



Dated: May 8, 2017

The following is ORDERED:

*Sarah A Hall*

Sarah A Hall  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

_____	)	
	)	Chapter 11
In re:	)	
	)	
EATERIES, INC., <i>et al.</i> <sup>1</sup>	)	Case No. 17-11444-SAH
Debtors.	)	
_____	)	(Jointly Administered)

**ORDER GRANTING DEBTORS' FIRST OMNIBUS MOTION FOR ORDER  
APPROVING REJECTION OF UNEXPIRED NONRESIDENTIAL REAL PROPERTY  
LEASES AND SETTING TIME FOR LESSORS TO FILE REJECTION CLAIMS**  
[Dkt. No. 22]

Upon the *First Omnibus Motion for Order Authorizing Rejection of an Unexpired Nonresidential Real Property Lease and Setting Time for Lessor to File Rejection Claim* (the "Motion") [Dkt. No. 22] filed on April 18, 2017. No objections being timely filed; and this Court having subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this being a core proceeding under 28 U.S.C. § 157(b); and venue before this Court being proper

<sup>1</sup> The affiliated Debtors are Eateries, Inc. and GRP of Zanesville, LLC, Case Nos. 17-11444 and 17-11445

pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion is in the best interests of all parties-in-interest; and the Debtors having provided adequate and appropriate notice of this Motion under the circumstances; and based upon the representations of the moving parties set forth in the Motion, and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, DETERMINED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.
2. The Debtors' rejection of the unexpired leases of non-residential real property described below shall be effective on the date of the filing of the Motion set forth above.

<u>EXPIRATION DATE</u>	<u>LANDLORD</u>	<u>PROPERTY ADDRESS</u>
7/31/2017	Northpark Mall/Joplin, LLC. c/o CBL & Associates Management, Inc., as managing agent	GARFIELD'S-NORTH PARK MALL 101 N. RANGE LINE RD JOPLIN, MO 64801
4/30/2021	Clearview Mall Associates; JJ Gumberg Co, Agent	GARFIELD'S-CLEARVIEW MALL 101 CLEARVIEW CTR #800 BUTLER, PA 16001
4/30/2021	T Adrian Mall MI, LLC	S&B's BURGER JOINT-ADRIAN MALL 1357 S. MAIN ST. #1264 ADRIAN, MI 49221
7/31/2019	Washington Park Mall LLC	GARFIELD'S-WA PARK MALL 2350 SE WASHINGTON BLVD #426 BARTLESVILLE, OK 74006

(hereinafter referred to as the "Leases").

3. The Debtors surrendered and vacated the leasehold premises under each of the Leases prior to the Petition Date.

4. Any personal property, furniture, trade fixtures, and equipment owned by the Debtors (the "Remaining Property") remaining on the leased premises is deemed abandoned by

the Debtors as of the Rejection Date and the Landlords may dispose of any Remaining Property, in their sole discretion, without further notice of any liability to Debtors and any third parties and without waiver of any claim the Landlords may have against Debtors.

5. The Lessor shall file any claim arising from the rejection of the Lease as authorized herein before the later of (i) thirty (30) days from the entry date of this Order; or (ii) the proof of claim bar date for unsecured creditors established by this Court.

6. Findings of fact in this Order are based upon representations of counsel.

IT IS SO ORDERED.

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SUBMITTED FOR ENTRY:

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PROPOSED COUNSEL FOR DEBTORS

## Notice Recipients

District/Off: 1087-5

User: aserj

Date Created: 5/8/2017

Case: 17-11444

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**Recipients submitted to the BNC (Bankruptcy Noticing Center):**

db	Eateries, Inc.	14504 Hertz Quail Springs Parkway	Oklahoma City, OK 73134
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aty	Lysbeth L George	Crowe & Dunlevy	Braniff Building 324 North Robinson Avenue, Suite 100 Oklahoma City, OK 73102
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smg	Internal Revenue Service	55 N Robinson Stop 5024	Oklahoma City, OK 73102
smg	Oklahoma Employment Security Commission	PO Box 53039	Oklahoma City, OK 73152-3039

TOTAL: 9