ right to apply to this Court, upon appropriate notice, for further extension(s) of the time to file the Schedules, or to seek a waiver of the requirement for filing certain Schedules.
4. The Debtors are authorized to take all necessary actions to effectuate the relief granted pursuant to this Order and in accordance with the Motion.
5. Notwithstanding any applicability of any Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the interpretation, implementation, or enforcement of this Order.