

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re

SUGARFINA, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-11973 (MFW)

(Jointly Administered)

Related D.I.:

**ORDER AUTHORIZING EMPLOYMENT AND RETENTION
OF BAYARD, P.A. AS COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS *NUNC PRO TUNC* TO SEPTEMBER 17, 2019**

Upon the application (the “Application”) of the official committee of Unsecured Creditors (the “Committee”) appointed in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for an order, pursuant to sections 328, 330, and 1103 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), authorizing the Committee to employ and retain Bayard, P.A. (“Bayard”) as the Committee’s counsel in these cases *nunc pro tunc* to September 17, 2019 (the “Retention Date”); and in consideration of the declaration of Erin R. Fay in support of the Application (the “Fay Declaration”); and it appearing that due and proper notice of the Application has been given; and it appearing that this Court has jurisdiction to consider the Application pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that venue of these cases and the Application in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that Bayard is eligible for retention pursuant to sections 328 and 1103 of the Bankruptcy Code in that Bayard does not represent or hold any interest adverse to the Debtors as to the matters upon which Bayard has been and is to

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number or Canadian Revenue Agency, as applicable are (1) Sugarfina, Inc., a Delaware corporation (4356), (2) Sugarfina International, LLC, a Delaware limited liability company (1254) and (3) Sugarfina (Canada), Ltd. (4480). The location of the Debtors’ corporate headquarters is 1700 E. Walnut Ave., 5th Floor, El Segundo, California 90245.

be employed, and that Bayard is a “disinterested person” as such term is defined in section 101(14) of the Bankruptcy Code, and that Bayard shall not, while employed by the Committee, represent any other entity having an adverse interest in connection with these cases; and it appearing that to the Court that there is just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore;

IT IS HEREBY ORDERED THAT:

1. The Application is APPROVED as set forth herein.
2. Pursuant to sections 328 and 1103(a) of the Bankruptcy Code, Bankruptcy Rule 2014(a), and Local Rule 2014-1, the Committee is authorized to employ and retain Bayard as its bankruptcy counsel in these chapter 11 cases *nunc pro tunc* to the Retention Date.
3. Bayard shall apply for compensation for professional services rendered and reimbursement of expenses incurred in connection with these cases in compliance with sections 330 and 331 of the Bankruptcy Code and applicable provisions of the Bankruptcy Rules, Local Rules, and any other applicable procedures and orders of the Court. Bayard shall also make a reasonable effort to comply with the U.S. Trustee’s requests for information and additional disclosures as set forth in the *Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330 by Attorneys in Larger Chapter 11 Cases Effective November 1, 2013* in connection with both the Application and the interim and final fee applications to be filed by Bayard in these cases.
4. The Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application and the Fay Declaration.
5. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

Dated: _____, 2019
Wilmington, Delaware

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE