

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

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

**CERTIFICATE OF NO RESPONSE**

Dykema Gossett PLLC (“Dykema”), Co-Counsel for the General Unsecured Claims Litigation Trustee, hereby states, pursuant to Local Rule of Bankruptcy Procedure 9014-1 and ECF Procedure 7(a)(3), as follows:

1. On March 9, 2015, Dykema filed the General Unsecured Claims Litigation Trustee’s Motion For An Order To Approve (1) Stipulation And Settlement Agreement By, Between, And Among The General Unsecured Claims Litigation Trustee, Proposed Class Representatives, Producer/Packer Claimants And The Groeb Parties, (2) Class Action Settlement Agreement And Release, And (3) Settlement And Release Agreement Between Federal Insurance Company, Groeb Farms, Inc., Natural American Foods, Inc., General Unsecured Claims Litigation Trustee, Troy L. Groeb, Robert Feerick, Thomas Jenkins And Michael Bailey, Pursuant To Sections 363(B) And 105(a) of The Bankruptcy Code And Bankruptcy Rules 9019(a) And 6004(h) (the “Motion”) (Docket No. 511), and on March 6, 2014 the Motion was served (Docket No. 512).

2. No response to the Motion has been filed or received.

WHEREFORE, the General Unsecured Claims Litigation Trustee respectfully requests that this Court enter the order granting the Motion attached hereto as Exhibit A.



DYKEMA GOSSETT PLLC

By: /s/ Sheryl L. Toby

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EXHIBIT A

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

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

**ORDER APPROVING (1) STIPULATION AND SETTLEMENT AGREEMENT  
BY, BETWEEN, AND AMONG THE GENERAL UNSECURED CLAIMS  
LITIGATION TRUSTEE, PROPOSED CLASS REPRESENTATIVES,  
PRODUCER/PACKER CLAIMANTS AND THE GROEB PARTIES, (2) CLASS  
ACTION SETTLEMENT AGREEMENT AND RELEASE, AND (3) SETTLEMENT  
AND RELEASE AGREEMENT BETWEEN FEDERAL INSURANCE COMPANY,  
GROEB FARMS, INC., NATURAL AMERICAN FOODS, INC., GENERAL  
UNSECURED CLAIMS LITIGATION TRUSTEE AND MICHAEL BAILEY,  
PURSUANT TO SECTIONS 363(b) AND 105(a) OF THE BANKRUPTCY CODE AND  
BANKRUPTCY RULES 9019(a) and 6004(h)**

Upon the GUC Trustee's Motion (the "Motion") for an Order to Approve the (1) Stipulation and Settlement Agreement By, Between, and Among the General Unsecured Claims Litigation Trustee, Proposed Class Representatives, Producer/Packer Claimants the Groeb Parties; (2) Class Action Settlement Agreement and Release; and (3) Settlement and Release Agreement Between Federal Insurance Company, Groeb Farms, Inc., Natural American Foods, Inc., General Unsecured Claims Litigation Trustee and Michael Bailey, Pursuant to Sections 363(b) and 105(a) of the Bankruptcy Code and Bankruptcy Rules 9019(a) and 6004(h) (the "Settlement Agreements") (Docket No. 511), the Court having jurisdiction over this matter; notice of the Motion having been duly and properly given; no objections to the Motion having been filed or such objections having been resolved; it further appearing that the Settlement as set

forth in the Motion is “fair and equitable” and that the relief requested in the Motion is in the best interests of the Debtor, its estate and its creditors and cause for relief from Bankruptcy Rule 6004(h) exists , it is

ORDERED that the Motion be, and hereby is, granted in all respects.

IT IS FURTHER ORDERED that the Settlement Agreements<sup>1</sup> attached to the Motion as Exhibits “A” each are hereby approved.

IT IS FURTHER ORDERED that the Insurer is authorized to and shall pay the Reorganized Debtor Payment and the GUC Trust Settlement Payment (each as defined in the Bankruptcy Stipulation) and the Settlement Payment (as defined in the Class Action Settlement Agreement) in accordance with the terms of the Settlement Agreements.

IT IS FURTHER ORDER that on the Effective Date, as defined in the Bankruptcy Stipulation, any and all proofs of claim filed in the Bankruptcy Case by the PCRs on behalf of the proposed class in the Bankruptcy shall be withdrawn with prejudice and expunged including, but not limited to, Proof of Claim No 139.

IT IS FURTHER ORDERED that on the Effective Date as defined in the Bankruptcy Stipulation, any and all proofs of claim filed in the Bankruptcy Case on behalf of the Groeb Parties shall be withdrawn and expunged, with prejudice including, but not limited to, Claims Nos. 152, 154, 155, 156, 192.

IT IS FURTHER ORDERED that on the Effective Date, Adversary Proceeding No. 13-05410-wsd shall be marked settled and closed.

IT IS FURTHER ORDERED that the GUC Trustee and all of the Parties shall be, and hereby are authorized to execute any and all other documents, releases or pleadings deemed

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<sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in the Motion.

necessary or appropriate by the GUC Trust to effectuate the Settlement Agreements approved hereby.

IT IS FURTHER ORDERED that the stay under Bankruptcy Rule 6004(h) shall not apply and this order shall have immediate effect upon entry.