Entered on Docket

Docket #0163 Date Filed: 10/17/2024

EDWARD J. EMMONS, CLERK U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA

TOBIAS S. KELLER (Cal. Bar No. 151445) (tkeller@kbkllp.com) DAVID A. TAYLOR (Cal. Bar No. 247 Servis Montale. (dtaylor@kbkllp.com) THOMAS B. RUPP (Cal. Bar No. 2780) (trupp@kbkllp.com) 425 Market Street, 26th Floor

5 San Francisco, California 94105 Telephone: (415) 496-6723 6 Facsimile: (650) 636-9251

DENNIS MONTALI U.S. Bankruptcy Judge

Proposed Attorneys for the Debtors and Debtors in Possession

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

7

1

2

3

4

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA

SANTA ROSA DIVISION

Lead Case No. 24-10545 (CN) In re: (Jointly Administered) LEFEVER MATTSON, a California Chapter 11 corporation, et al.,1

> FINAL ORDER AUTHORIZING THE Debtors. **DEBTORS TO (A) PAY** PREPETITION EMPLOYEE WAGES, BENEFITS, AND RELATED ITEMS; AND (B) CONTINUE CERTAIN EMPLOYEE COMPENSATION AND BENEFIT PROGRAMS IN THE

> > **Date:** October 15, 2024

ORDINARY COURSE

Time: 1:30 p.m.

Place: United States Bankruptcy Court 1300 Clay Street, Courtroom 215

Oakland, CA 94612

The last four digits of LeFever Mattson's tax identification number are 7537. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at https://veritaglobal.net/LM. The address for service on the Debtors is 6359 Auburn Blvd., Suite B, Citrus Heights, CA 95621.

24-10545 Doc# 163 Filed: 10/17/24 Entered: 10/17

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Upon consideration of the Motion of Debtors for Interim and Final Orders Authorizing the Debtors to (A) Pay Prepetition Employee Wages, Benefits, and Related Items; and (B) Continue Certain Employee Compensation and Benefit Programs in the Ordinary Course (the "Motion")² filed by the above-captioned debtors and debtors in possession (the "Debtors"); the Court having reviewed the Motion and the Sharp Declaration and having considered the statements of counsel and the evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"); and the Court having found that (i) the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24 and Rule 5011-1(a) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California; (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and (iv) notice of the Motion and the Hearing was sufficient under the circumstances; and after due deliberation the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, and their creditors; and good and sufficient cause having been shown;

IT IS HEREBY ORDERED THAT:

- 1. The Motion is granted on a final basis.
- 2. The Debtors are authorized, but not directed, pursuant to sections 105(a), 363(b), and 507(a) of the Bankruptcy Code, to pay and honor all Prepetition Employee Obligations, that are due and payable and relate to the period prior to the Petition Date, in accordance with the Debtors' ordinary course of conduct and consistent with the Debtors' prepetition practices, up to but not exceeding the Section 507 Cap.
- 3. The Debtors are authorized, but not directed, to continue providing the Prepetition Benefits and the Vacation Benefits in the ordinary course of business.

Filed: 10/17/24 Entered: 10/17/24 13:00:03 Page 2 of 4 Case: 24-10545 Doc# 163

Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

25

28

- 4. Banks and financial institutions are authorized, but not directed, at the Debtors' request, to receive, process, honor and pay, to the extent of funds on deposit, any and all checks issued or to be issued or electronic funds transfers requested or to be requested by the Debtors relating to the Prepetition Employee Obligations.
- 5. This Order does not authorize any payment pursuant to section 503(c) of the Bankruptcy Code.
- 6. Nothing contained in the Motion or this Order is intended to be or shall be construed as (i) an admission as to the validity of any claim against the Debtors; (ii) a waiver of the Debtors' or any appropriate party in interest's rights to dispute the amount of, basis for, or validity of any claim against the Debtors; (iii) a waiver of any claims or causes of action that may exist against any creditor or interest holder; or (iv) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy between the Debtors and any third party under section 365 of the Bankruptcy Code.
 - 7. The requirements of Bankruptcy Rule 6004(a) are waived.
- 8. Notwithstanding the provisions of Bankruptcy Rule 6004(h), this Order shall be immediately effective and enforceable upon its entry.
- 9. The Debtors are hereby authorized to take such actions and to execute such documents as may be necessary to implement the relief granted by this Order.
- 10. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

** END OF ORDER **

APPROVED AS TO FORM:

23 TRACY HOPE DAVIS

UNITED STATES TRUSTEE 24

By: /s/ Jared A. Day 26

Jared A. Day Trial Attorney for United States Trustee 27

Case: 24-10545 Filed: 10/17/24 Entered: 10/17/24 13:00:03 Page 3 of 4 Doc# 163

COURT SERVICE LIST

1	
2	All ECF Participants
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
22232425	
25	
26	

KELLER BENVENUTTI KIM LLP 425 MARKET STREET, 26TH FLOOR SAN FRANCISCO, CALIFORNIA 94105

27

28

Case: 24-10545 Doc# 163 Filed: 10/17/24 Entered: 10/17/24 13:00:03 Page 4 of 4