

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address BRIAN L. DAVIDOFF (SBN 102654) BDavidoff@GreenbergGlusker.com KEITH PATRICK BANNER (SBN 259502) KBanner@GreenbergGlusker.com GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER LLP 1900 Avenue of the Stars, 21st Floor Los Angeles, California 90067-4590 Telephone: 310.553.3610 Fax: 310.553.0687</p> <p><input type="checkbox"/> Individual appearing without an attorney <input checked="" type="checkbox"/> Proposed Attorney for Movant(s) Debtor and Debtor in Possession</p>	<p>FOR COURT USE ONLY</p>
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION**

<p>In re:</p> <p>B&B Liquidating, LLC,</p> <p align="right">Debtor(s)</p>	<p>CASE NO.: 2:18-bk-11744-NB CHAPTER: 11</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: Emergency Motion for Order Authorizing: 1. Authorizing Debtor In Possession to Honor Certain Pre-Petition Employee Wages and Benefits in the Ordinary Course of Business; 2. Authorizing Administration and Maintenance of Employee Benefits and Programs; (3) Directing Banks and Financial Institutions to Honor and Process Checks and Transfers Related Thereto; and (5) Granting Related Relief [Docket No. 8]</p>
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PLEASE TAKE NOTE that the order titled ORDER ON EMERGENCY MOTION FOR ORDER: (1) AUTHORIZING DEBTOR IN POSSESSION TO HONOR CERTAIN PREPETITION EMPLOYEE WAGES AND BENEFITS IN THE ORDINARY COURSE OF BUSINESS; (2) AUTHORIZING ADMINISTRATION AND MAINTENANCE OF EMPLOYEE BENEFITS AND PROGRAMS; (3) DIRECTING BANKS AND FINANCIAL INSTITUTIONS TO HONOR AND PROCESS CHECKS AND TRANSFERS RELATED THERETO; AND (4) GRANTING RELATED RELIEF was lodged on (date) February 21, 2018 and is attached. This order relates to the motion which is docket number 8.

EXHIBIT A

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6 Proposed General Bankruptcy Counsel for
7 Debtor and Debtor in Possession

8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 LOS ANGELES DIVISION

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12 In re:
13 B&B Liquidating, LLC,
14
15 Debtor and Debtor in Possession.

Case No. 2:18-bk-11744-NB

Chapter 11

**ORDER ON EMERGENCY MOTION FOR
ORDER:**

**(1) AUTHORIZING DEBTOR IN
POSSESSION TO HONOR CERTAIN PRE-
PETITION EMPLOYEE WAGES AND
BENEFITS IN THE ORDINARY COURSE
OF BUSINESS;**

**(2) AUTHORIZING ADMINISTRATION
AND MAINTENANCE OF EMPLOYEE
BENEFITS AND PROGRAMS;**

**(3) DIRECTING BANKS AND FINANCIAL
INSTITUTIONS TO HONOR AND
PROCESS CHECKS AND TRANSFERS
RELATED THERETO; AND**

(4) GRANTING RELATED RELIEF

Emergency Hearing:

Date: February 22, 2018

Time: 2:00 p.m.

Place: Courtroom 1545

255 E. Temple Street

Los Angeles, CA 90012

GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP
1900 Avenue of the Stars, 21st Floor
Los Angeles, California 90067-4590

1 On the above captioned date and time, the court considered the *Emergency Motion for*
2 *Order Authorizing: (1) Authorizing Debtor In Possession to Honor Certain Pre-Petition*
3 *Employee Wages and Benefits in the Ordinary Course of Business; (2) Authorizing*
4 *Administration and Maintenance of Employee Benefits and Programs; (3) Directing Banks and*
5 *Financial Institutions to Honor and Process Checks and Transfers Related Thereto; and (5)*
6 *Granting Related Relief* [Docket No. 8] (the “Motion”), filed by Debtor and Debtor in Possession
7 B&B Liquidating, LLC, f/k/a B&B Bachrach, LLC, (the “Debtor”), pursuant to sections 105(a),
8 363, 507(a), 1107(a) and 1108 of title 11 of the United States Code, 11 U.S.C. §§ 101, et seq.
9 (the “Bankruptcy Code”) and rules 6003 and 6004 of the Federal Rules of Bankruptcy Procedure
10 (the “Bankruptcy Rules” and each a “Bankruptcy Rule”). Unless otherwise defined herein,
11 capitalized terms have the meaning ascribed to them in the Motion.

12 Based upon the Court’s review of the Motion, the accompanying Memorandum of Points
13 and Authorities, the *Omnibus Declaration of Brian Lipman in Support of First Day Motions*, the
14 *Declaration of Brian Allen of Clear Thinking Group LLC, Financial Advisor to the Debtor in*
15 *Support of First Day Motions*, the evidentiary record, and argument of counsel; it appearing that
16 this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; it appearing
17 that due and adequate notice of the Motion having been given under the circumstances; and after
18 due deliberation and good cause appearing therefor, based upon findings of fact and conclusions
19 of law stated in the Court’s Memorialization of Tentative Rulings (Docket Nos. __ & __) as
20 modified or supplemented orally on the recorded in open court pursuant to Rule 52(a) of the
21 Federal Rules of Civil Procedure, as incorporated into Rule 7052 of the Federal Rules of
22 Bankruptcy Procedure (the “Bankruptcy Rules” and each a “Bankruptcy Rule”) and applied to
23 contested matters by Bankruptcy Rule 9014(c),

24 IT IS ORDERED THAT:

- 25 1. The Motion is granted.
- 26 2. The Debtor is authorized, but not directed, in the reasonable exercise of its
27 business judgment, to pay and honor at its discretion its Pre-Petition Employee Obligations, as set
28 forth in the Motion,

1 3. The Debtor is authorized, but not directed, in the reasonable exercise of business
2 judgment, to maintain and administer the Employee Benefit Programs, as set forth in the Motion,
3 in compliance with applicable non-bankruptcy law, and pay all fees related thereto in the ordinary
4 course of business.

5 4. Banks that are presented checks or other transfers relating to the Pre-Petition
6 Employee Obligations are authorized and directed to administer the Debtor's bank accounts under
7 the Motion to the extent directed by the Debtor, and hereby are authorized, when the Debtor
8 requests in the Debtor's sole discretion, to receive, process, honor, and pay any and all checks
9 drawn on the Debtor's payroll or disbursement accounts and any other transfers that are related to
10 the Pre-Petition Employee Obligations and/or the Employee Benefit Programs and the costs and
11 expenses incidental thereto, whether those checks or transfers were presented prior to or after the
12 commencement of this chapter 11 case, provided that sufficient funds are available in the
13 accounts to make such payments.

14 5. Any bank may rely on the representations of the Debtor with the respect to
15 whether any check or other transfer drawn or issued by the Debtor prior to the commencement of
16 this chapter 11 case should be honored pursuant to this Order, and such bank shall not have any
17 liability to any party for relying on such representations by the Debtor as provided for herein.

18 6. The Debtor is authorized to issue post-petition checks or to effect post-petition
19 funds transfers requests in replacement of any checks or funds transfers requests related to Pre-
20 Petition Employee Obligations dishonored or rejected as a consequence of the commencement of
21 this chapter 11 case.

22 7. Nothing in the Motion or this Order shall be construed as impairing the Debtor's
23 rights to contest the validity or amount of any Pre-Petition Employee Obligation, including
24 without limitation any taxes that may be due to any taxing authority, or any amounts that may be
25 due under the Employee Benefit Programs.

26 8. Bankruptcy Rule 6003(b) is satisfied because the relief described in this Order is
27 necessary to avoid immediate and irreparable harm to the estate.

28 9. Notwithstanding any applicability of Bankruptcy Rule 6004, the terms of this

1 Order shall be immediately effective and enforceable upon its entry.

2 10. The Court retains jurisdiction with respect to any matters, claims, rights or
3 disputes arising from or related to the implementation of this Order.

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**GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP**
1900 Avenue of the Stars, 21st Floor
Los Angeles, California 90067-4590

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1900 Avenue of the Stars, 21st Floor, Los Angeles, CA 90067.

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) February 21, 2018, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Brian L Davidoff bdavidoff@greenbergglusker.com, calendar@greenbergglusker.com;jking@greenbergglusker.com
- Brian D Huben hubenb@ballardspahr.com, carolod@ballardspahr.com
- Dare Law dare.law@usdoj.gov, Kenneth.g.lau@usdoj.gov,Alvin.mar@usdoj.gov,ron.maroko@usdoj.gov
- Leo D Plotkin lplotkin@lsl-la.com, hpetrilli@lsl-la.com;dsmall@lsl-la.com
- Ronald M Tucker rtucker@simon.com, cmartin@simon.com;psummers@simon.com;Bankruptcy@simon.com
- United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (date) February 21, 2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) February 21, 2018, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Messenger

The Honorable Neil W. Bason
United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Ste. 1552
Los Angeles, CA 90012

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 21, 2018

Julie King

/s/ Julie King

Date

Printed Name

Signature