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7 Proposed General Bankruptcy Counsel for
Debtor and Debtor in Possession

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

13 In re:
14 B&B Liquidating, LLC,

15
16 Debtor and Debtor in Possession.

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

Chapter 11

**NOTICE OF APPLICATION OF DEBTOR
PURSUANT TO SECTION 327(a) OF THE
BANKRUPTCY CODE AND RULE 2014
OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE TO
EMPLOY GREENBERG GLUSKER
FIELDS CLAMAN & MACHTINGER LLP
AS GENERAL BANKRUPTCY COUNSEL
AS OF THE PETITION DATE**

[NO HEARING REQUIRED UNLESS
REQUESTED PER L.B.R. 2014-1(B)]

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

1 **TO THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY**
2 **JUDGE, THE UNITED STATES TRUSTEE, ALL PARTIES-IN-INTEREST HEREIN,**
3 **AND THEIR RESPECTIVE COUNSEL:**

4 **PLEASE TAKE NOTICE** that Debtor and Debtor in Possession B&B Liquidating, LLC,
5 f/k/a B&B Bachrach, LLC, (the “Company” or the “Debtor”) has filed its application (the
6 “Application”) to this Court for entry of an order pursuant to section 327(a) of title 11 of the
7 United States Code, 11 U.S.C. §§ 101, et seq. (the “Bankruptcy Code”) and Rule 2014(a) of the
8 Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules” and each, a “Bankruptcy Rule”),
9 authorizing the employment of Greenberg Glusker Fields Claman & Machtinger LLP
10 (“Greenberg Glusker” or the “Firm”) as its general bankruptcy counsel as of February 16, 2018,
11 the date on which the Debtor commenced this chapter 11 case.

12 As set forth in detail in the Application, Greenberg Glusker will render such legal services
13 as the Debtor may consider necessary and appropriate to assist the Debtor in discharging its
14 statutory responsibilities. As general bankruptcy counsel to the Debtor, Greenberg Glusker will
15 provide, without limitation, the following services:

- 16 a. advise the Debtor regarding matters of bankruptcy law;
- 17 b. represent the Debtor in proceedings or hearings in this Court involving
18 matters of bankruptcy law;
- 19 c. assist the Debtor with negotiation, documentation and any necessary Court
20 approval or transactions disposing of property of the estate;
- 21 d. advise the Debtor concerning the requirements of the Bankruptcy Code,
22 and federal local rules relating to the administration of this bankruptcy case, and the effect
23 of this case on the operations of the Debtor;
- 24 e. assist the Debtor in negotiating, obtaining approval of and implementing a
25 sale of assets and/or a chapter 11 plan; and
- 26 f. perform such other legal services related to such other legal matters as may
27 arise in the administration of the Debtor’s bankruptcy estate.

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

1 A copy of the engagement agreement including its supplement (as supplemented, the
2 “Engagement Agreement”) between Greenberg Glusker and the Debtor is attached as Exhibit 2 to
3 the *Declaration of Brian Davidoff* (the “Davidoff Declaration”) accompanying the Application.

4 The Debtor seeks to employ Greenberg Glusker at its regular billing rates, which the
5 Debtor is informed generally range from \$325 to \$950 for attorneys, and from \$110 to \$375 for
6 paralegals, subject to the Court’s approval of the Firm’s compensation and reimbursement of
7 costs as provided by the Bankruptcy Code, the Bankruptcy Rules and the Local Bankruptcy
8 Rules. The current hourly rates for the professionals expected to be most active in this case are as
9 follows:

| PROFESSIONAL | POSITION | HOURLY RATE |
|----------------------|-----------|-------------|
| Brian L. Davidoff | Partner | \$690 |
| Keith Patrick Banner | Associate | \$395 |

13 **PLEASE TAKE FURTHER NOTICE** that Greenberg Glusker seeks compensation
14 pursuant to section 330 of the Bankruptcy Code to be paid by Debtor pursuant to a carve-out” (the
15 “Carve-Out”) agreed to among Greenberg Glusker, the Debtor and Siena Lending Group, LLC
16 (“Siena”) of \$20,000 per week to a maximum of \$275,000 from Siena’s secured claim pursuant to
17 the *Stipulation Regarding Continuance of Financing of Debtor and Debtor in Possession,*
18 *Priority of Advances Made, Modification of the Automatic Stay and Adequate Protection* (the
19 “Financing Stipulation”) entered into between the Debtor and Siena and attached to the
20 *Emergency Motion for Interim and Final Orders Approving Stipulation with Siena Lending*
21 *Group LLC; (1) Authorizing Post-Petition Financing; (2) Authorizing Debtor's Use of Cash*
22 *Collateral; and (3) Related Relief* [Docket No. 21] (the “Financing Motion”). The Court
23 approved the Financing Motion on an interim basis on February 22, 2018 [Docket No. 36] and the
24 Debtor filed an amended budget to accompany the Financing Stipulation on February 28, 2018
25 [Docket No. 65] (the “Budget”) which reflects the weekly Carve-Out payable to the Firm. The
26 Application seeks to draw down from the Carve Out pursuant to a procedure consistent with that
27 approved in *In re Knudsen Corp.*, 84 B.R. 668 (9th Cir. B.A.P. 1988).
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Los Angeles, California 90067-4590

1 **PLEASE TAKE FURTHER NOTICE** that a copy of the Application may obtained for a
2 fee by accessing PACER through the Court’s website at www.cacb.uscourts.gov or by contacting
3 Greenberg Glusker, attn: Keith Patrick Banner, Esq., at 310-201-7469 or
4 kbanner@greenbergglusker.com.

5 **PLEASE TAKE FURTHER NOTICE** that pursuant to the *Order Granting Emergency*
6 *Motion for Order Limiting Scope of Notice* [Docket No. 44] (the “Order Limiting Notice”), the
7 Application constitutes a Limited Notice Matter and therefore this Notice is being served only on
8 the Limited Service List, as such terms are defined in the Order Limiting Notice.

9 **PLEASE TAKE FURTHER NOTICE** that in accordance with Local Bankruptcy Rule
10 2014-1(b)(C), no hearing on this Application is required unless requested by the United States
11 Trustee or a party in interest, or as otherwise ordered by the court.

12 **PLEASE TAKE FURTHER NOTICE** that any response and request for a hearing on
13 this Application must be in the form required by Local Bankruptcy Rule 9013-1(f)(1) and must be
14 filed with the Court and served on Debtor, through Debtor’s counsel, the Official Committee of
15 Unsecured Creditors and the United States Trustee not later than 14 days from the date of service
16 of this Notice. If you fail to file a written response within 14 days from the date of the service of
17 this Notice, the Court may treat such failure as a waiver of your right to oppose the Application
18 and may grant the requested relief.

19 DATED: March 22, 2018

GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP

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22 By: /s/Brian L. Davidoff

BRIAN L. DAVIDOFF
KEITH PATRICK BANNER
Proposed General Bankruptcy Counsel for
Debtor and Debtor in Possession

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 Fl. Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF APPLICATION OF DEBTOR PURSUANT TO SECTION 327(a) OF THE BANKRUPTCY CODE AND RULE 2014 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE TO EMPLOY GREENBERG GLUSKER FIELDS CLAMAN & MACTINGER LLP AS GENERAL BANKRUPTCY COUNSEL AS OF THE PETITION DATE** 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*) March 22, 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:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) March 22, 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.

See Noticing Agent's separate Certificate of Service

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*) March 22, 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.

See Noticing Agent's separate Certificate of Service

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.

March 22, 2018
Date

Julie King
Printed Name

/s/ Julie King
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

- Shirley Cho scho@pszjlaw.com
- Brian L Davidoff b davidoff@greenbergglusker.com,
calendar@greenbergglusker.com;jking@greenbergglusker.com
- John P Dillman houston_bankruptcy@publicans.com
- Brian D Huben hubenb@ballardspahr.com, carolod@ballardspahr.com
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- Ronald M Tucker rtucker@simon.com,
cmartin@simon.com;psummers@simon.com;Bankruptcy@simon.com
- United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
Elizabeth Weller dallas.bankruptcy@publicans.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.