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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
RUNWAY LIQUIDATION HOLDINGS, LLC, <i>et al.</i> , ¹)	Case No. 17-10466 (SCC)
)	
Debtors.)	(Jointly Administered)
)	

**NOTICE OF PRESENTMENT OF STIPULATION AND
ORDER MODIFYING THE PLAN INJUNCTION FOR THE
LIMITED PURPOSE OF PERMITTING DANNY MOIZEL TO
PURSUE CLAIM TO THE EXTENT OF AVAILABLE INSURANCE PROCEEDS**

PLEASE TAKE NOTICE that on February 23, 2018, David MacGreevey, in his capacity as plan administrator (the “Plan Administrator”), filed the annexed *Stipulation and Order Modifying the Plan Injunction for the Limited Purpose of Permitting Danny Moizel to Pursue Claim to the Extent of Available Insurance Proceeds* (the “Stipulated Order”).²

PLEASE TAKE NOTICE that the parties to the Stipulated Order hereby provide notice of presentment of the Stipulated Order, which is annexed hereto, as set forth below.

¹ The Post-Effective Date Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Runway Liquidation Holdings, LLC (6857); Runway Liquidation, LLC (5942); Runway Liquidation Intermediate Holdings, LLC (3673); MR Liquidation, LLC (9200); and MMH Liquidation, LLC (3854).

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Stipulated Order.

PLEASE TAKE FURTHER NOTICE THAT the Plan Administrator, by and through undersigned counsel, will present the annexed Stipulated Order, agreed to between the Plan Administrator and Danny Moizel, to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, at the United States Bankruptcy Court of the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, on March 2, 2018 at 12:00 pm (prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that any responses or objections (each, an “Objection”) to the Stipulated Order shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, and the *Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief* [Docket No. 90] (the “Case Management Order”), shall set forth the basis for the Objection and the specific grounds therefor, and shall be filed with the Court electronically in accordance with General Order M-399 by registered users of the Court’s case filing system (the User’s Manual for the Electronic Case Filing System can be found at <http://www.nysb.uscourts.gov>, the official website for the Court), with a hard copy delivered directly to chambers pursuant to Local Rule 9070-1 and served so as to be actually received no later than **March 1, 2018 at 4:00 p.m. (prevailing Eastern Time)** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that if an Objection is not filed and served by the Objection Deadline in accordance with the preceding paragraph, there will not be a hearing and the Stipulated Order may be signed.

PLEASE TAKE FURTHER NOTICE that if an Objection is timely filed and served, the Court will notify the moving and objecting parties of the date and time of the hearing and of the moving party’s obligation to notify all other parties entitled to receive notice. The moving

and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

Dated: February 23, 2018

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Maria A. Bove

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Counsel to the Plan Administrator

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:)	Chapter 11
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RUNWAY LIQUIDATION HOLDINGS, LLC,)	Case No. 17-10466 (SCC)
<i>et al.</i> , ¹)	
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Debtors.)	(Jointly Administered)
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**STIPULATION AND ORDER MODIFYING THE PLAN INJUNCTION FOR THE
LIMITED PURPOSE OF PERMITTING DANNY MOIZEL
TO PURSUE CLAIM TO THE EXTENT OF AVAILABLE INSURANCE PROCEEDS**

WHEREAS, on or about February 23, 2017, Daniel Moizel (“Moizel”) initiated a civil proceeding (“Action”) in the Superior Court of the State of California for the County of Los Angeles against BCBG Max Azria Group, LLC (“MAG”), (Case No.: BC651675), alleging, *inter alia*, causes of action against MAG for wrongful termination, retaliation and a violation of California’s Unfair Competition Act; and

WHEREAS, Moizel asserts that MAG maintained a policy of Employment Practices Liability Insurance (the “Policy”) with Ironshore Specialty Insurance (the “Insurer”); and

WHEREAS, on February 28, 2017 (the “Petition Date”), MAG and its affiliates commenced voluntary cases under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”), Case No. 17-10465 (SCC) (the “Bankruptcy Cases”); and

¹The Post-Effective Date Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Runway Liquidation Holdings, LLC (6857); Runway Liquidation, LLC (5942); Runway Liquidation Intermediate Holdings, LLC (3673); MR Liquidation, LLC (9200); and MMH Liquidation, LLC (3854).

WHEREAS, upon commencement of the Bankruptcy Cases, the Action was stayed pursuant to section 362(a) of the Bankruptcy Code; and

WHEREAS, on June 8, 2017, Moizel filed proof of claim no. 847 (the “Moizel Claim”) against MAG in the amount of \$2,484,936.23; and

WHEREAS, on July 26, 2017, the Court entered the Findings of Fact, Conclusions of Law, and *Order Confirming the Amended Joint Plan of Reorganization of BCBG Max Azria Global Holdings, LLC and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [Docket No. 591] approving the terms of the Chapter 11 plan annexed thereto (the “Plan”);² and

WHEREAS, the effective date of the Plan occurred on July 31, 2017; and

WHEREAS, David MacGreevey was appointed as the Plan Administrator on the Effective Date; and

WHEREAS, pursuant to the Plan, from and after the Effective Date, the Plan Administrator shall be the sole representative of, and shall act for, the Post-Effective Date Debtors, including MAG, which is now known as Runway Liquidation, LLC (“Runway Liquidation”).

WHEREAS, Moizel believes that relief from the injunction provisions (the “Plan Injunction”) set forth in Article VII of the Plan is appropriate for the purpose of pursuing the Action for recovery of any available proceeds under the Policy and, on September 21, 2017, filed a *Motion for (1) An Order Affirming That the Discharge Injunction Does Not Prohibit Daniel Moizel’s Civil Case from Proceeding; (2) in the Alternative, an Order Modifying the Discharge Injunction to Allow Daniel Moizel to Proceed against Debtor’s Liability Insurance* [Docket No. 700] (the “Motion”) in the Bankruptcy Cases, seeking Court approval of such relief; and

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Plan.

WHEREAS, the Plan Administrator, on behalf of Runway Liquidation, is prepared to consent to a limited termination of, and relief from, the Plan Injunction on the terms and conditions set forth in this stipulation and order (the “Stipulation and Order”).

NOW, THEREFORE, Moizel and the Plan Administrator (together, the “Parties”) agree to the following:

1. The foregoing recitals are hereby fully incorporated into and made an express part of this Stipulation and Order.
2. The Plan Administrator, on behalf of Runway Liquidation, hereby consents to relief from, and termination of, the Plan Injunction for the limited purpose of enabling Moizel to pursue and prosecute the Action to completion and judgment and, if applicable, to seek recovery of any available proceeds under the Policy or any other applicable insurance policy in connection with the claims and causes of action that are the subject of the Action.
3. No distributions under the Plan shall be made to Moizel on account of the Moizel Claim or any other claims arising in connection with the Action, which shall be deemed disallowed upon entry of this Stipulation and Order by the Bankruptcy Court. The Moizel Claim may be expunged without a claims objection having to be filed and without any further notice to or action, order, or approval of the Bankruptcy Court. This is without prejudice to Moizel pursuing the Action and any and all proceeds of the Policy or any other applicable insurance policy.
4. Except for the limited purpose set forth in this Stipulation and Order, the Plan Injunction shall remain in effect.

5. For the avoidance of doubt, Moizel agrees not to seek to further amend the Moizel Claim or file any additional claims against the Plan Administrator, MAG or its estate, or the Post-Effective Date Debtors which are related to the Moizel Claim or the Action.

6. Neither this Stipulation and Order, nor any actions taken pursuant hereto, shall constitute evidence admissible against the Plan Administrator, Runway Liquidation or Moizel in any action, arbitration proceeding, or any other action or proceeding, including without limitation the Action, other than one to enforce or interpret the terms of this Stipulation and Order.

7. Each person who executes this Stipulation by or on behalf of a Party warrants and represents that such person has been duly authorized and empowered to execute and deliver this Stipulation on behalf of that Party.

8. The Parties hereby expressly preserve all rights, claims and defenses each may have against the other, to the extent such rights, claims and defenses are not expressly and unambiguously addressed herein.

9. This Stipulation may be executed in multiple counterparts by facsimile or email, each of which shall be deemed original, with facsimile and email signature pages deemed to be originals.

10. The Bankruptcy Court shall retain jurisdiction to hear any matters or disputes arising from or relating to this Stipulation and Order.

11. The Motion shall be deemed withdrawn upon Bankruptcy Court entry of this Stipulation and Order.

12. The terms and conditions of the Stipulation and Order shall be immediately effective and enforceable upon its entry, and any stay period prescribed by any provision of the United States Bankruptcy Code or Rule is waived.

Dated: New York, New York
February 23, 2018

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Maria A. Bove

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Counsel to the Plan Administrator

Dated: Los Angeles, California
February __, 2018

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Counsel to Danny Moizel

SO ORDERED:

_____, 2018

HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE

12. The terms and conditions of the Stipulation and Order shall be immediately effective and enforceable upon its entry, and any stay period prescribed by any provision of the United States Bankruptcy Code or Rule is waived.

Dated: New York, New York
February __, 2018

PACHULSKI STANG ZIEHL & JONES LLP

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Counsel to the Plan Administrator

Dated: Los Angeles, California
February 22, 2018

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Counsel to Danny Moizel

SO ORDERED:

_____, 2018

HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE