

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	Chapter 11
FRESH ACQUISITIONS, LLC, <i>et al.</i> , ¹	§	
	§	Case No. 21-30721 (SGJ)
Debtors.	§	(Jointly Administered)
	§	

SECOND AMENDED NOTICE OF BID DEADLINE, AUCTION, AND SALE HEARING

PLEASE TAKE NOTICE that on May 18, 2021, the Debtors filed their *Motion for (I) an Order (A) Approving Bidding Procedures and Certain Bid Protections, (B) Scheduling Bid Deadline, Auction Date, and Sale Hearing and Approving Form and Manner of Notice Thereof; and (C) Approving Cure Procedures and the Form and Manner of Notice Thereof; and (II) an Order Approving the Sale of Substantially all of the Debtors’ Assets Free and Clear of Liens, Claims and Interests* [Docket No. 165] (the “Motion”).

PLEASE TAKE FURTHER NOTICE that on May 27, 2021, the United States Bankruptcy Court for the Northern District of Texas, Dallas Division (the “Bankruptcy Court”) entered its *Order (A) Approving Bidding Procedures and Certain Bid Protections, (B) Scheduling Bid Deadline, Auction Date, and Sale Hearing and Approving Form and Manner of Notice Thereof; and (C) Approving Cure Procedures and the Form and Manner of Notice Thereof* [Docket No. 203] (the “Bidding Procedures Order”), approving certain bidding procedures attached thereto as Appendix 1.

PLEASE TAKE FURTHER NOTICE that on July 22, 2021, the Bankruptcy Court entered the *Agreed Order (I) Continuing the Sale Hearing, (II) Modifying the Bidding Procedures Order to Extend Certain Dates; (III) Extending Certain Milestones Under the DIP Financing Order; and (IV) Granting Related Relief* [Docket No. 309] (the “Agreed Order”).

PLEASE TAKE FURTHER NOTICE that, pursuant to the Agreed Order, a **continued** hearing on the sale of the Debtors’ assets, including the assumption and assignment of any executory contracts (the “Sale Hearing”), will take place on **August 10, 2021, at 9:30 a.m. Central Time** in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division, Earle Cabell Federal Building, 1100 Commerce Street, 14th Floor, Dallas, Texas 75242. Unless otherwise notified, the Sale Hearing will be conducted remotely using the Court’s WebEx system

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Alamo Fresh Payroll, LLC (1590); Fresh Acquisitions, LLC (2795); Alamo Ovation, LLC (9002); Buffets LLC (2294); Hometown Buffet, Inc. (3002); Tahoe Joe’s Inc. (7129); OCB Restaurant Company, LLC (7607); OCB Purchasing, Co. (7610); Ryan’s Restaurant Group, LLC (7895); Fire Mountain Restaurants, LLC (8003); Food Management Partners, Inc. (7374); FMP SA Management Group, LLC (3031); FMP-Fresh Payroll, LLC (8962); FMP-Ovation Payroll, LLC (1728); and Alamo Buffets Payroll, LLC (0998). The Debtors’ principal offices are located at 2338 N. Loop 1604 W., Suite 350, San Antonio, TX 78248, United States.

by clicking on the following link: <https://us-courts.webex.com/meet/jerniga>. Parties are encouraged to review the Court's WebEx Hearing Instructions prior to attending any such hearing. As set forth in the Bidding Procedures, the Sale Hearing may be adjourned or rescheduled by the Debtors without notice other than by an announcement made at the Sale Hearing.

PLEASE TAKE FURTHER NOTICE that any Auction Results Objections (as defined in the Bidding Procedures Order) shall be filed with the Bankruptcy Court and served on the following parties so as to be actually received no later than **4:00 p.m. Central Time on August 2, 2021** (the "Auction Results Deadline") by: (a) counsel to the Debtors, Gray Reed, 1601 Elm Street, Suite 4600, Dallas, Texas 75201 (Attn: Jason S. Brookner (jbrookner@grayreed.com), Aaron M. Kaufman (akaufman@grayreed.com), and Amber M. Carson (acarson@grayreed.com)); (b) the Office of the U.S. Trustee, 1100 Commerce Street, Room 976, Dallas, Texas 75242 (Attn: Meredyth A. Kippes (meredyth.a.kippes@usdoj.gov)); (c) counsel to AB&T, Engelman Berger, PC, 2800 North Central Avenue, Suite 1200, Phoenix, Arizona 85004 (Attn: Patrick A. Clisham (pac@eblawyers.com)); (d) counsel to the DIP Lender, Carrington Coleman, 901 Main Street, Suite 5500, Dallas, Texas 75202 (Attn: J. Michael Sutherland (msutherland@ccsb.com)); and (e) counsel to the Committee, Dickinson Wright, PLLC, 1850 N. Central Avenue, Suites 1400, Phoenix, Arizona 85004 (Attn: Carolyn J. Johnsen (CJJohnsen@dickinson-wright.com) and William L. Novotny (WNovotny@dickinson-wright.com)).

PLEASE TAKE FURTHER NOTICE that copies of pleadings related to the proposed sale(s), including the Bidding Procedures Order (and attached Bidding Procedures) approved by the Bankruptcy Court, are available for free at www.bmcgroup.com/fresh, or on the Bankruptcy Court's website (for a fee) at www.txnb.uscourts.gov.

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Respectfully submitted this 22nd day of July, 2021.

GRAY REED

By: /s/ Jason S. Brookner

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**COUNSEL TO THE DEBTORS
AND DEBTORS IN POSSESSION**

CERTIFICATE OF SERVICE

I certify that on the 22nd day of July, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Northern District of Texas.

/s/ Jason S. Brookner

Jason S. Brookner