

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

CAFE HOLDINGS CORP., *et al.*,¹

DEBTORS

CASE NO: 18-05837(hb)

CHAPTER 11

(Jointly Administered)

NOTICE OF MOTION/APPLICATION AND
OPPORTUNITY FOR HEARING

NOTICE OF DEBTORS' MOTION FOR ENTRY OF AN ORDER (I) DISMISSING THE DEBTORS' CHAPTER 11 CASES UNDER CERTIFICATION OF COUNSEL AND (II) GRANTING RELATED RELIEF

The above-captioned debtors and debtors-in-possession (collectively, the "**Debtors**") have filed *Debtors' Motion for Entry of an Order (I) Dismissing the Debtors' Chapter 11 Cases Under Certification of Counsel and (II) Granting Related Relief* [Docket No. 359] (the "**Motion**") with the Court. In the Motion, the Debtors request entry of an order, substantially in the form attached to the Motion as **Exhibit A** (the "**Dismissal Authorization Order**"): (a) approving a form of order substantially in the form attached to the Dismissal Authorization Order as **Exhibit 1** (the "**Dismissal Order**") dismissing the Chapter 11 Cases upon certification to this Court that (i) all U.S. Trustee fees attributable to the Debtors have been paid in full, (ii) all allowed administrative expense claims set forth in the approved Final DIP Order budget have been paid in full or reserved, (iii) all allowed claims under Bankruptcy Code § 503(b)(9) have been paid in full or reserved, (iv) all allowed stub rent claims have been paid in full or reserved, (v) the Court has approved the sale of substantially all of the Debtors assets pursuant to a final order and such sale has closed, and (vi) the Court has entered orders with respect to final fee applications (collectively with conditions (i)-(v), the "**Dismissal Conditions**"); and (b) granting related relief.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion and dismiss the bankruptcy cases upon certification that the Dismissal Conditions have been satisfied, or you want the Court to consider your views on the Motion, then within 21 days of service of this notice, you or your attorney must:

File with the court a written response, return, or objection at:

1100 Laurel Street
Columbia, SC 29201

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.

Responses, returns, or objections filed by an attorney must be electronically filed in ecf.scb.uscourts.gov.

If you mail your response, return, or objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to: (i) the Debtors' counsel, Haynes and Boone, LLP, attn: Ian T. Peck and J. Frasher Murphy, 2323 Victory Avenue, Suite 700, Dallas, TX 75219 and Burr & Forman, LLP, attn: Michael Weaver, 1221 Main Street, Suite 1800, Columbia, SC 29201; (ii) the DIP Secured Parties' counsel, Holland & Knight LLP, attn: Brent McIlwain, 200 Crescent Court, Suite 1600, Dallas, TX 75201 and Fox Rothschild, attn: Kevin McCarrell, 2 W. Washington St., Suite 1100, Greenville SC 29601-2784; (iii) counsel for the Official Committee of Unsecured Creditors, Pachulski Stang Ziehl & Jones LLP, attn: Bradford Sandler, 919 North Market Street, 17th Floor, Wilmington, DE 19801 and Nelson Mullins, attn: Keith Poston, 1320 Main St., 17th Floor, Columbia, South Carolina 29201, and (iv) the Office of the U.S. Trustee, 1835 Assembly Street, Suite 953, Columbia, SC 29201.

Attend the hearing scheduled to be heard on **February 12, 2019, at 9:30 a.m.** at the United States Bankruptcy Court for the District of South Carolina, 201 Magnolia Street, Spartanburg, South Carolina 29306.

If no response, return, and/or objection is timely filed and served, no hearing will be held on this application, except at the direction of the judge.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

BURR & FORMAN, LLP

January 15, 2019

/s/ Michael H. Weaver
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**AND -
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