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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

**EX PARTE APPLICATION FOR ORDER  
SHORTENING TIME FOR HEARING  
TRUSTEE'S MOTION FOR ORDER  
APPROVING PAYMENT OF ON-GOING  
ADMINISTRATIVE EXPENSES  
PURSUANT TO §§503(b)(1)(B)(i)**

Date: TBD  
Time: TBD  
Place: Courtroom 220  
1300 Clay Street  
Oakland, CA  
Judge: The Hon. Wm. J. Lafferty

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23 On February 24, 2016, Michael Kasolas ("Trustee"), the duly appointed and acting Trustee  
24 for the Chapter 7 Estate of the Fox Ortega Enterprises, Inc., dba Premier Cru ("Debtor") filed a  
25 motion asking this court to approve the payment of certain recurring administrative claims on an  
26 ongoing basis, subject to availability of funds pursuant to 11 U.S.C. §§503(b)(1)(B)(i) and 363  
27 (Docket No. 101). The Trustee seeks authority to pay the necessary recurring operating expenses  
28 on an ongoing basis without further Court order as set forth therein conditioned on the filing of a

1 statement of receipts and expenses by the categories listed every two months by the 20th day of  
2 the preceding month. The Trustee is not seeking to compensate any professional by this motion  
3 nor to use cash collateral.

4         The Trustee did not set the matter for hearing. However, now that creditors have had an  
5 opportunity to opt into electronic notice or request notice of pleadings by mail, the Trustee is  
6 prepared to move forward with the request and therefore now seeks an order shortening time to  
7 allow the Court to hear the matter on shortened notice. The Trustee now seeks an order  
8 shortening time to get this matter before the Court on shortened notice so that the Trustee can pay  
9 these urgent and necessary expenses for the ongoing maintenance and protection of the assets of  
10 this estate.

11         The Trustee is serving those creditors who have requested Special Notice, and any creditor  
12 who has requested email service through the Trustee's agent, BMC Group at the address provided  
13 to all creditors. The Trustee believes that such notice which includes approximately 300 people is  
14 sufficient under the circumstances.

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16 DATED: March 2, 2016

WENDEL, ROSEN, BLACK & DEAN LLP

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18 By:           /s/ Tracy Green            
19 Tracy Green  
20 Attorneys for Michael G. Kasolas  
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10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 In re  
13 FOX ORTEGA ENTERPRISES, INC.,  
14 dba PREMIER CRU,  
15 Debtor.

Case No. 16-40050-WJL

Chapter 7

**DECLARATION OF MICHAEL G.  
KASOLAS IN SUPPORT OF EX PARTE  
APPLICATION FOR ORDER  
SHORTENING TIME FOR HEARING ON  
TRUSTEE'S MOTION FOR ORDER  
APPROVING PAYMENT OF ON-GOING  
ADMINISTRATIVE EXPENSES  
PURSUANT TO §§503(b)(1)(B)(i)**

Date: TBD  
Time: TBD  
Place: Courtroom 220  
1300 Clay Street  
Oakland, CA  
Judge: The Hon. Wm. J. Lafferty

16 I, Michael G. Kasolas, declare:

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24 1. I am the duly appointed and acting trustee of the above-captioned chapter 7  
25 bankruptcy estate. The following facts are true of my own personal knowledge and if called upon  
26 to do so, would and could competently testify thereto, except as to those matters that are alleged  
27 upon information and belief and as to those matters, I believe them to be true.  
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9 UNITED STATES BANKRUPTCY COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12  
13 In re  
14 FOX ORTEGA ENTERPRISES, INC.,  
15 dba PREMIER CRU,  
16 Debtor.

Case No. 16-40050-WJL

Chapter 7

**ORDER SHORTENING TIME FOR  
HEARING ON TRUSTEE'S MOTION FOR  
ORDER AUTHORIZING PAYMENT OF ON-  
GOING ADMINISTRATIVE EXPENSES**

17  
18 Date: TBD  
19 Time: TBD  
20 Place: Courtroom 220  
1300 Clay Street  
Oakland, CA  
21 Judge: The Hon. Wm. J. Lafferty

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23 The Court having considered the Ex Parte Motion for Order Shortening Time for Hearing  
24 on Trustee's Motion for Order Approving Payment of On-Going Administrative Expenses  
25 Pursuant to §§503(b)(1)(B)(i) , and finding that notice was sufficient under the circumstances, and  
26 good cause appearing therefore,

27 IT IS HEREBY ORDERED THAT:

- 28 1. The Ex Parte Motion for Order Shortening Time is GRANTED;

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2. The hearing on the Trustee’s Motion for Order Approving Payment of On-Going Administrative Expenses Pursuant to §§503(b)(1)(B)(i) shall be heard on March \_\_\_\_, 2016 at \_\_\_\_\_ .m.

3. Notice of this Order shall be sufficient notice of the hearing.

**\*\*END OF ORDER\*\***

**COURT SERVICE LIST**

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