

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

In re:

CAFE HOLDINGS CORP., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-05837 (hb)

(Jointly Administered)

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 LIST

Upon the motion (the “**Motion**”)² of the above-captioned debtors and debtors in possession, for entry of an order authorizing the Debtors to (A) prepare a consolidated list of creditors in lieu of a mailing matrix, (B) file a consolidated list of the 30 largest unsecured creditors, (C) mail initial notices and (D) shorten the mailing list (the “**Order**”); it appearing that the relief requested herein is in the best interests of the Debtors’ estates, their creditors and other parties in interest; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that notice of the Motion and opportunity for a hearing on the Motion was appropriate under the circumstances and that no other or further notice with respect to the Motion need be given; and after due deliberation and sufficient cause appearing therefore, it is **HEREBY ORDERED:**

¹ 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.

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

1. The Motion is granted as set forth herein.
2. Notwithstanding Rule 1007(d) and Local Rule 1007-1, the Debtors are authorized to prepare a consolidated list of creditors.
3. The Debtors are authorized to file (and use for all purposes in lieu of the list of 20 largest general unsecured creditors) a consolidated list of their 30 largest general unsecured creditors.
4. The Debtors, with the assistance of Donlin, Recano & Company, Inc. (“**Donlin**”) (upon this Court’s authorization to engage Donlin as the Debtors’ claims, noticing and balloting agent) are authorized, but not directed, to mail initial notices, such as (a) a notice of filing of the chapter 11 cases; (b) a notice of a meeting of creditors under section 341 of the Bankruptcy Code; and (c) any correspondence the Debtors may wish to send to creditors and equity security holders as part of the Debtors’ communication efforts to keep their creditors and equity security holders informed with respect to the status of the chapter 11 cases.
5. The Debtors, with the assistance of Donlin, are authorized, but not directed, to undertake all mailings directed by the Court, the U.S. Trustee or as required by the Bankruptcy Code, including the notice of the filing of the chapter 11 cases, meeting of creditors, and deadlines (the “**Initial Notice**”) along with and any other correspondence that the Debtors may wish to send to creditors and equity security holders.
6. The Initial Notice filed in each Debtor’s case shall be served by Donlin and shall instruct creditors to send their proofs of claim or interest to the following address:

If Proof of Claim or Interest is sent by mail, send to:

Donlin, Recano & Company, Inc.
Re: Cafe Holdings Corp., et al.
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219
Website: www.donlinrecano.com/cafe

**If Proof of Claim or Interest is sent by Overnight Courier or Hand Delivery,
send to:**

Donlin, Recano & Company, Inc.
Re: Cafe Holdings Corp., et al.
6201 15th Avenue
Brooklyn, NY 11219
Website: www.donlinrecano.com/cafe

7. Any party seeking to be included on the mailing list for service of all notices, motions, and other documents in connection with these cases shall file a notice requesting to be included on the shortened mailing matrix with the Court and serve a copy of such notice on the proposed counsel for the Debtors at the following address: McNair Law Firm, P.A., P.O. Box 11390, Columbia, South Carolina 29211, Attn: Michael H. Weaver. Pursuant to Local Rule 2081-2(d), parties who wish to be included on the shortened mailing matrix may indicate on their notice whether they prefer to be served via electronic mail or facsimile in lieu of service by first class mail and must provide the requisite electronic mail address or facsimile number to use for purposes of service. Donlin shall maintain the shortened mailing matrix, unless otherwise ordered by the Court, which shall be available at www.donlinrecano.com/cafe. A form which creditors and parties in interest may use to request to be included on the shortened mailing matrix is attached hereto as **EXHIBIT A**.

8. The Debtors shall serve a copy of this Order on all parties in the case on or within three (3) days of the entry of this Order.

9. In addition to any person specifically requested to be included on the shortened mailing list, all notices, motions and other documents shall also be served on the following (subject to their request to be removed from the Debtors' service list): (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;

(v) ACM Fatz VII LLC; (vi) Midtown Madison Management LLC; (vii) Shrayne Capital, LLC; (viii) Benefit Street Partners; (ix) Milestone Partners; (x) Old Mill Stream, LLC; (xi) Triangle Mezzanine Fund LLLP; (xii) Sysco; (xiii) the holders of the thirty (30) largest unsecured claims against the Debtors on a consolidated basis; (xiv) 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; (xv) all applicable government agencies to the extent required by the Bankruptcy Rules and the Local Rules; (xvi) the Official Committee of Unsecured Creditors, (xvii) counsel to the Official Committee of Unsecured Creditors, if any, and (xviii) any other parties as ordered by the Court for a particular notice or motion.

10. This Order shall not be construed to modify the Debtors' obligation to give notice to all creditors and parties in interest of the section 341 meeting of creditors, the time fixed for filing proofs of claim as required by Bankruptcy Rule 2002(a), a proposed use, sale, or lease of property of the estate other than in the ordinary course of business unless the Court orders otherwise, the time fixed for filing objections to and the hearing on the Disclosure Statement and the Plan of Reorganization required by Bankruptcy Rule 2002(b), the time fixed to accept or reject a proposed modification of a plan, and the dismissal or conversion of the case to another chapter.

11. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

12. The terms and conditions of this Order shall be immediately effective.

13. All time periods set forth in this Order shall be calculated in accordance with Rule 9006(a).

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

AND IT IS SO ORDERED.

**FILED BY THE COURT
11/20/2018**



Entered: 11/20/2018

A handwritten signature in cursive script, appearing to read "Adam L. Carrico".

US Bankruptcy Judge
District of South Carolina

EXHIBIT A

_____, 2018

Laura A. Austin
Clerk of Court
United States Bankruptcy Court for the District of South Carolina
1100 Laurel Street
Columbia, S.C. 29201-2423

Re: In re: Cafe Holdings Corp. et al. (18- -) – Request to be Included on the Shortened Mailing Matrix

Dear Ms. Austin,

Please allow this request to serve as _____
 (“Notice Party”) request to be included on the Shortened Mailing Matrix in connection with the
 above-referenced chapter 11 cases using the contact information provided below.

OPTION 1:

For purposes of notice in these chapter 11 cases, Notice Party requests that the following
 address be used:

Name: _____
Address 1: _____
Address 2: _____
City/State/Zip: _____

OPTION 2:

Pursuant to SC LBR 2081-2(d), Notice Party prefers to be served via electronic mail in lieu
 of service by first class mail using the following contact information:

Email: _____

OPTION 3:

Pursuant to SC LBR 2081-2(d), Notice Party prefers to be served via facsimile in lieu of
 service by first class mail using the following contact information:

Fax Number: _____

Sincerely,

cc: McNair Law Firm, P.A., P.O. Box 11390, Columbia, South Carolina 29211,
Attn: Michael H. Weaver

Certificate of Notice Page 7 of 7
United States Bankruptcy Court
District of South Carolina

In re:
Cafe Holdings Corp.
Debtor

Case No. 18-05837-hb
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0420-7

User: weathers
Form ID: pdf01

Page 1 of 1
Total Noticed: 3

Date Rcvd: Nov 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2018.

- aty +David L. Staab, Haynes and Boone, LLP, 301 Commerce Street, Suite 2600, Fort Worth, TX 76102-4160
- aty +Ian T. Peck, Haynes and Boone, LLP, 2323 Victory Avenue, Suite 700, Dallas, TX 75219-7673
- aty +J. Frasher Murphy, Haynes and Boone, LLP, 2323 Victory Avenue, Suite 700, Dallas, TX 75219-7673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2018 at the address(es) listed below:

- David Brian Wheeler on behalf of Creditor Old Mill Stream, LLC davidwheeler@mvalaw.com
- John Timothy Stack on behalf of U.S. Trustee US Trustee's Office John.T.Stack@usdoj.gov
- Mary M. Caskey on behalf of Attorney Michael DiGiocomo mcaskey@hsblawfirm.com, awilloughby@hsblawfirm.com;uvequilla@hsblawfirm.com;cwilliamson@hsblawfirm.com
- Mary M. Caskey on behalf of Creditor STORE Master Funding V, LLC mcaskey@hsblawfirm.com, awilloughby@hsblawfirm.com;uvequilla@hsblawfirm.com;cwilliamson@hsblawfirm.com
- Mary M. Caskey on behalf of Attorney Craig S. Ganz mcaskey@hsblawfirm.com, awilloughby@hsblawfirm.com;uvequilla@hsblawfirm.com;cwilliamson@hsblawfirm.com
- Mary M. Caskey on behalf of Attorney Stanley H. McGuffin mcaskey@hsblawfirm.com, awilloughby@hsblawfirm.com;uvequilla@hsblawfirm.com;cwilliamson@hsblawfirm.com
- Mary M. Caskey on behalf of Attorney Mary M. Caskey mcaskey@hsblawfirm.com, awilloughby@hsblawfirm.com;uvequilla@hsblawfirm.com;cwilliamson@hsblawfirm.com
- Michael H. Weaver on behalf of Debtor Cafe Holdings Corp. mweaver@mcnair.net, khandrock@mcnair.net
- Robin C. Stanton on behalf of Debtor Cafe Holdings Corp. rstanton@mcnair.net, abennett@mcnair.net
- US Trustee's Office USTPRegion04.CO.ECF@usdoj.gov
- Weyman C. Carter on behalf of Debtor Cafe Holdings Corp. wcarte@mcnair.net, dhayes@mcnair.net

TOTAL: 11