

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

Chapter 11

Case No. 20-12117 (MEW)

In re:

COSMOLEDO, LLC, *et al.*¹

Jointly Administered

Debtors.

**NOTICE OF HEARING TO CONSIDER CONFIRMATION OF
THE CHAPTER 11 PLAN FILED BY THE DEBTORS AND
RELATED VOTING AND OBJECTION DEADLINES**

PLEASE TAKE NOTICE THAT on July 21, 2021, the United States Bankruptcy Court for the Southern District of New York (the “Court”) entered an order (the “Disclosure Statement Order”), (a) authorizing Cosmoledo, LLC, *et al.*, as debtors and debtors in–possession (collectively the “Debtors”), to solicit acceptances for the *Chapter 11 Plan of Liquidation of Debtors* (as may be amended, supplemented, or modified from time to time, the “Plan”); (b) approving the *Disclosure Statement for Chapter 11 Plan of Liquidation of Debtors* (as may be amended, supplemented, or modified from time to time, the “Disclosure Statement”)² as containing “adequate information” pursuant to section 1125 of the Bankruptcy Code; (c) approving the solicitation materials and documents to be included in the solicitation packages (the “Solicitation Packages”); and (d) approving procedures for soliciting, receiving, and tabulating votes on the Plan and for filing objections to the Plan.

PLEASE TAKE FURTHER NOTICE THAT the hearing at which the Court will consider Confirmation of the Plan (the “Confirmation Hearing”) will commence **on August 31, 2021, at 10:00 a.m. prevailing Eastern Time**, before the Honorable Michael E. Wiles, either telephonically or in the United States Bankruptcy Court for the Southern District of New York, located at One Bowling Green, New York, New York 10004-1408.

Please be Advised: The Confirmation Hearing may be continued from time to time by the Court or the Debtors without further notice other than by such adjournment being announced in open court or by a Notice of Adjournment filed with the Court and served on all parties entitled to notice.

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtors’ federal tax identification number, include: Cosmoledo, LLC (6787); Breadroll, LLC, (3279); 688 Bronx Commissary, LLC (6515); 95 Broad Commissary, LLC (2335); 178 Bruckner Commissary, LLC (2581); 8 West Bakery, LLC (6421); NYC 1294 Third Ave Bakery, LLC (2001); 921 Broadway Bakery, LLC (2352); 1800 Broadway Bakery, LLC (8939); 1535 Third Avenue Bakery, LLC (1011); 2161 Broadway Bakery, LLC (2767); 210 Joralemon Bakery, LLC (4779); 1377 Sixth Avenue Bakery, LLC (9717); 400 Fifth Avenue Bakery, LLC (6378); 1400 Broadway Bakery, LLC (8529); 575 Lexington Avenue Bakery, LLC (9884); 685 Third Avenue Bakery, LLC (9613); 370 Lexington Avenue Bakery, LLC (0672); 787 Seventh Avenue Bakery, LLC (6846); 339 Seventh Avenue Bakery, LLC (1406); and 55 Hudson Yards Bakery, LLC (7583).

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Disclosure Statement.

CRITICAL INFORMATION REGARDING VOTING ON THE PLAN

Voting Record Date. The voting record date is **July 20, 2021 at 10:00 a.m. prevailing Eastern Time** (the “Voting Record Date”), which is the date for determining which holders of Claims in Classes 3 and 4 are entitled to vote on the Plan.

Voting Deadline. The deadline for voting on the Plan is on **August 18, 2021 at 5:00 p.m. prevailing Eastern Time** (the “Voting Deadline”). If you received a Solicitation Package, including a Ballot and intend to vote on the Plan you **must**: (a) follow the instructions carefully; (b) complete **all** of the required information on the ballot; and (c) execute and return your completed Ballot according to and as set forth in detail in the voting instructions so that it is **actually received** by the Debtors' voting and claims agent, Donlin, Recano & Company, Inc. (the “Voting and Claims Agent”) on or before the Voting Deadline. **A failure to follow such instructions may disqualify your vote.**

Article 9 of the Plan contains Release, Exculpation, and Injunction provisions. You are advised to review and consider the Plan carefully because your rights might be affected thereunder.

CRITICAL INFORMATION REGARDING OBJECTING TO THE PLAN

Plan Objection Deadline. The deadline for filing objections to the Plan is **August 20, 2021 at 5:00 p.m. prevailing Eastern Time** (the “Plan Objection Deadline”). All objections to the relief sought at the Confirmation Hearing **must**: (a) be in writing; (b) conform to the Bankruptcy Rules, the Local Rules, and any orders of the Court; (c) state, with particularity, the legal and factual basis for the objection and, if practicable, a proposed modification to the Plan (or related materials) that would resolve such objection; **and** (d) be filed with the Court (contemporaneously with a proof of service) and served upon the following parties so as to be **actually received** on or before **August 20, 2021 at 5:00 p.m. prevailing Eastern Time**:

Counsel for the Debtors	United States Trustee
Mintz & Gold LLP, 600 Third Avenue 25th Floor New York, New York, 10016 Attn: Andrew Gottesman, Esq., Gabriel Altman, Esq., and CeCe M. Cole, Esq.	Office of the United States Trustee for the Southern District of New York 201 Varick Street, Suite 1006 New York, New York 10014 Attn.: Brian Masumoto, Esq.
Counsel for the Committee	Counsel to the Holder of Cosmoledo’s Equity Interests
Hahn & Hessen LLP, 488 Madison Avenue, New York, New York 10022, Attn: Mark T. Power, Esq.,	Willkie Farr and Gallagher LLP, 787 Seventh Avenue New York, New York 10019 Attn: Paul V. Shalhoub, Esq.

ADDITIONAL INFORMATION

Obtaining Solicitation Materials. The materials in the Solicitation Package are intended to be self-explanatory. If you should have any questions or if you would like to obtain additional solicitation materials (or paper copies of solicitation materials if you received a CD-ROM or flash drive), please feel free to contact the Debtors' Voting and Claims Agent, by: (a) calling 1-800-467-0821; (b) visiting the Debtors' restructuring website at <https://www.donlinrecano.com/Clients/mk/Index>; (b) writing to Donlin, Recano & Company, Inc., Re: Cosmoledo, LLC *et al.*, Attn: Voting Department, c/o Donlin, Recano & Company, Inc., 6201 15th Avenue, Brooklyn, NY 11219; and/or (c) emailing DRCVote@DonlinRecano.com and requesting paper copies of the corresponding materials previously received in electronic format (to be provided at the Debtors' expense).

Please be advised that the Voting and Claims Agent is authorized to answer questions about, and provide additional copies of, solicitation materials, but may **not** advise you as to whether you should vote to accept or reject the Plan.

Filing the Plan Supplement. The Debtors will file the Plan Supplement (as defined in the Plan) no later than ten (10) days prior to the Voting Deadline and will serve notice on all holders of Claims entitled to vote on the Plan, which will: (a) inform parties that the Debtors filed the Plan Supplement; (b) list the information contained in the Plan Supplement; and (c) explain how parties may obtain copies of the Plan Supplement.

Binding Nature of the Plan

If confirmed, the Plan will bind all Holders of Claims and Interests to the maximum extent permitted by applicable law, whether or not such Holder will receive or retain any property or interest in property under the Plan, has filed a Proof of Claim in these Chapter 11 Cases, or failed to vote to accept or reject the Plan or voted to reject the Plan.

Dated: July 21, 2021
New York, New York

MINTZ & GOLD LLP

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