

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

In re:

THE WEINSTEIN COMPANY HOLDINGS,
LLC, *et al.*,

Debtors.

Chapter 11

Case No. 18-10601 (MFW)
(Jointly Administered)

Rel. Dkt. Nos. 1695

**OBJECTION OF STEPHEN KING TO SUPPLEMENTAL NOTICE OF FILING OF
LIST OF ASSUMED CONTRACTS PURSUANT TO SALE ORDER**

On November 8, 2018, Lantern Entertainment LLC (“Lantern”) filed a Supplemental Notice of Filing of List of Assumed Contracts Pursuant to Sale Order (the “November 8 Supplemental Notice”). Stephen King (“King”) responds as follows:

Background

1. On March 19, 2018 (the “Petition Date”), the Debtors commenced their cases under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) by filing voluntary petitions. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to Bankruptcy Code sections 1107(a) and 1108.

2. On March 20, the Debtors filed the Motion for Entry of Orders (I)(A) Approving Bidding Procedures for Sale of Substantially all of the Debtors’ Assets, (B) Approving Stalking Horse Bid Protections, (C) Scheduling Auction for, and Hearing to Approve, Sale of Substantially All of the Debtors’ Assets, (D) Approving Form and Manner of Notices of Sale, Auction and Sale Hearing, (E) Approving Assumption and Assignment Procedures and (F) Granting Related Relief and (II)(A) Approving Sale of Substantially All of the Debtors’ Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (B) Approving Assumption

and Assignment of Executory Contracts and Unexpired Leases and (C) Granting Related Relief (Docket No. 8) (the “Sale Motion”).

3. Pursuant to the Sale Motion, the Debtors sought to establish certain bidding procedures and for approval of the Debtors’ sale of substantially all of its assets to a stalking horse purchaser or another Successful Bidder at a scheduled Auction.

4. On April 13, 2018, the Debtors filed the Initial Notice which included 7 lines of contracts (line 4140 to 4146) for King relating to works titled the *Mist* and *1408*.

5. On April 20, 2018, the Debtors filed the Supplemental Notice, which stated that it is to supplement (and not replace) the contracts listed in the Initial Notice. The Supplemental Notice included 8 lines of contracts (line 6230 to 6231 and 8688 to 8693) for King. These contracts appeared to also relate to the *Mist* and *1408*. From the description of the contracts in the Notices, it was unclear whether all applicable amendments were listed and some listed contracts may have been drafts.

6. King objected to the Notices. The objection was continued for a period of time.

7. On or around October 15, counsel for Lantern called to advise that Lantern was not assuming *1408* or *The Mist*, the movie. Counsel also said that Lantern was keeping, *The Mist*, tv rights and it was her understanding that the parties were in discussion over *The Mist* tv rights.

8. There have been no discussions between the parties over *The Mist* tv rights.

9. On November 8, 2018, Lantern filed the November 8 Supplemental Notice. This notice included a list of “Previously Omitted Contracts to be Assumed”. Page 64 of the exhibit lists three contracts with King, identified as “Option and Acquisition of Rights”, Side Letter to

Option Agreement and Letter Agreement re: The Mist by Stephen King”. Each contract is listed as having a zero cure amount.

10. The November 8 Supplemental Notice also listed contracts for King on page 14 of the exhibit for contracts being added to the Assumed Contract Schedule, listing additional cure amounts. These contracts also were listed as having zero cure amounts. These contracts also appear to relate to *The Mist*.

Response

11. Under the option agreement, the Producer had the option to acquire the Rights to the Work [*i.e. The Mist*].

12. The agreements relating to *The Mist*, as amended, provide that all Rights shall revert back to King if the “Pilot has not aired by June 30, 2017”.

13. The Pilot did not air by June 30, 2017, and thus, the option expired before the filing of this bankruptcy. As all Right to the Work under the option agreement relating to *The Mist* reverted back to King over a year ago, there is nothing left to assume and assign to Lantern.

December 4, 2018

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