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California Dept. of Tax and Fee Administration

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IN RE:

TPP ACQUISITION, INC.

DEBTOR.

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CASE NO. 16-33437-HDH11

Chapter 11

**PETITION OF CDTFA TO WAIVE LOCAL COUNSEL REQUIREMENT PURSUANT  
TO LOCAL BANKRUPTCY RULE 2090-4(a)**

The California Department of Tax and Fee Administration (“CDTFA”), formerly known as State Board of Equalization, by and through its undersigned counsel, files this Petition to Waive Local Counsel Requirement Pursuant to Local Bankruptcy Rule 2090-4(a), and respectfully represents as follows:

1. After the Court’s entry of its April 20, 2017, Confirmation Order [Docket No. 545], the Effective Date was noticed as May 25, 2017.
2. On June 5, 2017, the CDTFA, as a governmental unit, timely asserted Proof of Claim No. 460 for a post-petition asset transfer tax.
3. Said claim was amended downward by Proof of Claim No. 468. The downward adjustment was at the request of Debtor, and Debtor’s counsel, Mr. Albergotti.



2. On May 15, 2019, the Liquidation Trustee for the Liquidation Trust for TPP Acquisition, Inc. (“Liquidation Trustee”), filed the Fourth Omnibus Objection to Claims Asserted (the “Fourth Omnibus Objection”).

3. The Fourth Omnibus Objection, Exhibit B, erroneously classifies the CDTFA’s Proof of Claim No. 468 as part of the pre-petition operations tax claim class.

4. The CDTFA expects to settle any claim classification disagreement without the need for a hearing.

5. The CDTFA respectfully requests that this Court waive the requirement of local counsel for the CDTFA in the above-captioned liquidating case. *A pro hac vice* application is concurrently pending.

Dated: June 7, 2019

/s/ Joan S. Huh  
JOAN S. HUH  
*Attorneys for the California Department of  
Tax and Fee Administration*

**CERTIFICATE OF SERVICE**

I am employed by the California Department of Tax and Fee Administration, and I hereby certify that on June 7, 2019, I served the attached documents:

APPLICATION FOR ADMISSION PRO HAC VICE

PETITION TO WAIVE LOCAL COUNSEL REQUIREMENT PURSUANT TO LOCAL BANKRUPTCY RULE 2090-4(a)

by placing a true copy thereof in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Sacramento, California, addressed as follows:

Samuel A. Newman  
Michael S. Neumeister  
Olivia Adendorff  
GIBSON, DUNN & GRUTCHER LLP  
**Counsel for Liquidation Trustee for Liquidation Trust for TPP Acquisition, Inc.**  
2100 McKinney Ave., Suite 1100  
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Robert D. Albergotti  
Ian T. Peck  
Jarom Yates  
David Staab  
HAYNES AND BOONE, LLP  
**Counsel for Debtor**  
2323 Victory Ave., Suite 700  
Dallas, Texas 75219

The foregoing documents have been served on all other parties receiving ECF notice in this case through the Court's ECF notification system on June 7, 2019.

/s/ Jordan Puterbaugh  
JORDAN PUTERBAUGH