

In re:	) Chapter 11
BLITZ U.S.A., Inc., <i>et al.</i> , <sup>1</sup>	) Case No. 11-13603 (PJW)
Debtors.	) (Jointly Administered)
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BLITZ U.S.A., INC., <i>et al.</i> ,	)
Plaintiffs,	)
v.	) Adv. Proc No. 11-53578 (PJW)
TABITHA ALEXSON AS NATURAL	)
GUARDIAN AND NEXT FRIEND FOR	) <b>Re: Adv. Docket No. 25</b>
ETHAN GROOMS; JASMINE ALEXIS	)
BALLEW, A MINOR, BY AND	)
THROUGH HER GUARDIAN AD LITEM,	)
KAREN BRITT PEELER AND JASMINE	)
BALLEW; JERRY C. BARNETT AND	)
DANIEL R. FULTON; MIGUEL	)
BARRERA, INDIVIDUALLY AND AS	)
PERSONAL REPRESENTATIVE OF THE	)
ESTATE OF SIXIALFREDO BARRERA;	)
LANDON BEADORE, BY AND	)
THROUGH HIS PARENTS, PAUL	)
BEADORE AND MELISSA WEEKS, AND	)
MELISSA WEEKS, AND PAUL	)
BEADORS, INDIVIDUALLY;	)
CHRISTOPHER BOSSE; AMANDA	)
BURCH, INDIVIDUALLY AND AS NEXT	)
FRIEND AND NATURAL GUARDIAN	)
FOR TIMOTHY BURCH; CHRISTOPHER	)
DRONEY; JESSICA FENN AND	)
JEREMIAH FENN, SR., INDIVIDUALLY	)
AND ON BEHALF OF THEIR	)
DECEASED SON AND DAUGHTER,	)

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JEREMIAH FENN, JR. AND JA'EL FENN; )  
 KAYLEE FREELAND, A MINOR; CHAD )  
 FUNCHESS; KAREN GUENIOT- )  
 KORNEGAY, INDIVIDUALLY, AND ON )  
 BEHALF OF ALL OF THE WRONGFUL )  
 DEATH BENEFICIARIES OF MATTHEW )  
 DYLAN KORNEGAY; WADE )  
 GUILFORD; ROBERT JACOBY; )  
 RANDALL JOHNSON; CARMEN LOPEZ )  
 AND SANTIAGO ROSA, GUARDIANS )  
 AD LITEM FOR JESUS SANTIAGO )  
 ROSA, CARMEN LOPEZ AND )  
 SANTIAGO ROSA IN THEIR OWN )  
 RIGHT, AND JESUS SANTIAGO ROSA, )  
 IN HIS OWN RIGHT; MARY JO PIERCE )  
 FOR B.P., A MINOR, BY HIS MOTHER )  
 AND NATURAL GUARDIAN; SHERRI )  
 PURVIS INDIVIDUALLY AND AS NEXT )  
 FRIEND AND NATURAL GUARDIAN )  
 FOR JAMES C. PURVIS; LORI SHICKEL, )  
 BOTH INDIVIDUALLY AND AS )  
 MOTHER AND NEXT FRIEND OF )  
 JORDAN SHICKEL, A MINOR; ROBYN )  
 SMITH, FOR DEVAN VANBRUNT, A )  
 MINOR, BY HIS MOTHER AND )  
 NATURAL GUARDIAN; STATE FARM )  
 LLOYDS, AS SUBROGEE OF ERIC AND )  
 TAMMY BALCH; DENNIES )  
 THORNTON, A MINOR, BY AND )  
 THROUGH HIS NEXT FRIEND AND )  
 FATHER, DAVID THORNTON; DYLAN )  
 J. TREVINO, A MINOR, SUING BY HIS )  
 NEXT FRIEND AND GUARDIAN, )  
 DIANA TREVINO, AND DIANA )  
 TREVINO, INDIVIDUALLY; KENNETH )  
 WARD AND CURTIS WARD; RICHARD )  
 L YIM, JR.; and JOHN DOES 1-1000, )  
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 Defendants. )  
 )

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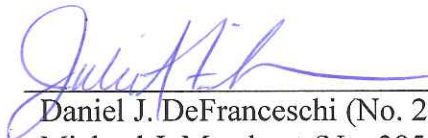
**CERTIFICATION OF NO OBJECTION REGARDING DEBTORS' MOTION FOR  
ENTRY OF AN ORDER EXTENDING TIME TO SERVE SUMMONS**

The undersigned hereby certifies that the above-captioned debtors and debtors-in-possession (collectively, the "Debtors") have received no answer, objection or any other responsive pleading with respect to the **Debtors' Motion for Entry of an Order Extending Time to Serve Summons** [Docket No. 25] (the "Motion") filed by the Debtors with the United States Bankruptcy Court for the District of Delaware (the "Court") on March 8, 2012.

The undersigned further certifies that no answer, objection or other responsive pleading to the Motion has appeared on the Court's docket in the above-captioned adversary proceeding or chapter 11 cases. Pursuant to the Motion, any objection or response to the Motion was to be filed and served no later than 4:00 p.m. (EDT) on March 26, 2012.

WHEREFORE, the Debtors respectfully request that an order, substantially in the form attached to the Motion and hereto as Exhibit A, be entered at the earliest convenience of the Court.

Dated: March 28, 2012  
Wilmington, Delaware



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Michael J. Merchant (No. 3854)

Julie A. Finocchiaro (No. 5303)

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*Counsel to the Debtors  
and Debtors in Possession*

## **EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BLITZ U.S.A., Inc., *et al.*,<sup>1</sup>

Debtors.

BLITZ U.S.A., INC., *et al.*,

Plaintiffs,

v.

TABITHA ALEXSON AS NATURAL  
GUARDIAN AND NEXT FRIEND FOR  
ETHAN GROOMS; JASMINE ALEXIS  
BALLEW, A MINOR, BY AND  
THROUGH HER GUARDIAN AD LITEM,  
KAREN BRITT PEELER AND JASMINE  
BALLEW; JERRY C. BARNETT AND  
DANIEL R. FULTON; MIGUEL  
BARRERA, INDIVIDUALLY AND AS  
PERSONAL REPRESENTATIVE OF THE  
ESTATE OF SIXIALFREDO BARRERA;  
LANDON BEADORE, BY AND  
THROUGH HIS PARENTS, PAUL  
BEADORE AND MELISSA WEEKS, AND  
MELISSA WEEKS, AND PAUL  
BEADORS, INDIVIDUALLY;  
CHRISTOPHER BOSSE; AMANDA  
BURCH, INDIVIDUALLY AND AS NEXT  
FRIEND AND NATURAL GUARDIAN  
FOR TIMOTHY BURCH; CHRISTOPHER  
DRONEY; JESSICA FENN AND  
JEREMIAH FENN, SR., INDIVIDUALLY  
AND ON BEHALF OF THEIR

) Chapter 11

) Case No. 11-13603 (PJW)

) (Jointly Administered)

) Adv. Proc No. 11-53578 (PJW)

) **Re: Adv. Docket No. 25**

<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: LAM 2011 Holdings, LLC (8742); Blitz Acquisition Holdings, Inc. (8825); Blitz Acquisition, LLC (8979); Blitz RE Holdings, LLC (9071); Blitz U.S.A., Inc. (8104); and F3 Brands LLC (2604). The location of the Debtors' corporate headquarters and the Debtors' service address is: 404 26th Ave. NW Miami, OK 74354.

DECEASED SON AND DAUGHTER, )  
JEREMIAH FENN, JR. AND JA'EL FENN; )  
KAYLEE FREELAND, A MINOR; CHAD )  
FUNCHESS; KAREN GUENIOT- )  
KORNEGAY, INDIVIDUALLY, AND ON )  
BEHALF OF ALL OF THE WRONGFUL )  
DEATH BENEFICIARIES OF MATTHEW )  
DYLAN KORNEGAY; WADE )  
GUILFORD; ROBERT JACOBY; )  
RANDALL JOHNSON; CARMEN LOPEZ )  
AND SANTIAGO ROSA, GUARDIANS )  
AD LITEM FOR JESUS SANTIAGO )  
ROSA, CARMEN LOPEZ AND )  
SANTIAGO ROSA IN THEIR OWN )  
RIGHT, AND JESUS SANTIAGO ROSA, )  
IN HIS OWN RIGHT; MARY JO PIERCE )  
FOR B.P., A MINOR, BY HIS MOTHER )  
AND NATURAL GUARDIAN; SHERRI )  
PURVIS INDIVIDUALLY AND AS NEXT )  
FRIEND AND NATURAL GUARDIAN )  
FOR JAMES C. PURVIS; LORI SHICKEL, )  
BOTH INDIVIDUALLY AND AS )  
MOTHER AND NEXT FRIEND OF )  
JORDAN SHICKEL, A MINOR; ROBYN )  
SMITH, FOR DEVAN VANBRUNT, A )  
MINOR, BY HIS MOTHER AND )  
NATURAL GUARDIAN; STATE FARM )  
LLOYDS, AS SUBROGEE OF ERIC AND )  
TAMMY BALCH; DENNIES )  
THORNTON, A MINOR, BY AND )  
THROUGH HIS NEXT FRIEND AND )  
FATHER, DAVID THORNTON; DYLAN )  
J. TREVINO, A MINOR, SUING BY HIS )  
NEXT FRIEND AND GUARDIAN, )  
DIANA TREVINO, AND DIANA )  
TREVINO, INDIVIDUALLY; KENNETH )  
WARD AND CURTIS WARD; RICHARD )  
L YIM, JR.; and JOHN DOES 1-1000, )

Defendants. )

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### **ORDER EXTENDING TIME TO SERVE SUMMONS**

Upon the motion dated March 8, 2012 (the “Motion”),<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for an order pursuant to Federal Rule 4(m) and Bankruptcy Rules 7004 and 9006 extending the Debtors’ time to effect service upon the above-captioned defendants, as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been given; and the relief requested in the Motion being in the best interests of the Debtors and their estates and creditors; and the Court having reviewed the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted hereon; and after due deliberation and sufficient cause therefor;

#### **IT IS HEREBY ORDERED THAT:**

1. The Motion is granted.
2. The Debtors have given due and proper notice of the Motion and no other or further service of the Motion was necessary or required.
3. The time period provided by Federal Rule 4(m), made applicable by Bankruptcy Rule 7004, within which the Debtors may serve the summons in the Action, is extended 120 days to July 6, 2012.
4. Such extension is without prejudice to the Debtors’ right to file one or more motions seeking a further extension of their time to serve the summons in the Action.

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

5. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Dated: \_\_\_\_\_, 2012  
Wilmington, Delaware


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THE HONORABLE PETER J. WALSH  
UNITED STATES BANKRUPTCY JUDGE



**CERTIFICATE OF SERVICE**

I, Julie A. Finocchiaro, do hereby certify that on March 28, 2012, I caused copies of the foregoing **Certification of No Objection Regarding Debtors' Motion for Entry of an Order Extending Time to Serve Summons** to be served on counsel by first class mail as indicated on the attached service list.

  
Julie A. Finocchiaro (No. 5303)

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