

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re : Chapter 11
:
ALSET OWNERS, LLC, *et al.*,¹ : Case No. 09-11960 (BLS)
:
: (Jointly Administered)
Debtors. :

Re: Docket No. 162

**ORDER (A) FIXING THE PROCEDURES AND DEADLINES TO FILE
PROOFS OF CLAIM PURSUANT TO FED. R. BANKR. P. 2002 AND 3003
AND DEL. BANKR. L.R. 2002-1(e) AND TO MAKE REQUESTS FOR
PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS AND
(B) APPROVING THE FORM AND MANNER OF NOTICE OF BAR DATE**

Upon the Motion² of the above-captioned debtors and debtors in possession (the “Debtors”), requesting entry of an order (i) establishing the deadline for filing certain Proofs of Claim against the Debtors pursuant to Rule 3003-1 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), (ii) establishing the deadline for filing certain Administrative Expense Claims against the Debtors, and (iii) approving the form and manner of notice thereof pursuant to Bankruptcy Rule 2002(a)(7) and Del. Bankr. L.R. 2002-1(e); and it appearing that the relief sought in the Motion and the entry of this Order is appropriate and necessary in order for the Debtors to determine the nature, scope and classification of all claims; and it appearing that the relief sought in the Motion is reasonable and in the best interests of the

¹ The Debtors and the last four digits of their respective tax identification numbers are: Alset Owners, LLC, a Delaware limited liability company (7520); Altes, LLC, a Delaware limited liability company (6927); Setla, LLC, a Delaware limited liability company (6752); and Checkers Michigan, LLC, a Delaware limited liability company (8016). The Debtors’ service address is Altes, LLC/Setla, LLC, 1200 North Federal Highway, Boca Raton, FL 33432.

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

Debtors and their estates; and no adverse interest being represented, and sufficient cause appearing therefore, and upon due deliberation given,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted.

2. All claims, as defined in section 101(5) of title 11 of the United States Code (the "Bankruptcy Code"), **arising prior to the Petition Date**, including any claims against the Debtors' estate based on the Debtors' primary, secondary, direct, indirect, fixed, secured, unsecured, contingent, guaranteed, disputed, undisputed, liquidated, unliquidated, matured, unmatured, legal or equitable liability, or otherwise (each a "Prepetition Claim"), except as otherwise provided for or specifically excepted herein, shall be filed with BMC Group Inc. (the "Claims Agent"), in writing, together with supporting documentation, substantially conforming with Official Bankruptcy Form 10, or as otherwise prescribed or authorized under the Bankruptcy Rules so that the Proof of Claim is **actually received** on or before **December 15, 2009, at 4:00 p.m. prevailing Eastern time** (the "Bar Date"), at the office of the Claims Agent as set forth in the Bar Date notice. A Proof of Claim may not be filed by facsimile or electronic mail transmission.

3. Any Person asserting a Prepetition Claim by reason of the rejection of an executory contract or unexpired lease, pursuant to section 502(g) of the Bankruptcy Code and Bankruptcy Rule 3002(c)(4), must file a Proof of Claim on account of any claims such Person holds or wishes to assert against the respective Debtor, so that the Proof of Claim is **actually**

received by the Claims Agent on or before the later of (i) thirty days after the date of the rejection of such contract or lease, or (ii) the Bar Date.

4. All governmental units (which shall include all entities defined as such in section 101(27) of the Bankruptcy Code, including any such entities that hold a Claim arising from prepetition tax years or periods or prepetition transactions to which a Debtor was a party) holding or wishing to assert Claims against a Debtor arising before the Petition Date, are required to file a Proof of Claim on account of any claims such governmental unit holds or wishes to assert against the respective Debtor, so that the proof of Claim is **actually received** by the Claims Agent on or before **December 15, 2009 at 4:00 p.m. prevailing Eastern time.**

5. All parties asserting certain administrative expenses against a Debtor's estate arising between the Petition Date and December 15, 2009 (but excluding claims for fees and expenses of professionals retained in these proceedings and members of the Committee in these cases) or under Bankruptcy Code section 503(b)(9), **whenever arising**, shall file a motion for allowance of such administrative expense with the Court (the "Administrative Expense Claim") on or before **December 15, 2009 at 4:00 p.m. prevailing Eastern time.**

6. Any Person asserting a claim by reason of the recovery of a voidable transfer, pursuant to section 502(h) of the Bankruptcy Code and Bankruptcy Rule 3002(c)(3), must file a Proof of Claim on account of any claims such Person holds or wishes to assert against a Debtor, so that the Proof of Claim is **actually received** by the Claims Agent on or before the later of (i) the Bar Date, or (ii) thirty days after the consensual resolution or entry of final

judgment avoiding such transfer and payment of such recovered transfer to the respective Debtor's estate.

7. Following the notice of any amendment to the Schedules pursuant to Bankruptcy Rule 1009(a), which amendment (i) reduces the liquidated amount or changes the priority of a scheduled Prepetition Claim, or (ii) reclassifies a scheduled, undisputed, noncontingent Prepetition Claim to be disputed, unliquidated, undetermined, and/or contingent, or (iii) adds a Prepetition Claim that was not listed on the original Schedules, any Person affected by such amendment shall be permitted to file a Proof of Claim on account of any claims such Person holds or wishes to assert against a Debtor, so that the Proof of Claim is **actually received** by the Claims Agent on or before the later of (a) the Bar Date, or (b) the first business day that is at least thirty calendar days after the mailing of notice of such amendment. Any Person, entity, or governmental unit relying on the Debtors' Schedules will bear the responsibility for determining that all of its Claims against the applicable Debtor are accurately listed in the Schedules.

8. The following claims are **excluded** from the provisions of this Order and are not required to be filed on or before the Bar Date, unless otherwise ordered by the Court.

a. claims by any Person, entity, or governmental unit that has already properly filed a Proof of Claim with the Claims Agent, or with the Clerk of the Bankruptcy Court for the District of Delaware, 824 Market Street, 3rd Floor, Wilmington, DE 19801;

b. claims by any Person or governmental unit if that Person or governmental unit's Prepetition Claim is listed in the Schedules (or any amendment thereto) and

is not scheduled as being contingent, unliquidated, or disputed, unless the Person or governmental unit believes that it is owed a different amount or its Prepetition Claim is entitled to a different priority than that reflected in the Schedules;

c. claims by any Person or governmental unit if that Person or governmental unit's Prepetition Claim previously has been allowed by order of the Court; and

d. claims with respect to administrative expense claims for fees and expenses of professionals retained in these proceedings and members of the Committee in these cases.

9. Pursuant to Bankruptcy Rule 3002(c)(2), any Person or governmental unit required to file a proof of Proof of Claim but does not do so in compliance with the date and procedures established herein shall not, with respect to any such claim, be treated as a creditor of the Debtors for the purposes of voting and distribution.

10. In accordance with Bankruptcy Rule 2002, the Debtors are hereby authorized and directed to cause the Official Form No. 10, and the notice of the Bar Date, in a form substantially of that annexed to the Motion as Exhibit A and incorporated herein, which form is hereby approved, to be given by first class mail, postage prepaid, on or before **October 9, 2009**, upon (i) the Office of the United States Trustee, (ii) counsel for the Committee, (iii) all Persons and governmental units on the Debtors' creditor matrix, (iv) all known holders of claims listed on the Debtors' Schedules and, as applicable, any amended Schedules, at the addresses stated therein, (v) all relevant taxing authorities, (vi) the District Director of Internal Revenue for

the District of Delaware, and (vii) all parties that have requested notice in this case pursuant to Bankruptcy Rule 2002.

11. The Debtors are hereby authorized, but not directed, to cause notice of the Bar Date to be published by no later than **October 15, 2009** in a national newspaper.

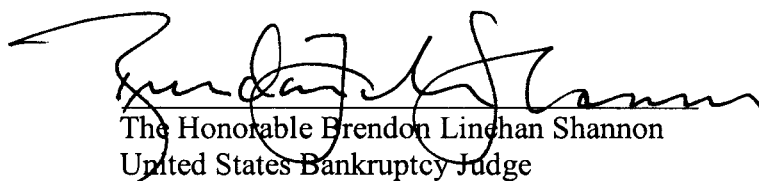
12. Nothing contained herein shall limit, abridge or otherwise affect the Debtors' right to request that the Court fix a date by which the holder of a Claim that is specifically excluded from the requirements of this Order must file a proof of claim or interest.

13. The provisions of this Order apply to all Claims of whatever nature or character against any of the Debtors or their property, whether such Claims are secured or unsecured, administrative, priority or non-priority, liquidated or unliquidated, matured or unmatured, fixed or contingent.

14. The Debtors are authorized to take such steps and do such things as they deem to be reasonably necessary to fulfill the notice requirements established by this Order, including the expenditure of all sums reasonably necessary to implement the provisions of this Order.

15. This Court shall retain jurisdiction to interpret, implement and enforce the terms and provisions of this Order.

Dated: September 29, 2009


The Honorable Brendon Linhan Shannon
United States Bankruptcy Judge