

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:

**CBCRC LIQUIDATING CORP., et al.,<sup>1</sup>**

Debtors.

Chapter 11

Case No. 23-10245 (KBO)  
(Jointly Administered)

**Hearing Date: April 10, 2024 at 10:30 a.m. (ET)**

**Objection Deadline: April 3, 2024 at 4:00 p.m. (ET)**

**Re: D.I. Nos. 609, 853, 954, 974, 992, 1059, and 1062**

**ERRATA TO NOTICE OF: (I) THE MOTION OF THE DEBTORS FOR ENTRY OF AN ORDER: (I) APPROVING THE SETTLEMENT AGREEMENT IN CONNECTION WITH THE ASSET PURCHASE AGREEMENT BY AND AMONG THE DEBTORS AND SSCP RESTAURANT INVESTORS, LLP DATED JUNE 14, 2023; (II) AUTHORIZING THE DEBTORS TO CONVERT THESE CASES TO CASES UNDER CHAPTER 7; AND (III) GRANTING RELATED RELIEF; AND (II) PROCEDURES FOR FILING AN OPT-OUT NOTICE AND PAYMENT REQUEST**

**PLEASE TAKE NOTICE** that on March 11, 2023, the above-captioned debtors (the “Debtors”) filed the above-referenced Motion (the “Motion”) [D.I. 1059] with the United States Bankruptcy Court for the District of Delaware.<sup>2</sup> Copies of the Motion may be viewed and downloaded free of charge at KCC’s website for the Debtors’ Chapter 11 Cases (<https://www.kccllc.net/cornerbakery>) or may be viewed and downloaded for a fee at the Bankruptcy Court’s website (<http://www.deb.uscourts.gov/>) by following the directions for accessing the ECF system on such website.

**PLEASE TAKE FURTHER NOTICE** that the Motion set forth procedures for Disputed Vendors to submit an *Opt Out Notice and Payment Request* with respect to asserted amounts owed by the Debtors for goods or services provided between **February 22, 2023** (the “Petition Date”) and **June 14, 2023**, the Closing Date of the sale of the Debtors’ business to SSCP. The Notice of the Motion, however, inadvertently and incorrectly stated that payments requests could be asserted against the Debtors with respect to the period between February 22, 2023 (the “Petition Date”) and **June 14, 2024**. Accordingly, a corrected *Opt Out Notice and Payment Request* is attached.

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to the Motion must be in writing and filed with the Clerk of the Bankruptcy Court, 824 Market Street, Third Floor, Wilmington, Delaware 19801, and served on the undersigned, so as to be received on or before **April 3, 2024, at 4:00 p.m. (ET)**.

Dated: March 27, 2024  
Wilmington, Delaware

/s/ Mette H. Kurth

Mette H. Kurth (DE Bar No. 6491)

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*Counsel to the Debtors and Debtors In Possession*

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include CBCRC Liquidating Corp. (0801), CBHC Liquidating Company (3981), and CBCCI Liquidating Inc. (1938). The Debtors’ service address is Corner Bakery, c/o CR3 Partners, Attn: Greg Baracato, Chief Restructuring Officer, 13355 Noel Road, Suite 2005, Dallas TX 75240.

<sup>2</sup> Capitalized terms used herein and not otherwise defined have the means set forth in the Motion, if



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**OPT-OUT NOTICE AND PAYMENT REQUEST<sup>2</sup>**

Name of Creditor: \_\_\_\_\_

Address: \_\_\_\_\_

Amount of Asserted Unpaid Claim and Payment Request: \_\_\_\_\_

Basis for the Claim: ☐ Goods sold ☐ Services performed ☐ Other: \_\_\_\_\_

☐ **Verification that Goods or Services Were Provided Between February 22, 2023, and June 14, 2023**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

☐ Creditor

☐ Creditors' Attorney

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone No. \_\_\_\_\_

**ATTACH ANY SUPPORTING DOCUMENTS TO THIS FORM. ATTACH REDACTED COPIES OF ANY DOCUMENTS THAT SHOW THAT THE DEBT EXISTS, A LIEN SECURES THE DEBT, OR BOTH.**

**BY SUBMITTING THIS REQUEST, THE PARTY ASSERTING A CLAIM CERTIFIES UNDER THE PENALTY OF PERJURY THAT (A) THE GOODS AND SERVICES THAT FORM THE BASIS OF THE REQUEST WERE PROVIDED TO THE DEBTORS BETWEEN FEBRUARY 22, 2023 AND JUNE 14, 2023 AND ARE WORTH THE VALUE REQUESTED, (B) THE AMOUNT REQUESTED IS UNPAID AND HAS NOT BEEN RECEIVED OR RECOVERED BY OTHER MEANS OR FROM OTHERS, (C) IT AGREES TO ACCEPT AND LIMIT ITS RECOVERY TO ITS *PRO RATA* SHARE OF THE REMAINING CASH SHOULD THE AMOUNT REQUESTED BE ACCEPTED BY THE DEBTORS OR SSCP OR ALLOWED BY THE BANKRUPTCY COURT, AND (D) IT SUBMITS TO THE BANKRUPTCY COURT'S JURISDICTION TO DETERMINE THE VALIDITY OF ANY SUCH REQUEST.**

**NOTE: This *Opt-Notice and Payment Request* is a not a proof of claim and should not be filed as a proof of claim, and the filing of a proof of claim on the claims register does not satisfy the requirements for filing and serving an Opt-Out Notice and Payment Request or objection to the Settlement Motion.**

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include CBCRC Liquidating Corp. (0801), CBHC Liquidating Company (3981), and CBCCI Liquidating Inc. (1938). The Debtors' service address is Corner Bakery, c/o CR3 Partners, Attn: Greg Baracato, Chief Restructuring Officer, 13355 Noel Road, Suite 2005, Dallas TX 75240.

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