

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

IN RE: PITTSBURGH ATHLETIC ASSOCIATION, et al. ¹ Debtor.	Bankruptcy No. 17-22222-JAD (Jointly Administered) Chapter 11 Related Doc. Nos.: 702, 724 and 807
_____ PITTSBURGH ATHLETIC ASSOCIATION, et al., Movant, v. MCKNIGHT REALTY PARTNERS, <i>as assignee of Martin S. Samuels and Johanna S. Samuels,</i> Respondent.	Hearing Date and Time: May 30, 2018 at 10:00 AM

MCKNIGHT REALTY PARTNERS JOINDER TO THE JOINT OBJECTION TO [THIRD REVISED] AMENDED JOINT PLAN OF REORGANIZATION DATED MARCH 16, 2018 (as revised April 22, 2018) AND ACCOMPANYING DISCLOSURE STATEMENT AND ADDITIONAL 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 McKnight Realty Partners (“McKnight”), a Creditor of the Pittsburgh Athletic Association, by and through its Counsel, Kirk B. Burkley, Esq. and the law firm of Bernstein-Burkley, P.C., and files the within *Joinder to the Joint Objection to the [Third Revised] Amended Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and Accompanying Disclosure Statement and Additional Objection to the [Third Revised] Amended*

¹ The Debtors have the following cases 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

*Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and
Accompanying Disclosure Statement* as follows:

Preliminary Statement

1. For many months, McKnight has tried to engage with the Debtors in order to put together a better deal for the Bankruptcy Estate, however, the Debtors refused to meaningfully engage in such a process or even take one phone call or meeting with members of McKnight.

Joinder

2. 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] (“Third Revised Amended Joint Plan”).

3. On April 24, 2018, the Debtors filed their [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”)

4. On May 23, 2018, Irwin Kotovsky, Richard J. Velan, Yvonne Rose and Kay Merge, by and through their counsel, 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].

5. McKnight hereby joins in the Joint Objection as if stated fully herein.

Additional Objection

6. Additionally, Article X of the Third Revised Joint Amended Plan provides for releases for the Debtors and exculpation for, among others, Walnut and the Debtor’s officers, directors and professionals.

7. Upon information and belief, there was no consideration provided for the referenced exculpation and, therefore, exculpation for individuals that provided no consideration should be stricken and denied.

8. Further, any releases of individuals that have not provided consideration should be stricken and denied.

9. McKnight further reserves the right to amend its Joinder and/or objection to the Amended Plan for any permissible reason including, but not limited to, if new information becomes available prior to the confirmation hearing.

WHEREFORE, McKnight Realty Partners respectfully requests that this Honorable Court deny confirmation of the Debtors' Third Revised Amended Joint Plan.

Dated: 5/23/2018

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

By: /s/ Kirk B. Burkley

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CERTIFICATE OF SERVICE

I, Kirk B. Burkley, hereby certify that this 23rd day of May, 2018, a true and correct copy of the within *Joinder to the Joint Objection to the [Third Revised] Amended Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and Accompanying Disclosure Statement and Additional Objection to the [Third Revised] Amended Joint Plan of Reorganization Dated March 16, 2018 (as revised April 22, 2018) and Accompanying Disclosure Statement* was served via the Court's CM/ECF system upon the following:

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