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8 Counsel for Unsecured Creditors, *Synergy Partners USA, LLC and*
9 *Michael Cohen*

10 **UNITED STATES BANKRUPTCY COURT**
11 **Central District of California**
12 **Los Angeles Division**

13 In re:
14 COLOREP, INC.
15 A California corporation, et al.,

16 Case No. 2:13-bk-27689-JWB
17 Chapter 11
18 (Jointly Administered)

19 Debtors,

20 Tax I.D. Nos. 94-3055026 (Colorep, Inc.) and
21 54-1200496 (Transprint USA, Inc.)

22 **DECLARATION OF DAVID H. OKEN IN**
23 **SUPPORT OF *EX PARTE* APPLICATION FOR**
24 **ORDER SHORTENING TIME FOR HEARING**
25 **ON SYNERGY PARTNERS USA, LLC’S AND**
26 **MICHAEL COHEN’S MOTION FOR AN**
27 **ORDER: (1) ALLOWING ADMINISTRATIVE**
28 **EXPENSE CLAIMS; AND (2) COMPELLING**
PURCHASERS TO PAY ADMINISTRATIVE
CLAIMS, OR, IN THE ALTERNATIVE,
REQUIRING ESBA TO DISGORGE
PROFESSIONAL FEES FOR PAYMENT OF
ADMINISTRATIVE EXPENSE CLAIMS

Date: May 15, 2014
Time: 10:00 a.m.
Judge: Hon. Julia W. Brand
Crt. Rm.: 1375

1
2 **DECLARATION OF DAVID H. OKEN**

3 I, David H. Oken, counsel for Synergy Partners USA, LLC (“Synergy”) and Michael
4 Cohen (“Cohen”) (collectively Synergy and Cohen are referred to as “Moving Parties”) hereby
5 declare:

6
7 1. I am employed at the law firm of Brinkman Portillo Ronk APC, counsel for
8 the Moving Parties. I make this Declaration in support of *Ex Parte Application for Order*
9 *Shortening Time for Hearing on Synergy Partners USA, LLC’s and Michael Cohen’s Motion for an*
10 *Order: (1) Allowing Administrative Expense Claims; and (2) Compelling Purchasers to Pay*
11 *Administrative Claims, or, In the Alternative, Requiring ESBA to Disgorge Professional Fees for*
12 *Payment of Administrative Expense Claims.*

13
14 2. Synergy and Cohen retained Brinkman Portillo Ronk, APC (“BPR”) as
15 counsel to assist in procuring the post-petition amounts owed to them by the Purchasers pursuant to
16 the *Order: (A) Authorizing The Sale Of Substantially All Of The Debtors’ Assets Free And Clear Of*
17 *Liens, Claims, Encumbrances, And Other Interests, Except As Provided In The Asset Purchase*
18 *Agreement; (B) Authorizing And Approving Asset Purchase Agreement; (C) Approving The*
19 *Assumption And Assignment Of Certain Of The Debtors’ Executory Contracts And Unexpired*
20 *Leases Related Thereto; And (D) Granting Related Relief (“Sale Order”) [Docket No. 219] (“Sale*
21 *Order”).*

22
23 4. On March 13, 2014, I forwarded a demand for payment of amounts owed by
24 Purchasers to Synergy in the amount of \$18,000 and to Cohen in the amount of \$8,542.89. BPR did
25 not receive any response to our March 13, 2014 demand letter.
26
27
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

4333 Park Terrace Drive, Suite 205, Westlake Village, CA 91361

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF DAVID H. OKEN IN SUPPORT OF *EX PARTE* APPLICATION FOR ORDER SHORTENING TIME FOR HEARING ON SYNERGY PARTNERS USA, LLC'S AND MICHAEL COHEN'S MOTION FOR AN ORDER: (1) ALLOWING ADMINISTRATIVE EXPENSE CLAIMS; AND (2) COMPELLING PURCHASERS TO PAY ADMINISTRATIVE CLAIMS, OR, IN THE ALTERNATIVE, REQUIRING ESBA TO DISGORGE PROFESSIONAL FEES FOR PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **May 15, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **May 15, 2014**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 15, 2014
Date

Haley Pinkston
Printed Name

/s/ Haley Pinkston
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

SERVICE LIST

Served by Overnight Delivery:

Hon. Julia W. Brand
United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1382 / Courtroom 1375
Los Angeles, CA 90012

Served by US Mail:

Mesorole, LLC
Ari Hurt
152 West 57th Street, 54th Floor
New York, New York 10019

Fuller Smith Capital Management, LLC.
Attn: Daniel J. Fuller
23 Jefferson Road
Princeton, New Jersey 08540

Served Electronically by Court's Notice of Electronic Filing ("NEF") System:

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