

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

SUGARFINA, INC., et al.,

Debtors.

Chapter 11

Case No. 19-11973 (MFW)

(Jointly Administered)

RE: D.I. 274

**ORDER APPROVING THE REJECTION  
OF UNEXPIRED LEASES AND EXECUTORY CONTRACTS**

Pursuant to and in accordance with the Order Establishing Procedures for the Rejection of Executory Contracts and Unexpired Leases [Docket No. 269] (the “Rejection Procedures Order”); and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and the Amended Standing Order of Reference from the United States District Court for the District of Delaware dated February 29, 2012; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that venue of these Cases and this matter is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Debtors having properly filed and served a “Notice of Rejection of Executory Contracts and Unexpired Leases” (the “Rejection Notice”) in accordance with the terms of the Rejection Procedures Order in respect of the rejection of the executory contracts (the “Contracts”) and unexpired leases (the “Leases”) set forth on Exhibit 1 hereto; and no timely objections having been filed to the rejection of the Contracts and Leases; and it appearing that due and adequate notice of the Rejection Procedures Order and the Rejection Notice has been given, and that no other or further notice need be given; and the Court having determined that the rejections provided for herein are an appropriate exercise of the Debtors’

business judgment; and after due deliberation, and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Leases and Contracts listed on Exhibit 1 hereto are hereby rejected effective as of the dates set forth for each such Lease or Contract listed on Exhibit 1 hereto (the “Rejection Date”). The Rejection Date for a rejection of a lease of non-residential real property shall not be earlier than the later of (i) the date the Debtors file and serve a Rejection Notice for the Real Property Lease, (ii) the Rejection Date set forth in the Rejection Notice, and (iii) the date the Debtors relinquish control of the applicable Leased Premises by notifying the affected Landlord in writing of the Debtors’ irrevocable surrender of the Leased Premises and (A) turning over keys, key codes, and security codes, if any, to the affected Landlord or (B) notifying the affected Landlord in writing that the keys, key codes, and security codes, if any, are not available, but the Landlord may rekey the Leased Premises; provided, however, that the Rejection Date for a lease of non-residential real property rejected pursuant to the Rejection Notice shall not occur earlier than the date the Debtors filed and served the Rejection Notice.

2. With respect to the Leases listed on Exhibit 1 hereto, any personal property remaining at the leased premises as of the Rejection Date shall be deemed abandoned (the “Abandoned Property”) by the Debtors pursuant to section 554 of the Bankruptcy Code, and the landlord shall be free to dispose of such abandoned property in its sole and absolute discretion, free and clear of all liens, claims, encumbrances and interests, and without any notice or liability to the Debtors or any third parties and without waiver of any claim the landlord may have against the Debtors, or the Debtors or their estates’ right to object thereto, and, to the extent applicable, the automatic stay is modified to allow such utilization and/or disposition. Notwithstanding the

foregoing, the Debtors shall remove any hazardous or toxic materials (as such terms are defined in any applicable federal, state, or local law, rule, regulation or ordinance) from the leased premises prior to the Rejection Date. To the extent that the Debtors propose to abandon property that may contain personal and/or confidential information about the Debtors' employees and/or customers (the "Confidential Information"), the Debtors shall remove the Confidential Information from such items before abandonment.

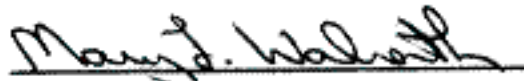
3. If any affected landlord or counterparty subject to this Order (the "Rejection Claimant") asserts a claim or claims against the Debtors arising from the rejection of a Lease or Contract, such Rejection Claimant shall submit a proof of claim on or before the later of (i) the date that is thirty-five (35) days after service of this Order and (ii) the general bar date established by this Court for filing proofs of claim against the Debtors. If a Rejection Claimant does not timely file such proof of claim, such claimant will be forever barred from asserting a claim for such rejection damages.

4. The Debtors are authorized to take any action necessary or appropriate to Implement the terms of this Order and the rejection without further order from this Court.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Final Order.

Dated: November 1st, 2019  
Wilmington, Delaware

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MARY F. WALRATH  
UNITED STATES BANKRUPTCY JUDGE