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7 Attorneys for Michael G. Kasolas, Trustee

8  
9 UNITED STATES BANKRUPTCY COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12  
13 In re

14 FOX ORTEGA ENTERPRISES, INC.,  
dba PREMIER CRU,

15  
16 Debtor.

Case No. 16-40050-WJL

Chapter 7

**DECLARATION OF ELIZABETH BERKE-  
DREYFUSS IN SUPPORT OF REQUEST  
FOR ENTRY OF ORDER BY DEFAULT  
AUTHORIZING AND APPROVING  
PAYMENT OF ADMINISTRATIVE  
EXPENSE CLAIM OF WEST AUCTIONS,  
INC.**

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20 I, Elizabeth Berke-Dreyfuss, declare:

21 1. I am a partner with the law firm of Wendel, Rosen, Black & Dean LLP ("Wendel  
22 Rosen"), and I am authorized to practice before this Court. The following facts are within my  
23 personal knowledge, and if called to testify, I could competently testify to the matters set forth  
24 herein below.

25 2. Attached hereto as **Exhibit A** is a true and correct copy of the Notice of  
26 Opportunity for Hearing on Motion for Order Authorizing Payment of Administrative Expense  
27 Claim of West Auctions, Inc., filed and served on November 22, 2016 (Docket No. 473).  
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3. Attached hereto as **Exhibit B** is true and correct copy of the Certificate of Service of BMC Group showing service on those parties on Exhibit attached thereto.

4. The Notice was duly served on November 22, 2016 on those parties requesting special notice and on those parties who have requested email service by BMC Group, Inc. in accordance with the *Order Establishing Certain Noticing Procedures* entered on February 23, 2016 [Docket No. 94]. The Notice provided, pursuant to Bankruptcy Rules 9019 and 6004 and Bankruptcy Local Rule 9014-1(b)(3), that unless an objection or request for hearing was filed in response to the Notice within 21-days from the date of the mailing of the Notice, an order approving the relief requested may be entered without further notice or opportunity to be heard. The last day to have timely filed and served an objection or request for hearing pursuant to the Notice was December 13, 2016.

5. No timely objections or requests for hearing were filed or served in response to the Notice.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct and that this Declaration was executed in Oakland, California on December 29, 2016.

/s/ Elizabeth Berke-Dreyfuss  
Elizabeth Berke-Dreyfuss