

United States Bankruptcy Court
Northern District of California

In re:
Fox Ortega Enterprises, Inc.
Debtor

Case No. 16-40050-WJL
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0971-4

User: dpassador
Form ID: pdfecoc

Page 1 of 2
Total Noticed: 10

Date Rcvd: Aug 11, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 13, 2016.

intp +Joel F. Citron, Citron & Citron, 3420 Ocean Park Blvd., Suite 3030,
Santa Monica, CA 90405-3337
intp +Luis So, 3128 Geary Blvd., San Francisco, CA 94118-3317
intp +Russell Friedman, 1726 Delancey Place, Philadelphia, PA 19103-6715
intp +Theodore H. Latty, Hughes Hubbard & Reed LLP, 350 South Grand Avenue, Suite 3600,
Los Angeles, CA 90071-3476
intp +Wesley E. Thompson, 4050 El Molino Ln, Sebastopol, CA 95472-9710
cr +William C. Wilka, 108 Woodland Road, Kentfield, CA 94904-2630
14304139 +Danh T. Kuennemann, Kim T. Tang, c/o Eoin L. Kreditor, Esq., 16148 Sand Canyon Avenue,
Irvine, CA 92618-3715
14316843 +Jeremy R. Hitzig, c/o Diamond McCarthy LLP, 489 Fifth Ave. 21st Fl.,
New York, NY 10017-6123
14229048 +Raj Garg, 3332 SW 48th Ave, Portland, OR 97221-2200

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

intp +E-mail/Text: mgwcourt@mgwtrustee.com Aug 12 2016 01:33:06 Marlene G. Weinstein,
Chapter 7 Trustee, 1511 M Sycamore Avenue, #259, Hercules, CA 94547-1770
TOTAL: 1

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

cr Michael D. Thomson

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.

Transmission times for electronic delivery are Eastern Time zone.

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 309): 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: Aug 13, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 11, 2016 at the address(es) listed below:

Aram Ordubegian on behalf of Trustee Michael G. Kasolas Ordubegian.Aram@ArentFox.com
Bennett G. Young on behalf of Creditor William Hui byoung@jmbm.com, jb8@jmbm.com
Christopher Lindstrom on behalf of Creditor Merchant Services, Inc.
chris.lindstrom@cooperscully.com, angela.rhodes@cooperscully.com
Christopher Lindstrom on behalf of Creditor MSI Electronic Payments, LLC.
chris.lindstrom@cooperscully.com, angela.rhodes@cooperscully.com
Craig A. Burnett on behalf of Creditor Scott W. Siegner cburnett@nomoredebt.com,
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Darryl S. Laddin on behalf of Creditor American Express Travel Related Services Company
bkrfilings@agg.com
Darya Sara Druch on behalf of stockholders Hector Ortega ecf@daryalaw.com
David J. Rapson on behalf of Creditor Community Bank of the Bay drapson@grclaw.com
Dennis D. Miller on behalf of Creditor Jian Dong dmiller@steinlubin.com
Donald H. Cram, III on behalf of Creditor Alvin W. Smith dhc@severson.com
Douglas B. Provencher on behalf of Interested Party FCA US, LLC f/k/a Chrysler Group, LLC
dbp@provlaw.com
Elizabeth Berke-Dreyfuss on behalf of Trustee Michael G. Kasolas edreyfuss@wendel.com,
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Jane Kim on behalf of Creditor T. Szen Low jkim@kellerbenvenutti.com
Jane Kim on behalf of Interested Party T. Szen Low jkim@kellerbenvenutti.com
Josiah M. Daniel, III on behalf of Creditor Michael D. Thomson jdaniel@velaw.com

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Kathleen J. McCarthy on behalf of Creditor William Witte kmccarthy@tomcaseylaw.com, msilva@tomcaseylaw.com
 Kathy Quon Bryant on behalf of Plaintiff Michael D. Podolsky kquonbryant@mlg-pc.com
 Kathy Quon Bryant on behalf of Creditor Michael D. Podolsky kquonbryant@mlg-pc.com
 Kelly L. Pope on behalf of Creditor Albert Nassi kpope@downeybrand.com
 Kevin W. Coleman on behalf of Interested Party Robert P. Morris kcoleman@nutihart.com, nwhite@nutihart.com
 Komal Chokshi on behalf of Creditor MSI Electronic Payments, LLC. komal.chokshi@cooperscully.com, sally.pincus@cooperscully.com
 Lisa S. Yun on behalf of Creditor Chrisafis Nicola lyun@sheppardmullin.com, pchavez@sheppardmullin.com
 Margaret H. McGee on behalf of U.S. Trustee Office of the U.S. Trustee/Oak maggie.mcgee@usdoj.gov, Minnie.Loo@usdoj.gov
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 Tracy Green on behalf of Trustee Michael G. Kasolas tgreen@wendel.com, bankruptcy@wendel.com
 Tracy Green on behalf of Defendant Michael Kasolas tgreen@wendel.com, bankruptcy@wendel.com
 Vincent Renda on behalf of Creditor Ken Buechler ld@rendalawoffices.com
 William W. Huckins on behalf of Creditor American Express Travel Related Services Company whuckins@allenmatkins.com

TOTAL: 50



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tgreen@wendel.com

The following constitutes the order of the court.
Signed August 11, 2016


William J. Lafferty, III
U.S. Bankruptcy Judge

Attorneys for Michael G. Kasolas, Trustee

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re
FOX ORTEGA ENTERPRISES, INC.,
dba PREMIER CRU,

Debtor.

Case No. 16-40050-WJL

Chapter 7

**ORDER AUTHORIZING BIDDING
PROCEDURES AND BREAKUP FEE**

Date: August 3, 2016
Time: 10:30 a.m.
Place: Courtroom 220
1300 Clay Street
Oakland, CA
Judge: Hon. William J. Lafferty, III

On the date and at the time set forth above, a hearing was held before the Honorable William J. Lafferty, III, United States Bankruptcy Judge on the Motion for Order Authorizing Bidding Procedures and Breakup Fee (the "Motion") filed by Michael G. Kasolas ("Trustee") (Docket No. 361). Tracy Green, Esq. of Wendel, Rosen, Black & Dean LLP, appeared at the hearing on the Motion, on behalf of the Trustee, and other appearances were noted in the record. No objections were filed. Having given due consideration to the Motion, declarations and other evidence submitted in support of the Motion, the record and proceedings in the above-captioned

Wendel, Rosen, Black & Dean LLP
1111 Broadway, 24th Floor
Oakland, California 94607-4036

1 case, the arguments of counsel at the hearing, and the Supplemental Declaration of Jason Boland in
2 Support of Motion for Orders (1) Authorizing Sale of Wine and Overbidding Procedures, and (2)
3 Motion for Order Authorizing Sale Free and Clear of Liens of Community Bank of The Bay and
4 Advance Restaurant Finance LLC, and (3) Authorizing Trustee to Make Certain Payments Related
5 to Redeemed Bottles (Docket No. 375), and for good cause show, the Court hereby finds as follows:

6 1. The Motion is granted, and the Sale Procedures attached to the Declaration of
7 Michael G. Kasolas (Docket No. 360-18) as Exhibit C are hereby approved.

8 2. The break-up fees requested in the Motion in the amount of \$50,000 for the sale of
9 the wine on the Primary Wine List and \$5,000 for the sale of the wine on the Unfettered Wine List
10 are hereby approved.

11 3. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective
12 immediately.

13 **Approved as to form:**

14 OFFICE OF THE U.S. TRUSTEE

15
16 By /s/ Margaret H. McGee
Margaret H. McGee, Esq.

17
18 * * * END OF ORDER * * *
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COURT SERVICE LIST

By ECF to the Request for Special Notice registered recipients and the following Request for Special Notice recipients by first class mail:

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