



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 21, 2021


United States Bankruptcy Judge

**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.	§	(Joint Administration Requested)
	§	Re: Docket No. 425

**ORDER GRANTING MOTION FOR EMERGENCY HEARING
ON THE DEBTORS' EMERGENCY 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
THE FORM AND MANNER OF NOTICE TO CONTRACT COUNTERPARTIES;
AND (II) AN ORDER APPROVING THE SALE OF SUBSTANTIALLY ALL OF
THE DEBTORS' ASSETS FREE AND CLEAR OF LIENS, CLAIMS, AND INTERESTS**

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.

Upon the motion (the “Motion for Emergency Hearing”)² filed by the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for an emergency hearing on the *Debtors’ Emergency 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 the Form of Notice to Contract Counterparties; and (II) an Order Approving the Sale of Substantially all of the Debtors’ Assets Free and Clear of Liens, Claims, and Interests* [Docket No. 424] (the “Bidding Procedures Motion”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having reviewed the Motion and determined that cause exists for granting the requested relief, it is HEREBY ORDERED THAT:

1. The Motion for Emergency Hearing is granted as set forth herein.
2. A hearing will be held on the Bidding Procedures Motion on **September 21, 2021 at 1:30 p.m. (prevailing Central Time)** before the Honorable Stacey G. C. Jernigan, United States Bankruptcy Judge for the Northern District of Texas, at the Earle Cabell Federal Building, 1100 Commerce Street, 14th Floor, Courtroom #1, Dallas, Texas 75242.
3. The Debtors shall promptly provide notice of the Hearing to all parties on the limited service list maintained in these chapter 11 cases.
4. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Bidding Procedures Motion.

END OF ORDER

Submitted by:

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