IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:	)	
	)	Chapter 11
GROEB FARMS, INC.,	)	
	)	Case No. 13-58200-wsd
Debtor.	)	
	)	Honorable Walter Shapero
	)	

***EX PARTE* MOTION TO EXPEDITE CONSIDERATION AND DEADLINE FOR RESPONSES TO THE MOTION OF THE GENERAL UNSECURED CLAIMS LITIGATION TRUSTEE FOR ENTRY OF AN ORDER FURTHER EXTENDING THE DEADLINE TO OBJECT TO THE ALLOWANCE OF CLAIMS**

The General Unsecured Claims Litigation Trustee (the "GUC Trustee") in the above-captioned case hereby moves the Court (this "Motion") for entry of an order expediting consideration of and response deadline for the Motion of the GUC Trustee for entry of an order further extending the deadline to object to the allowance of claims [Docket No. 491] and for certain related relief (the "Motion"), and respectfully represents as follows:

Jurisdiction and Venue

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. The predicates for the relief requested herein are Bankruptcy Rule 9006(c)(1) and Local Rule 9006-1(b).

Background

3. On October 1, 2013 (the "Petition Date"), the Debtor filed a voluntary petition in this Court for relief under chapter 11 of the Bankruptcy Code.

4. On October 9, 2013, an Official Committee of Unsecured Creditors (the "Committee") was appointed in this case. See Docket No. 69.

5. On December 20, 2013, the Court entered an order [Docket No. 375] (the "Confirmation Order") confirming the Plan. On December 31, 2013, the Debtors filed a *Notice of Effective Date of Debtor's Second Amended Plan of Reorganization of Groeb Farms, Inc.* [Docket No. 380] (the "Effective Date Notice). The Effective Date of the Plan was December 31, 2013.

6. In accordance with the terms of the Plan, the General Unsecured Claims Litigation Trust was created for the purpose, among other things, of pursuing or liquidating the General Unsecured Claims Litigation Trust Assets, distributing the General Unsecured Claims Litigation Trust Distributable Proceeds if any, reconciling and objecting to General Unsecured Claims as provided for in the Plan. The GUC Trustee has the power to act on behalf of the GUC Trust.

7. On December 16, 2014, the GUC Trustee filed and served the Motion.

8. The Motion seeks to further extend the deadline by which the GUC Trustee must object to Claims (the "Claims Objection Deadline").

Relief Requested

9. The GUC Trustee requests that this Court, in its discretion under Bankruptcy Rule 9006(c)(1), (a) enter an order expediting the deadline for any objections to the Motion to be filed with the Court and served by 5:00 p.m. prevailing Eastern time on December 23, 2014, (b) allowing the GUC Trustee to certify no response on December 29, 2014 if no

responses to the Motion are filed and (c) consider the Motion on or prior to December 31, 2014 so that an order can be entered prior to the expiration of the Claims Objection Deadline. If any objections to the Motion on or by December 23, 2014, the GUC Trustee requests that the Court set a hearing date on the Motion at its earliest convenience and extend the Claims Objection Deadline to five (5) business days after the Court rules on any objection to the Motion. A proposed form of order is attached hereto as Exhibit A.

Basis for Relief Requested

10. Under the Local Rules, a response to a Motion is due in 4 days. Bankruptcy Rule 9006(f) adds three additional days for mailing.

11. The Court may reduce the notice period for a hearing pursuant to Bankruptcy Rule 9006(c)(1), which provides that "the court for cause shown may in its discretion with or without motion or notice order the period [for notice] reduced."

12. Local Rule 9006-1(b) further enables the GUC Trustee to file a motion seeking the relief requested herein.

13. The Motion seeks an extension of the deadline to object to claims set by the Plan and extended by the Court. The current deadline is December 31, 2014.

14. The GUC Trustee seeks a reduction in the time normally set for responses to this reduction will not prejudice any party. No Claims are substantively affected by the shortening time. The GUC Trustee has informed the Office of the United States Trustee of this request.

15. If the Court grants the relief sought herein, the GUC Trustee will serve the Motion and the order setting deadline for response on the 2002 Service List as soon as is practicable, by overnight mail.

Dated: December 17, 2014

DYKEMA GOSSETT PLLC

/s/ Sheryl Toby
Sheryl Toby (P39114)
39577 Woodward Avenue, Suite 300
Bloomfield Hills, Michigan 48304
Telephone: (248) 203-0522
Email: stoby@dykema.com

and

PACHULSKI STANG ZIEHL & JONES LLP
Bradford J. Sandler
James E. O'Neill
919 North Market Street
17th Floor
Wilmington, DE 19801
Telephone: (302) 778-6424
Facsimile: (302) 652-4400
Emails: bsandler@pszjlaw.com
joneill@pszjlaw.com

Counsel to the General Unsecured Claims Litigation Trustee

EXHIBIT A
PROPOSED ORDER

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:	)	
	)	Chapter 11
GROEB FARMS, INC.,	)	
	)	Case No. 13-58200-wsd
Debtor.	)	
	)	Honorable Walter Shapero
	)	

ORDER *EX PARTE* RE: MOTION TO EXPEDITE CONSIDERATION AND DEADLINE FOR RESPONSES TO THE MOTION OF THE GENERAL UNSECURED CLAIMS LITIGATION TRUSTEE FOR ENTRY OF AN ORDER FURTHER EXTENDING THE DEADLINE TO OBJECT TO THE ALLOWANCE OF CLAIMS

The matter has come before this Court upon the motion (the "Motion") for the General Unsecured Claims Litigation Trustee (the "GUC Trustee") for entry of an order expediting consideration of the Motion of the GUC Trustee for entry of an order further extending the deadline to object to the allowance of claims [Docket No. 491] (the "Motion"); good cause being shown for the need for expedited responses to the Application; and it appearing that no other or further notice need be provided; the Court having considered the Motion, and upon the complete record of this Chapter 11 case, and after due deliberation thereon and good cause appearing therefore;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.

2. Any objections to the Motion shall be filed with the Court and served on the following by 5:00 p.m. on December 23, 2014:

Bradford J. Sandler
Pachulski Stang Ziehl & Jones LLP
Counsel for the Unsecured Creditors Committee
of Groeb Farms, Inc.
919 North Market Street, 17th Floor
Wilmington, DE 19801

and

Sheryl L. Toby (P39114)
Dykema Gossett PLLC
Co-Counsel for the Unsecured Creditors Committee
of Groeb Farms, Inc.
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304

and

Tamar Dolcourt
Foley & Lardner LLP
Counsel for the Debtor and Debtor in Possession
500 Woodward Ave., Ste. 2700
Detroit, MI 48226

3. If no objections are filed, the GUC Trustee may certify no response to the Motion on December 29, 2014.

4. If any objections are filed, there shall be a hearing on the Motion at [__:__ _.m] on [ ], in the United States Bankruptcy Court for the Eastern District of Michigan, United States Courthouse, Courtroom 1042, 231 West Lafayette Street, Detroit, MI 48226 and the Claims Objection Deadline will be extended until five (5) business days after the Court rules on any objection to the Motion.

5. The GUC Trustee shall serve this Order and the Motion on the 2002 Service List by overnight mail, as soon as practicable.

6. The terms and conditions of this Order shall be immediately enforceable and effective upon its entry.

7. This Court shall retain jurisdiction over all matters arising from or relating to the interpretation and implementation of this Order.