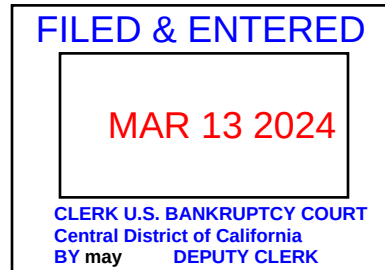


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8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISON

10 In re

Case No: 2:23-bk-14154-SK

11 ☐ ITTELLA INTERNATIONAL LLC, a
California limited liability company;

Joint administered with Case Nos.
2:23-bk-14159-SK; 2:23-bk-14161-SK;
2:23-bk-14157-SK; 2:23-bk-14158-SK;
2:23-bk-14155-SK; 2:23-bk-14156-SK; and
2:23-bk-14160-SK

12 ☐ BCI ACQUISITION, INC., a Delaware
13 corporation;

14 ☒ NEW MEXICO FOOD DISTRIBUTORS,
INC., a New Mexico corporation;

Chapter 11

15 ☐ MYJOJO, INC., a Delaware corporation;

16 ☐ KARSTEN TORTILLA FACTORY, LLC,
17 a New Mexico limited liability company;

18 ☐ ITTELLA'S CHEF, LLC, a California
19 limited liability company corporation;

20 ☐ TTCF-NM HOLDINGS INC., a New
Mexico corporation;

21 ☐ TATTOOED CHEF, INC., a Delaware
22 corporation;

23 ☐ All Debtors;

24 Debtors and Debtors-in-Possession.

ORDER APPROVING STIPULATION TO
RESOLVE GREEN CHILE FOOD'S LIMITED
OPPOSITION TO MOTION FOR AN ORDER
(1) APPROVING DEBTORS' DISCLOSURE
STATEMENT (AS MODIFIED) DESCRIBING
DEBTORS' FIRST AMENDED JOINT
CHAPTER 11 LIQUIDATING PLAN (AS
MODIFIED) DATED FEBRUARY 21, 2024;
(2) SETTING PLAN SOLICITATION AND
CONFIRMATION PROCEDURES; AND (3)
PROVIDING RELATED RELIEF

Hearing:

Date: March 20, 2024

Time: 9:00 a.m.

Ctrm: 1575

255 E. Temple Street
Los Angeles, CA 90012

25
26 The Court having reviewed and considered the "*Stipulation to Resolve Green Chile Food's*
27 *Limited Opposition to Motion for an Order (1) Approving Debtors' Disclosure Statement (As*
28 *Modified) Describing Debtors' First Amended Joint Chapter 11 Liquidating Plan (As Modified)*

1 *Dated February 21, 2024; (2) Setting Plan Solicitation and Confirmation Procedures; and (3)*
2 *Providing Related Relief*” (“Stipulation”), filed on March 12, 2024, as Dk. No. 882, and good cause
3 appearing,

4 IT IS ORDERED that:

5 1. The Stipulation is approved.¹

6 2. Nothing in the First Amended Plan (FAP) or First Amended Disclosure Statement
7 (FADS) is attempting to limit any payment owed by the bankruptcy estate of New Mexico Food
8 Distributors, Inc. (NMFD), to Green Chile Foods Company (Green Chile Foods) solely to funds
9 payable under applicable insurance policies carried by one or more of the Debtors, if any. As set
10 forth in the FAP and FADS, once Green Chile Foods’s administrative claim becomes an “allowed
11 claim” and the FAP is confirmed, such allowed claim is entitled to payment in full (or pro rata to
12 be shared with other administrative creditors) from all assets of Debtors estates, as an
13 administrative expense pursuant to 11 U.S.C. § 503(b)(1)(A);

14 3. If the “Motion to Reconsider Order Approving Stipulation . . .” [Dkt. No. 639] is
15 denied via a final order, then Green Chile Food’s administrative claim that is subject to the “Order
16 Approving Stipulation Between [NMFD] and [Green Chile Foods] for Allowance of Post-Petition
17 Administrative Expense . . .” [Dkt. Nos. 590, 602], shall be an “Allowed Administrative Claim” as
18 defined by the FAP and paid accordingly;

19 4. As revised, the FADS and FAP provide, “[t]he Liquidating Trustee may withhold
20 distributions to any Holder of Claims unless and until such Holder cooperates with the Liquidating
21 Trustee by executing any documents, and by taking any acts, appropriate to implement the
22 provisions of the Plan and Liquidating Trust Agreement.” Dk. No. 848, pgs. 29:28-30:3; Dk. No.
23 849, pg. 47:18-23. As to Green Chile Foods, the “documents” referenced in the FAP and FADS to
24 be provided by Green Chile Foods to the Liquidating Trustee (as defined in the FAP) are a W-2 and
25 any other tax-related document needed to facilitate payment to Green Chile Foods; and
26

27 _____
28 ¹ All capitalized terms which are not specifically defined herein shall have the same meanings ascribed to them in the Stipulation.

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3 5. If approved by an order of the Court, the FADS and FAP shall be revised to
4 expressly incorporate the terms of the Stipulation and the order approving the same, and any
5 further amended DS and plan that may be filed in the future will expressly incorporate the terms of
6 this Stipulation and an order approving the same.

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Date: March 13, 2024

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Sandra R. Klein
United States Bankruptcy Judge