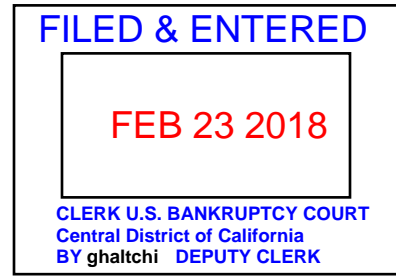


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6 Proposed General Bankruptcy Counsel for
7 Debtor and Debtor in Possession

8 **CHANGES MADE BY COURT**

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

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

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

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

Chapter 11

**ORDER GRANTING EMERGENCY
MOTION FOR ORDER LIMITING SCOPE
OF NOTICE**

Emergency Hearing:

Date: February 22, 2018

Time: 2:00 p.m.

Place: Courtroom 1545

255 E. Temple Street

Los Angeles, CA 90012

22 On the above captioned date and time, the court considered the *Emergency Motion for*
23 *Order Limiting Scope of Notice* [Docket No. 3] (the “Motion”), filed Debtor and Debtor in
24 Possession B B&B Liquidating, LLC, f/k/a B&B Bachrach, LLC, (the “Debtor”) pursuant to
25 sections 105, 1107 and 1108 of title 11 of the United States Code, , 11 U.S.C. §§ 101 et seq. (the
26 “Bankruptcy Code”) and Rules 2002(i), 2002(m), 4001, 6004, 6006, 6007, 9006, 9007, 9013,
27 9014, and 9019 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules” and each
28

1 a “Bankruptcy Rule”). Unless otherwise defined herein, capitalized terms have the meaning
2 ascribed to them in the Motion.

3 Based upon the Court’s review of the Motion, the accompanying Memorandum of Points
4 and Authorities, the *Omnibus Declaration of Brian Lipman in Support of First Day Motions*, the
5 evidentiary record, and argument of counsel; it appearing that this Court has jurisdiction over this
6 matter pursuant to 28 U.S.C. §§ 157 and 1334; it appearing that due and adequate notice of the
7 Motion having been given under the circumstances; and after due deliberation and good cause
8 appearing therefor, based upon findings of fact and conclusions of law stated in the Court’s
9 Memorialization of Tentative Rulings (Docket No. 35) as modified or supplemented orally and
10 recorded in open court pursuant to Rule 52(a) of the Federal Rules of Civil Procedure, as
11 incorporated into Bankruptcy Rule 7052 and applied to contested matters by Bankruptcy Rule
12 9014(c),

13 IT IS ORDERED THAT:

14 1. The Motion is granted.
15 2. Pursuant to sections 105, 1107 and 1108 of the Bankruptcy Code and Bankruptcy
16 Rules 2002(i), 2002(m), 4001, 6004, 6006, 6007, 9006, 9007, 9013, 9014, and 9019, notice of the
17 Limited Notice Matters, as defined forth below, is limited to: (a) Debtor’s Counsel; (b) the Office
18 of the United States Trustee; (c) the largest twenty unsecured creditors appearing on the list filed
19 in accordance with Bankruptcy Rule 1007(d) by the Debtor unless and until an official committee
20 of unsecured creditors (the “Committee”) is appointed, then in that event, to counsel of the
21 Committee (or, if counsel has not yet been appointed, to members of the Committee); (d) parties
22 that file with the Court and serve upon the Debtor requests for notice of all matters in accordance
23 with Bankruptcy Rule 2002(i); (e) any party with a pecuniary interest in the subject matter of the
24 particular Limited Notice Matter or its counsel; (f) Siena Lending Group, LLC; (g) Emerald
25 Capital Funding, LLC and (h) all other secured creditors (collectively, the “Limited Service
26 List”).

27 3. Except for matters set forth in paragraph 4 below, the Limited Notice Matters are
28 the motions and applications regarding the following matters or proceedings:

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- 1 i. any proposed use, sale, or lease of property of the estate pursuant to section 363 of
- 2 the Bankruptcy Code and Bankruptcy Rules 2002(a)(2), 4001(b), and 6004 (except
- 3 a sale of substantially all assets of the Debtor);
- 4 ii. any proposed debtor in possession financing or use of cash collateral;
- 5 iii. any proposed extension of the Debtor's exclusive time to file a chapter 11 plan and
- 6 solicit acceptance thereof (including, without limitation, the time to file a
- 7 disclosure statement) pursuant to section 1121 of the Bankruptcy Code and
- 8 Bankruptcy Rule 3016;
- 9 iv. any proposed approval of a compromise or settlement of a controversy pursuant to
- 10 Bankruptcy Rules 2002(a)(3) and 9019 and/or section 363 of the Bankruptcy Code;
- 11 v. any proposed abandonment or disposition of property of the estate pursuant to
- 12 section 554 of the Bankruptcy Code and Bankruptcy Rule 6007(a);
- 13 vi. any proposed assumption, assumption and assignment or rejection of contracts or
- 14 leases under section 365 of the Bankruptcy Code and Bankruptcy Rule 6006(a) or
- 15 (c);
- 16 vii. any proposal to prohibit or condition the use, sale or lease of property pursuant to
- 17 section 363 of the Bankruptcy Code or Bankruptcy Rule 4001(a);
- 18 viii. any proposed objections to claims pursuant to section 502 of the Bankruptcy Code
- 19 or Bankruptcy Rules 3002, 3003 or 3007;
- 20 ix. any proposed application for employment of professionals pursuant to sections 327,
- 21 1103 or 1104 of the Bankruptcy Code or Bankruptcy Rule 2014;
- 22 x. any proposed application for compensation or reimbursement of expenses of
- 23 professionals, pursuant to sections 328, 329, 330, or 331 of the Bankruptcy Code
- 24 and Bankruptcy Rules 2002(a)(6), 2016, 2017, and 6005; except as provided by
- 25 other orders of this Court; and
- 26 xi. except as limited below, a hearing relating to any other contested matters, requests
- 27 for relief, pleadings, or papers in this chapter 11 case that may or may not require
- 28 notice to all creditors or equity holders pursuant to the Bankruptcy Code,

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1 Bankruptcy Rule 9014, or the Local Bankruptcy Rules, provided that, the Debtor,
2 applicant, or movant, as applicable seeking to serve only the Limited Service List
3 under this “catchall” provision (xi) must incorporate this Order by reference and
4 state the basis for limited notice, and this Court will determine whether such party
5 has provided a sufficient basis and, if not, may direct that additional notice be
6 given.

7 4. Notwithstanding the foregoing, this Order does not affect the rights of all creditors
8 to receive notice of the following matters or proceedings: (i) the date fixed for filing proofs of
9 claim; (ii) the time fixed for filing objections to any disclosure statement and any hearing to
10 consider approval of any disclosure statement; (iii) the time fixed for accepting, rejecting, or
11 objecting to confirmation of a plan or any modification thereof and the hearing thereon; (iv) the
12 entry of an order confirming a plan; (v) a hearing on the dismissal or conversion of this chapter
13 11 bankruptcy case; and (vi) any other proceeding for which the Court orders further notice.

14 5. The Debtor shall provide a copy of the Limited Service List to any creditor or
15 party in interest that makes a written request to the Debtor’s bankruptcy counsel.

16 6. In addition to the service methods authorized by Local Bankruptcy Rule 9075-1,
17 service of emergency or expedited Limited Notice Matters by overnight delivery are authorized if
18 such notice will be delivered at least three hours prior to the scheduled hearing time or as
19 otherwise ordered by the Court.

20 7. The Debtor shall serve a copy of this Order upon all known creditors.

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8. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

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Date: February 23, 2018



Neil W. Bason
United States Bankruptcy Judge