

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

In re:

CAFE HOLDINGS CORP., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 18-\_\_\_\_\_( )

(Joint Administration Requested)

**ORDER GRANTING DEBTORS' MOTION FOR EMERGENCY  
HEARING ON SELECTED FIRST DAY MOTIONS**

Upon consideration of the Debtors' Motion for Emergency Hearing on the following  
Selected First Day Motions:

- (i) Motion for Order Designating the Debtors' chapter 11 cases as Complex chapter 11 cases Pursuant to Local Rule 2081-2;
- (ii) Motion for Order Directing the Joint Administration of the Debtors' chapter 11 cases;
- (iii) Motion for Order (A) Authorizing the Debtors to Pay and Honor Certain Prepetition Wages, Benefits and other Compensation Obligations; and (B) Authorizing Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations;
- (iv) Motion for an Interim and Final Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507 (I) Approving Post-petition Financing, (II) Authorizing Use of Cash Collateral, (III) Granting Liens and Providing Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Scheduling a Final Hearing;
- (v) Motion for Order (I) Authorizing the (A) Continued use of Debtors' Cash Management System and (B) Use of Existing Bank Accounts and Business Forms; (II) Authorizing Payments of Prepetition Costs and Fees Associated with Customer Credit and Debit Card Transactions; (III) Waiving the

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Cafe Holdings Corp. (7910); Cafe Enterprises, Inc. (4946); CE Sportz LLC (2009); and CES Gastonia LLC (0863). The location of the Debtors' corporate headquarters is 4324 Wade Hampton Blvd., Suite B, Taylors, South Carolina 29687.

Requirements of Section 345(B) of the Bankruptcy Code on an Interim Basis; and (IV) Granting Certain Related Relief;

- (vi) Motion for Order (I) Authorizing the Debtors (A) to Continue Insurance Programs and Surety Bond Program Entered into Prepetition and Satisfy Prepetition Obligations Related Thereto and (B) Renew, Supplement, or Purchase New Insurance Policies and (II) Granting Related Relief;
- (vii) Motion for Order Authorizing Debtors to Honor Prepetition Obligations to Customers and Otherwise Continue Customer Programs in the Ordinary Course of Business and Granting Related Relief;
- (viii) Motion for Order (I) Authorizing Payment of Certain Prepetition Taxes and Fees and (II) Authorizing Financial Institutions to Process and Cash Related Checks and Transfers;
- (ix) Motion for Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims (A) Arising Under the Perishable Agricultural Commodities Act and Similar Trust Fund Statutes, (B) of Other Lien Claimants, and (C) of Certain Critical Vendors and (II) Granting Certain Related Relief;
- (x) Motion for Order (I) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (II) Deeming Utility Providers Adequately Assured of Payment, (III) Establishing Procedures for Determining Additional Adequate Assurance of Payment, and (IV) Granting Related Relief;
- (xi) Motion for Order Authorizing the Debtors to (I) Prepare a Consolidated List of Creditors in Lieu of a Mailing Matrix, (II) File a Consolidated List of the Thirty Largest Unsecured Creditors, (III) Mail Initial Notices, and (IV) Shorten the Mailing Matrix;
- (xii) Motion for an Order, Pursuant to Sections 105(a) and 521 of the Bankruptcy Code and Bankruptcy Rule 1007, for Extension of Time to File Schedules and Statements of Financial Affairs; and
- (xiii) Application for Entry of an Order Authorizing the Debtors to Employ and Retain Donlin Recano as Claims and Noticing Agent, Effective *Nunc Pro Tunc* to the Petition Date.

It is by the United States Bankruptcy Court for the District of South Carolina,

**ORDERED**, that the Debtor's Motion for Emergency Hearing is GRANTED; and it is further

**ORDERED**, that this Court shall conduct a hearing on the Debtors' First Day Motions at the Donald S. Russell United States Bankruptcy Courthouse, 201 Magnolia Street, Spartanburg, South Carolina 29306, on November \_\_\_\_, 2018 at \_\_\_\_ a.m. / p.m.; and it is further

**ORDERED**, that counsel for the Debtors shall serve a copy of this Order and the First Day Motions on (i) the Office of the United States Trustee for the District of South Carolina; (ii) the Office of the United States Attorney General for the District of South Carolina; (iii) the Internal Revenue Service; (iv) Atalaya Administrative LLC, as first lien secured party; (v) Holland and Knight, as counsel to Atalaya Administrative LLC; (vi) Benefit Street Partners; (vii) Milestone Partners; (viii) Old Mill Stream, LLC; (ix) Triangle Mezzanine Fund LLLP; (x) the holders of the 30 largest unsecured claims against the Debtors on a consolidated basis; (xi) all parties who, as of the filing of this motion, have filed a notice of appearance and request for service of papers pursuant to Bankruptcy Rule 2002; and (xii) all applicable government agencies to the extent required by the Bankruptcy Rules and the Local Rules by hand delivery, facsimile, electronic mail (receipt confirmed) or overnight delivery by \_\_\_\_\_ a.m./p.m. November \_\_\_\_, 2018. Thereafter, counsel shall file a certificate of service with this Court.

**AND IT IS SO ORDERED.**