

United States Department of Justice
Office of the United States Trustee
1100 Commerce St. Room 976
Dallas, Texas 75242
(214) 767-1079

Meredyth A. Kippes,
for the United States Trustee
meredyth.a.kippes@usdoj.gov

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

In re:	§	Chapter 11
Fresh Acquisitions, LLC, et al.,	§	Case No. 21-30721-SGJ-11
Debtors.	§	(Jointly Administered)
	§	

WITNESS AND EXHIBIT LIST IN CONNECTION WITH UNITED STATES TRUSTEE’S OBJECTION TO (I) DEBTORS’ MOTION FOR (I) AN ORDER (A) APPROVING BIDDING PROCEDURES AND CERTAIN BID PROCEDURES, (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 AND (2) NOTICE OF PROPOSED STALKING HORSE ASSET PURCHASE AGREEMENT
[Docket No. 290]

TO THE HONORABLE STACEY G. C. JERNIGAN,
UNITED STATES BANKRUPTCY JUDGE:

The United States Trustee files this Witness and Exhibit List in connection with the United States Trustee’s Objection to Debtors’ Motion for (I) an Order (A) Approving Bidding Procedures and Certain Bid Procedures, (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 (the "Sale Motion," Docket Entry No. 165) and to the Notice of Proposed Stalking Horse Asset Purchase Agreement (the "APA Notice," Docket Entry No. 178), which is set for hearing before this Court on August 24, 2021 at 9:30 a.m.

Witnesses

1. Any witness called by any other party.

Exhibits

1. Any exhibit designated by any other party.

The United States Trustee reserves the right to use testimony and documents offered into evidence by other parties. The United States Trustee reserves the right to offer into evidence any other exhibit designated by any other party in connection with the hearing on these matters. The United States Trustee also reserves the right to offer into evidence such additional testimony and documents as may be appropriate for rebuttal or impeachment purposes.

DATED: August 20, 2021

Respectfully submitted

WILLIAM T. NEARY
UNITED STATES TRUSTEE
/s/ Meredyth A. Kippes
Meredyth A. Kippes
Texas State Bar No. 24007882
Office of the United States Trustee
1100 Commerce St. Room 976
Dallas, Texas 75242
(214) 767-1079
meredyth.a.kippes@usdoj.gov

Certificate of Service

I certify that, on August 19, 2021, the foregoing document was served on all parties receiving ECF notifications in this case. I further certify that, on August 19, 2021, I emailed a copy of the foregoing document to the following parties at the following email addresses.

/s/ Meredith A. Kippes
Meredyth A. Kippes

Debtor's Counsel

Jason S. Brookner, jbrookner@grayreed.com
Aaron M. Kaufman, akaufman@grayreed.com
Amber M. Carson, acarson@grayreed.com

Arizona Bank & Trust's Counsel

Patrick A. Clisham, pac@eblawyers.com

VitaNova Brands, LLC's Counsel

J. Michael Sutherland, msutherland@ccsb.com

Counsel to the Official Committee of Unsecured Creditors

Carolyn J. Johnsen, CJJohnsen@dickinson-wright.com
William L. Novotny, WNovotny@dickinsonwright.com