

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

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In re: : Chapter 11  
: :  
ALSET OWNERS, LLC, *et al.*,<sup>1</sup> : Case No. 09-11960 (BLS)  
: (Jointly Administered)  
Debtors. :  
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**MOTION OF DEBTORS FOR ENTRY OF ORDER SHORTENING  
NOTICE PERIOD AND SCHEDULING HEARING ON THE DEBTORS’  
APPLICATION FOR AUTHORITY TO EMPLOY BERENFELD,  
SPRITZER, SHECHTER & SHEER LLP AS ACCOUNTANTS TO THE DEBTORS**

The debtors and debtors in possession in the above-captioned cases (collectively, the “Debtors”), by and through their respective undersigned counsel, hereby move this Court (the “Motion to Shorten”) for entry of an order, pursuant to Del.Bankr.LR 9006-1(e), shortening the notice period and scheduling a hearing to address the pending *Application Of Debtors For Authority To Employ Berenfeld, Spritzer, Shechter & Sheer LLP As Accountants To The Debtors* (the “Application”).<sup>2</sup>

By this Motion to Shorten, the Debtors request entry of an order (i) setting **September 29, 2009 at 10:00 a.m. (EDT)** as the hearing to consider the relief requested by the Application (the “Hearing”), and (ii) setting **September 25, 2009 at 4:00 p.m. (Eastern Time)** as the deadline by which any objections to the Application must be filed and served. In support of this Motion to Shorten, the Debtors respectfully state as follows:

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<sup>1</sup> The Debtors and the last four digits of their respective tax identification numbers are: Alset Owners, LLC, 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, Suite 111-B, Boca Raton, FL 33432-2813.

<sup>2</sup> Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion.

1. Local Rule 9006-1(c) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”) provides that unless the Federal Rules of Bankruptcy Procedure or the Local Rules state otherwise, “all motion papers shall be filed and served in accordance with Local Rule 2002-1(b) at least fifteen (15) days (eighteen (18) days if service is by mail; sixteen (16) days if service is by overnight delivery) prior to the hearing date.”

2. Local Rule 9006-1(e) provides in pertinent part that “no motion will be scheduled on less notice than required by these Rules or the Fed. R. Bankr. P. except by order of the Court, on written motion . . . specifying the exigencies justifying shortened notice.”

3. The relief requested by this Motion to Shorten is justified under the facts and circumstances of these cases.

4. The Debtors need the services of Berenfeld, Spritzer, Shechter & Sheer LLP (“Berenfeld”) to prepare their tax returns. In August 2009, Berenfeld, the Debtors’ accountants since their inception, began working in earnest on completing the 2008 tax returns by September 15, 2009, the extended deadline. In light of the sale of the Debtors’ assets, the Debtors have been advised that Berenfeld should be able to finalize the 2009 tax returns by year end. Before commencing services related to the 2009 tax returns, however, Berenfeld requests entry of an order approving the Application as soon as possible. The next scheduled omnibus hearing date in the Debtors’ cases is September 29, 2009 at 10:00 a.m. Thereafter, the Debtors’ next hearing date is October 28, 2009. Berenfeld would like to begin work on the 2009 tax returns as soon as September 29, 2009, the next scheduled hearing date. Likewise, the Debtors would like to file their 2009 tax returns as soon as possible in furtherance of their goal of closing these cases and confirming a liquidation plan within the next few months. As such, the Debtors

request that the Court shorten the notice period and schedule the Hearing on the Motion for September 29, 2009 at 10:00 a.m. This request will not prejudice the Debtors' estates or creditors, as the notice period will be shortened by only five days if regular mail service is permitted, and three days if the Debtors serve the Application by overnight mail.

5. No later than September 17, 2009, the Debtors will serve this Motion to Shorten and the Motion via electronic mail, hand delivery, facsimile, or overnight mail upon those parties requesting service pursuant to Bankruptcy Rule 2002.

6. Accordingly, if the Hearing is scheduled for September 29, 2009, parties in interest that have requested notice will receive at least twelve (12) days notice of the proposed Hearing.

**WHEREFORE** the Debtors respectfully request that the Court enter an order in substantially the form attached hereto (i) scheduling September 29, 2009 at 10:00 a.m. (EDT) as the Hearing, (ii) establishing an objection deadline of September 25, 2009 at 4:00 p.m. (EDT) with respect to the Motion, and (iii) granting the Debtors such other and further relief as may be just and proper.

Dated: September 16, 2009

**BLANK ROME LLP**

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Debtors in Possession*

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

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In re: : Chapter 11  
: :  
ALSET OWNERS, LLC, *et al.*,<sup>1</sup> : Case No. 09-11960 (BLS)  
: (Jointly Administered)  
Debtors. :  
-----  
**Re: Docket No. \_\_\_\_\_**

**ORDER GRANTING MOTION OF DEBTORS TO SHORTEN NOTICE  
PERIOD AND SCHEDULE A HEARING ON THE DEBTORS'  
APPLICATION FOR AUTHORITY TO EMPLOY BERENFELD,  
SPRITZER, SHECHTER & SHEER LLP AS ACCOUNTANTS TO THE DEBTORS**

Upon the motion (the "Motion to Shorten")<sup>2</sup> of the above-captioned debtors and debtors in possession (the "Debtors") for entry of an order pursuant to Del.Bankr.LR 9006-1(e), shortening the notice period and scheduling a hearing on the pending *Application Of Debtors For Authority To Employ Berenfeld, Spritzer, Shechter & Sheer LLP As Accountants To The Debtors* (the "Application"); and due and proper notice of the Motion to Shorten having been given under the circumstances; and sufficient cause appearing therefor;

IT IS HEREBY ORDERED that:

1. The Motion to Shorten is granted.
2. A Hearing with respect to the relief requested in the Application shall be

held on **September 29, 2009 at 10:00 a.m. (EDT)** before the Honorable Brendan Linehan

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<sup>1</sup> 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, Suite 111-B, Boca Raton, FL 33432-2813.

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

Shannon at the United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, Sixth Floor, Wilmington, DE 19801.

3. Any objection or response to the relief requested by the Motion shall be filed with the Court on or before **September 25, 2009 at 4:00 p.m. (EST)** and served upon the respective counsel for the Debtors so that it is received by them on or before such date and time.

4. The Debtors shall, within one business day of entry of this Order, serve a copy of this Order by email, hand, facsimile, or overnight mail on the parties originally served with copies of the Motion to Shorten and the Application.

5. The Debtors are authorized to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

6. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation or interpretation of this Order.

Dated: September \_\_, 2009

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The Honorable Brendan L. Shannon  
United States Bankruptcy Judge