



SO ORDERED.

SIGNED January 4, 2013.

*Robert Summerhays*  
ROBERT SUMMERHAYS  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

In re: )  
 )  
PICCADILLY RESTAURANTS, LLC; ) Chapter 11  
PICCADILLY FOOD SERVICE, LLC; and ) Case No. 12-51127  
PICCADILLY INVESTMENTS, LLC )  
 ) Jointly Administered  
Debtors. )

**ORDER (I) CLARIFYING THE REQUIREMENT TO PROVIDE ACCESS TO INFORMATION; AND (II) SETTING AND FIXING CREDITOR INFORMATION SHARING PROCEDURES AND PROTOCOLS**

Came on for consideration the *Motion of the Official Committee of Unsecured Creditors for Entry of an Order (I) Clarifying the Requirement to Provide Access to Information; and (II) Setting and Fixing Creditor Information Sharing Procedures and Protocols* (the "Motion").<sup>1</sup>

The Court, upon determination that it has jurisdiction over the relief requested in the Motion, finds that notice of the relief requested in the Motion is sufficient. The Court is of the opinion that the relief requested in the Motion is necessary and in the best interest of the Debtors, their creditors, and the bankruptcy estates. Accordingly, the Court finds and concludes that the Motion should be granted.

<sup>1</sup> Capitalized but undefined terms herein shall have the meaning ascribed to them in the Motion.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. The Motion and the relief requested therein is hereby **GRANTED**.
2. All objections to the Motion or the relief requested therein not otherwise withdrawn, waived, or settled, or otherwise resolved in this Order, are overruled.
3. In satisfaction of the Committee's obligations to provide access to information for creditors who hold claims of the kind represented by the Committee and to solicit and receive comments in accordance with 11 U.S.C. § 1102(b)(3)(A) and (B), the Committee may implement, but is not required to, the following information sharing procedures (the "Creditor Information Protocol"), until the earliest of the dissolution of the Committee, dismissal of these jointly administered Chapter 11 Cases, conversion of these jointly administered Chapter 11 Cases, or upon further order of the Court:

(a) Disseminate a monthly email to those creditors requesting to receive such information which may contain the following information: (i) general case information, including summaries of significant pleadings, orders, and notices of hearing dates; (ii) answers to frequently asked questions regarding the Chapter 11 process; (iii) reports that may potentially be issued from time to time by the Committee to creditors, based on public information, concerning proceedings in these Cases; (iv) reference to other relevant active sites, including potentially PACER, the Court's website, and any website established by or on behalf of the Debtors; (v) an address to which creditors can e-mail correspondence to the Committee counsel with specific questions regarding the status of the Debtors' bankruptcy Cases and provide input to the Committee on the Debtors' bankruptcy Cases; and (vi) other pertinent information posted at the direction of the Court, the Committee or its counsel.

(b) Establish and maintain a physical U.S. mailing address for creditors to submit questions and comments to the Committee. Such address shall be Greenberg Traurig, LLP, 1000 Louisiana Street, Suite 1700, Houston, Texas 77002, Attn: Shari L. Heyen.

4. The Committee shall not be required or obligated to disseminate to any Entity (as defined in the Bankruptcy Code), without further order of the Court, confidential, proprietary, or other non-public information concerning the Debtors, including (without limitation): (i) with respect to the acts, conduct, assets, liabilities and financial condition of the Debtors, the operation of the Debtors' businesses, the desirability of the continuance of such businesses, other

strategic financial transactions, or any other matter relevant to these Cases or the formulation of one or more Chapter 11 plans (including any and all confidential, proprietary, or other nonpublic materials of the Committee) whether provided (voluntarily or involuntarily) by or on behalf of the Debtors or by any third party or prepared by or for the Committee; (ii) any other information if the effect of such disclosure would constitute a breach or violation under any agreement or contract to which the Debtor(s) is/are a party, including any confidentiality agreement; or (iii) any information if the effect of such disclosure would constitute a violation of any healthcare, medical records privacy or other privacy law, rule or regulation under Federal, state or other law (collectively, the “Confidential Information”); or any other information if the effect of such disclosure would constitute or potentially constitute a general or partial waiver of the attorney-client privilege, attorney work-product privilege, or other applicable privilege possessed by the Committee.

5. Any information received (formally or informally) by the Committee from any Entity in connection with an examination pursuant to Federal Rule of Bankruptcy Procedure 2004 or in connection with any formal or informal discovery in any contested matter, adversary proceeding or other litigation in these Chapter 11 Cases or related to the Debtors shall not be governed by the terms of this Order but, rather, by any order governing such discovery, adversary proceeding, contested matter, or other litigation.

6. The Debtors shall assist the Committee in identifying any Confidential Information concerning the Debtors that is provided by the Debtors or their agents or professionals, or by any third party, to the Committee or its agents and professionals.

7. If a creditor (a “Requesting Creditor”) submits a written request (including via electronic or U.S. Mail) (the “Information Request”) for the Committee to disclose or provide information, the Committee shall as soon as practicable, but no more than twenty (20) days after

receipt of the Information Request, provide a response to the Information Request (the “Response”), including providing access to the information requested or stating the reasons why the Committee cannot comply. If the Response is to deny the Information Request because the Committee believes that the Information Request implicates Confidential Information or privileged matters that need not be disclosed pursuant to the terms of this Order or otherwise under 11 U.S.C. § 1102(b)(3)(A), or that the Information Request is unduly burdensome, the Requesting Creditor may, after a good faith effort to meet and confer with an authorized representative of the Committee regarding the Information Request and the Response, request such disclosure from the Court for cause pursuant to a motion. Such motion shall be served on notice to the Debtors, the Committee, and all other required parties and the hearing on such motion shall be noticed and scheduled pursuant to the rules of the Court. Nothing herein shall be deemed to preclude the Requesting Creditor from requesting (or the Committee from objecting to such request) that the Committee provide the Requesting Creditor a log or other index of any information specifically responsive to the Requesting Creditor’s request that the Committee deems to be Confidential Information or protected by the attorney-client privilege, attorney work-product privilege, or any other privilege. Furthermore, nothing herein shall be deemed to preclude the Requesting Creditor from requesting that the Court conduct an *en camera* review of any information specifically responsive to the Requesting Creditor’s request that the Committee claims is Confidential Information or subject to the attorney-client privilege, the attorney work-product privilege, or other privilege.

8. In its Response to an Information Request for access to Confidential Information, the Committee shall consider whether:

- (a) the Requesting Creditor is willing to agree in writing to reasonable confidentiality and trading restrictions with respect to such Confidential Information and represents that such trading restrictions and any information screening process complies with applicable securities laws, Bankruptcy Rules, or any contract; and

i. Claims Traders: If the Requesting Creditor is involved, directly or indirectly, in claims trading, the Requesting Creditor must file a document with the Court, and serve upon counsel for the Committee, the Debtors and the United States Trustee confirming that the Requesting Creditor has established an information screening barrier (“Screening Wall”) that will be enforced and that no Confidential Information will be revealed to claims traders, trading desks or any persons or entities involved in trading, and listing the name of the person that has been designated as monitor to ensure compliance with the provisions hereof; and

ii. Market Competitors: If the Requesting Creditor is a competitor of the Debtors (or is a prospective competitor) and the information requested may impair the Debtors, no information will be disclosed unless the Court orders such disclosure after notice and a hearing; and

(b) under the particular facts, such agreement and any information screening process that it implements will reasonably protect the confidentiality of such information; provided, however, that if the Committee elects to provide access to Confidential Information on the basis of such confidentiality and claim trading restrictions, the Committee shall have no responsibility for the Requesting Creditor’s compliance with, or liability for violation of, applicable securities, contract, or other laws. Any disputes with respect to this paragraph shall be resolved as provided herein.

9. Nothing in this Order requires the Committee to provide access to information or to solicit comments from any Entity that has not demonstrated to the satisfaction of the Committee, in its sole discretion, or to the Court, that it holds claims of the kind described in 11 U.S.C. § 1102(b)(3).

10. This Order shall be binding in all respects upon the Debtors, the Committee, affected parties and any successors thereto, and all creditors and parties-in-interest.

11. The provisions of this Order are non-severable and mutually dependent.

12. This Court shall retain exclusive jurisdiction to interpret and enforce the provisions of this Order in all respect and further to hear and determine all matters arising from the construction and implementation of this Order.

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This Order was prepared and presented by:

**GREENBERG TRAURIG, LLP**

By: /s/ Shari L. Heyen

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***Counsel for the Official  
Committee of Unsecured Creditors***

United States Bankruptcy Court  
Western District of Louisiana

In re:  
Piccadilly Restaurants, LLC  
Debtor

Case No. 12-51127-RRS  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0536-4

User: lchamp  
Form ID: pdf8

Page 1 of 2  
Total Noticed: 2

Date Rcvd: Jan 04, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 06, 2013.

db +Piccadilly Restaurants, LLC, c/o Jones Walker et al, 201 St. Charles Ave #5100,  
New Orleans, LA 70170-5101  
aty +Jones, Walker, Waechter, Poitevent, Carrere & Dene, 201 St. Charles Avenue, 51st Floor,  
New Orleans, LA 70170-5000

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

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

tr DIP

TOTALS: 1, \* 0, ## 0

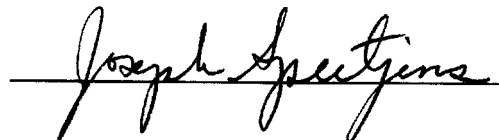
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**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 9): 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: Jan 06, 2013

Signature:



The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 4, 2013 at the address(es) listed below:

Albert J. Derbes on behalf of Creditor Committee Official Committee of Unsecured Creditors  
ajdiv@derbeslaw.com

Andrew D. Mendez on behalf of Creditor Peter Mayer Advertising, Inc. amendez@stonepigman.com

Brent R. McIlwain on behalf of Creditor Atalaya Administrative, LLC bmcilwain@pattonboggs.com,  
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Christopher R. Maddux on behalf of Creditor The Merchants Company d/b/a Merchants Foodservice  
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Dale R. Baringer on behalf of Creditor Kleinpeter Farms Dairy, L.L.C. dale@baringerlawfirm.com,  
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TOTAL: 39