

Mark S. Bostick (Bar No. 111241)
Tracy Green (Bar No. 114876)
WENDEL, ROSEN, BLACK & DEAN LLP
1111 Broadway, 24th Floor
Oakland, California 94607-4036
Telephone: (510) 834-6600
Fax: (510) 834-1928
Email: mbostick@wendel.com
Email: tgreen@wendel.com

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

**REQUEST FOR ENTRY OF ORDER BY
DEFAULT APPROVING COMPROMISE
WITH CITIBANK, N.A.**

**TO: THE HONORABLE WILLIAM J. LAFFERTY, III, UNITED STATES
BANKRUPTCY JUDGE, OAKLAND, CALIFORNIA:**

Michael G. Kasolas, trustee herein ("Trustee"), requests that the Court enter an order granting his *Motion for Order Approving Compromise with Citibank, N.A.* [Doc# 615] ("Motion") as described in the Trustee's *Notice and Opportunity for Hearing on Motion for Order Approving Compromise with Citibank, N.A.* ("Notice"), dated December 5, 2017, [Doc #616]. This request is further supported by the Declaration of Mark S. Bostick filed in support hereof ("Declaration").

On December 5, 2017, the Notice was duly served on all parties entitled to notice under this Court's *Order Granting Motion to Reduce Notice Required for Future Notices Under Bankruptcy Rule 2002(a)* [Doc# 437] as set forth in the Certificate of Service attached to the Notice and further set forth in the Certificate of Service prepared by BMC Group, Inc., the Trustee's noticing agent, filed on December 7, 2017 [Doc# 618].

1 The Notice provided, pursuant to Bankruptcy Rule 9019 and Bankruptcy Local Rule 9014-
2 1(b)(3) that unless an objection or request for hearing was filed in response to the Notice within
3 21-days from the date of the mailing of the Notice, an order approving the compromise with
4 Citibank, N.A. may be entered without further notice or opportunity to be heard. The last day to
5 have timely filed and served an objection or request for hearing pursuant to the Notice was
6 December 26, 2017.

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

8 For the reasons stated in the Notice and the Declaration, the Trustee submits that his
9 proposed compromise with Citibank, N.A. is fair and equitable and in the best interests of
10 creditors of the estate.

11 WHEREFORE, the Trustee requests that the Court enter an order granting his Motion and
12 approving the settlement agreement with Citibank, N.A. attached as Exhibit A to the Declaration
13 of Mark S. Bostick filed on December 5, 2017 in support of the Motion.

14 DATED: December 28, 2017

WENDEL, ROSEN, BLACK & DEAN LLP

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16 By: /s/ Mark S. Bostick

Mark S. Bostick

17 Attorneys for Michael G. Kasolas, Trustee
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