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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

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.

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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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