

**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. 18-05837 (hb)

(Jointly Administered)

**ORDER DISMISSING THE DEBTORS' CHAPTER 11 CASES**

Upon consideration of the *Debtors' Motion for Entry of an Order (I) Dismissing the Debtors' Chapter 11 Cases Under Certification of Counsel and (II) Granting Related Relief* (the "**Motion**")<sup>2</sup> of the above captioned debtors and debtors in possession (collectively, the "**Debtors**"); and the Court having reviewed the Motion; and the Court having held hearings to consider the Motion on February 12, 2019, and May 21, 2019; and upon the lack of objection by any party-in-interest; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, including that the Debtors ceased all business operations and retained no unencumbered assets as of the closing of the Sale; and upon all the proceedings had before the Court; and after due deliberation thereon; and good and sufficient cause appearing therefore; it is hereby

<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.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

**ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.
  2. Pursuant to Bankruptcy Code §§ 105(a) and 1112(b), the Chapter 11 cases of Cafe Holdings Corp., Case No. 18-05837; Cafe Enterprises, Inc., Case No. 18-05838; CE Sportz LLC, Case No. 18-05839; and CES Gastonia LLC, Case No. 18-05840 (collectively, the “**Chapter 11 Cases**”) are hereby dismissed.
  3. Notwithstanding Bankruptcy Code § 349, all prior orders of this Court entered in the Chapter 11 Cases shall remain in full force and effect (including, without limitation, the orders approving the Debtors’ postpetition financing facility and cash collateral use and the order approving a sale of substantially all of the Debtors’ assets), shall be unaffected by the dismissal of these Chapter 11 Cases, and are specifically preserved for purposes of finality of judgment and *res judicata*.
  4. Each of the professionals retained by the Debtors in these Chapter 11 Cases are hereby terminated without the need for further action on the part of this Court, the Debtors, or such firms.
  5. To the extent applicable, the 14-day stay to effectiveness of this Order provided by Bankruptcy Rule 6004(h) is waived and this Order shall be effective and enforceable immediately upon entry.
  6. The Debtors are authorized to take any and all actions necessary or appropriate to effectuate the relief granted pursuant to this Order.
  7. Notwithstanding the dismissal of the Chapter 11 Cases, to the extent allowed by
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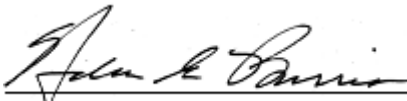
applicable law, this Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or related to the implementation, interpretation, or enforcement of this or any other Order of this Court entered in the Chapter 11 Cases.

**AND IT IS SO ORDERED**

**FILED BY THE COURT  
06/03/2019**



Entered: 06/03/2019

  
US Bankruptcy Judge  
District of South Carolina