

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

**PITTSBURGH ATHLETIC
ASSOCIATION, et al¹,**

Debtors,

**IRWIN KOTOVSKY, RICHARD,
J. VELAN, YVONNE ROSE
AND KAY MERGE,**

Movants,

vs.

**PITTSBURGH ATHLETIC
ASSOCIATION et al,**

Respondent.

**Jointly Administered at:
Bankruptcy No. 17-22222-JAD**

**Bankruptcy Nos:
17-22222-JAD, and
7-22223-JAD**

Document No.

**Related to Doc. Nos. 702, 724, 807 &
812**

**Hearing Date and Time:
May 30, 2018 at 10:00 am**

**WITHDRAWAL OF JOINT OBJECTION TO [THIRD REVISED] AMENDED JOINT
PLAN OF REORGANIZATION DATED MARCH 16, 2018 (as revised April 22, 2018)
AND ACCOMPANYING DISCLOSURE STATEMENT**

AND NOW, comes Irwin Kotovsky, Richard J. Velan, Yvonne Rose and Kay Merge (the "Objectors"), by and through their undersigned counsel, and file the within **Withdrawal of Joint Objection to [Third Revised] Amended Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and accompanying Disclosure Statement** as follows:

BACKGROUND

1. On April 22, 2018, the Debtors filed a [Third Revised] Amended Joint Plan of Reorganization dated March 16, 2018 (as revised April 22, 2018) [Doc No. 702]

¹ The Debtors have the following case pending Pittsburgh Athletic Association Bankruptcy No. 17-22222-JAD and the Pittsburgh Athletic Association Land Company, Bankruptcy No. 17-22223-JAD, both cases are being jointly administered under Case No. 17-22222-JAD.

(“Third Revised Amended Joint Plan”) and a [Revised] Impaired Class Amended Joint Disclosure Statement (as revised April 22, 2018) [Doc. No. 703] (“Revised Impaired Class Amended Disclosure Statement”).

2. On April 24, 2018, the Debtors filed a [Revised] Impaired Class Joint Disclosure Statement to Accompany the Joint Plan of Reorganization Dated March 13, 2018 (as revised April 24, 2018) [Doc. No. 717] (the “April 24, 2018 Joint Disclosure Statement”).

3. On May 23, 2018, the Movants filed a Joint Objection to [Third Revised] Amended Joint Plan of Reorganization dated March 16, 2018 (as revised April 22, 2018) and accompanying Disclosure Statement (“the Joint Objection”)[Doc. No. 807].

4. Also on May 23, 2018, McKnight Realty Partners (McKnight) filed a Joinder to the Joint Objection and an Additional Objection to the [Third Revised] Amended Joint Plan of Reorganization dated March 16, 2018 (as revised April 22, 2018) and accompanying Disclosure Statement (“the McKnight Obejction”)[Doc. No. 808].

5. On May 25, 2018, McKnight filed a Withdrawal of the McKnight Objection through which McKnight also withdrew its offer to purchase the Debtors’ real property made on April 23, 2018 (“the McKnight Withdrawal”) [Doc. No. 812].

6. Since the filing of the McKnight Withdrawal, the Movants have been in discussions with Debtors and the Creditors’ Committee respecting proposed additions to the Confirmation Order to be entered in this case respecting the ultimate disposition of (a) any monies to be distributed to the PAA as a result of the TCE-TIA Escrow and (b) the PAA’s art collection.

7. In light of the McKnight Withdrawal and the Debtors' agreement to add certain agreed upon language to the Confirmation Order, and subject to that agreed upon language being added to the plan, the purchase and sale agreement and the confirmation order (the "Plan Documents"), the Movants withdraw the Joint Objection.

8. Should the agreed upon language not be included in the Plan Documents, the Objectors reserve the right to renew the arguments contained within the Joint Objection.

WHEREFORE, Irwin Kotovsky, Richard J. Velan, Yvonne Rose and Kay Merge respectfully request that, upon confirmation at the hearing that the agreed upon language has been appropriately added to the Plan Documents, this Honorable Court deem the Joint Objection withdrawn on the record.

Dated: May 29, 2018

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CERTIFICATE OF SERVICE

Robert O Lampl, John P. Lacher, David L. Fuchs and Ryan J. Cooney hereby certify, that on the 29th day of May, 2018, a true and correct copy of the foregoing **Withdrawal of Joint Objection to [Third Revised] Amended Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and accompanying Disclosure Statement** was served upon the following (*via electronic service*):

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² The Debtors have the following case pending Pittsburgh Athletic Association Bankruptcy No. 17-22222-JAD and the Pittsburgh Athletic Association Land Company, Bankruptcy No. 17-22223-JAD, both cases are being jointly administered under Case No. 17-22222-JAD.

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Dated: May 29, 2018

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