

Hearing Date: January 19, 2018 at 10:00 a.m. Eastern Time
Objection Deadline: January 12, 2018 at 4:00 p.m. Eastern Time

ASHFORD – SCHAEEL LLC
Courtney A. Schael, Esq. (CS-1295)
100 Quimby Street, Suite 1
Westfield, NJ 07090
cschael@AshfordNJLaw.com
(908) 232-5566
(908) 728-3113 telecopy
Counsel for the Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

METROPARK USA, INC.,

Debtor.

Chapter 11

Case No. 11-22866 (RDD)

**NOTICE OF DEBTOR’S MOTION PURSUANT TO 11 U.S.C. §§ 105
AND 363 SEEKING AN ORDER APPROVING THE SALE OF
CERTAIN ASSETS OF THE DEBTOR’S ESTATE FREE AND CLEAR
OF LIENS, CLAIMS, INTERESTS AND ENCUMBERANCES**

PLEASE TAKE NOTICE, that on **January 19, 2018 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, a hearing will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, 300 Quarropas St, Room 248, White Plains, New York, on the Motion (the “Motion”) of Metropark USA, Inc., debtor and debtor in possession (the “Debtor”), by its counsel, Ashford-Schael LLC, seeking the entry of an Order pursuant to 11 U.S.C. §§ 105, 363 and 506(c) authorizing and approving the Debtor’s sale of the default judgments attached hereto as Exhibit A free and clear of liens, claims, interests and encumbrances, and granting the Debtor such other, further and different relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that higher and better offers may be made to counsel for the Debtor, Ashford Schael LLC, 100 Quimby Street, Suite 1, Westfield, NJ

07090, (Attn: Courtney A. Schael, Esq.), cschael@AshfordNJLaw.com prior to or at the hearing on January 19, 2018;

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov) by registered users of the Bankruptcy Courts' filing system and (b) by all other parties in interest on a 3.5 inch disk, compact disc, or flash drive, preferably in WordPerfect, or any other Windows-based word processing format (with two hard copies delivered directly to Chambers of the Honorable Robert D. Drain) and served upon: (i) counsel for the Debtor, Ashford Schael LLC, 100 Quimby Street, Suite 1, Westfield, NJ 07090, (Attn: Courtney A. Schael, Esq.); (ii) those parties requesting notice pursuant to Bankruptcy Rule 2002; and (iii) the Office of the United States Trustee for the Southern District of New York, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, NY 10014 (Attn: Susan Golden, Esq.), **so as to be received no later than 4:00 p.m. on January 12, 2018 (Prevailing Eastern Time).**

PLEASE TAKE FURTHER NOTICE, that the Hearing may be adjourned from time to time without further notice other than the announcement of such an adjournment in open Court.

Dated: December 22, 2017

ASHFORD-SCHAEL LLC
Counsel to the Debtor

By: /s/ Courtney A. Schael
Courtney A. Schael, Esq.
100 Quimby Street, Suite 1
Westfield, NJ 07090

EXHIBIT A

**IN RE METROPARK
CASE NO. 11-22866 (RD)
DEFAULT JUDGMENTS**

ADV. PROC. NO	DATE DEFAULT ENTERED	DEFENDANT	JUDGMENT AMOUNT
13-08233	6/13/14	9 FIVERS, LLC	\$19,844.00
13-08246	6/13/14	EAR CLOTHING LLC	\$19,897.60
13-08247	6/13/14	FRANKIE B INC.	\$133,989.00
13-08238	6/13/14	M COLLECTIVE INC. d/b/a MG BLACK	\$55,139.00
13-08281	6/13/14	SIMDOG, INC.	\$14,000.00
13-08260	6/13/14	STAFF-IT GROUP, INC.	\$17,454.34
13-08266	6/13/14	TEMEKA INC.	\$46,051.23
			<hr/>
			\$306,375.17

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8233 (SHL)
)	
9 Fivers, LLC,)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC 14,0008

The court has ordered that:

A Default Judgment is entered in favor of the Committee and against 9 Fivers, LLC in the sum of \$19,844.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8246 (SHL)
)	
Era Clothing, LLC,)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0010

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Era Clothing, LLC in the sum of \$19,897.60 with Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8247 (SHL)
)	
<u>Frankie B, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0011

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Frankie B, Inc. in the sum of \$133,989.00 with Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8238 (SHL)
)	
<u>M Collective, Inc. d/b/a MG Black</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0009

The court has ordered that:

Default Judgment is entered in favor of the Committee and against M Collective, Inc., d/b/a MG Black in the sum of \$55,139.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8281 (SHL)
)	
<u>Simdog, Inc., d/b/a Simdog</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC 14,0014

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Simdog, Inc., d/b/a Simdog in the sum of \$14,000.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8260 (SHL)
)	
<u>Staff-It Group, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0012

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Staff-It Group, Inc. in the sum of \$17,454.34 Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8266 (SHL)
)	
<u>Temeka, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0013

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Temeka, Inc. in the sum of \$46,051.23 Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

Hearing Date: January 19, 2018 at 10:00 a.m. Eastern Time
Objection Deadline: January 12, 2018 at 4:00 p.m. Eastern Time

ASHFORD – SCHAEEL LLC
Courtney A. Schael, Esq. (CS-1295)
100 Quimby Street, Suite 1
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(908) 232-5566
(908) 728-3113 telecopy
Counsel for the Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

METROPARK USA, INC.,

Debtor.

Chapter 11

Case No. 11-22866 (RDD)

**DEBTOR’S MOTION PURSUANT TO 11 U.S.C. §§ 105 AND 363
SEEKING AN ORDER APPROVING THE SALE OF CERTAIN
ASSETS OF THE DEBTOR’S ESTATE FREE AND CLEAR OF
LIENS, CLAIMS, INTERESTS AND ENCUMBERANCES**

Metropark USA, Inc., debtor and debtor in possession (the “Debtor”), by its counsel, Ashford-Schael LLC, seeks the entry of an Order pursuant to 11 U.S.C. §§ 105, 363 and 506(c) authorizing and approving the Debtor’s sale of certain assets of the Debtor’s estate free and clear of liens, claims, interests and encumbrances, and granting the Debtor such other, further and different relief as this Court may deem just and proper, respectfully states as follows:

Jurisdiction

1. The United States Bankruptcy Court for the Southern District of New York (the “Court”) has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334
2. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A).
3. This Court is the proper venue for this proceeding in accordance with 28 U.S.C.

§§ 1408 and 1409.

4. The statutory predicates for the relief sought herein are 11 U.S.C. §§ 105(a), 363 and 506(c) and Rule 6004 of the Federal Rules of Bankruptcy Procedure.

Background

5. On May 2, 2011 (the “Filing Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York.

6. The Debtor is a debtor and debtor in possession under 11 U.S.C. § 1107.

7. On May 6, 2011, the Office of the United States Trustee appointed an official committee of unsecured creditors (the “Committee”) pursuant to section 1102(a)(1) of the Bankruptcy Code.

8. Shortly after the Filing Date, the Debtor held going out of business sales and is no longer operating. The Debtor is in the process of winding down the Debtor’s estate.

9. On December 20, 2012, the Debtor, the Committee and certain secured creditors of the Debtor, filed an Amended Motion for an Order Approving Stipulation Regarding Global Resolution of Open Issues Between the Debtor, Second Lien Lenders and Committee Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure, Including Authorization to Obtain Postpetition Financing from Second Lien Lenders and Retention of Replacement Counsel (the “Settlement Motion”). The Bankruptcy Court entered an Order approving the Settlement Motion on January 18, 2013.

10. Pursuant to the Order approving the Settlement Motion and the Settlement Motion, the Committee was granted authority to pursue avoidance actions on behalf of the estate.

11. The Committee obtained judgments by default against various defendants.

Attached hereto as Exhibit A are copies of the default judgments (the “Default Judgments”).

12. The Debtor contacted various entities to solicit offers for the purchase of the Default Judgments. The only offer received was from SM Financial Services Corporation for five thousand dollars (\$5,000.00) (the “Purchase Price”).

13. The Default Judgments are not subject to any security interests and the Debtor has no knowledge of any party asserting any liens, claims or interests in the Default Judgments.

14. In the Debtor’s business judgment, the Purchase Price represents a fair and reasonable sale price for such assets and is the highest and best offer received for the sale of the Default Judgments. The sale of the Default Judgments is subject to higher and better offers.

15. The Debtor further submits that the sale of the Default Judgments serves the best interest of the Debtor’s estate and its creditors as it is necessary for the Debtor to fully administer the estate and winddown its affairs. Accordingly, the Debtor respectfully requests that the Court approve the sale of the Default Judgments.

Basis for the Relief Requested

16. By this Motion, the Debtor seeks an order, pursuant to 11 U.S.C. §§ 105 and 363(b), (f) and (m), authorizing the Debtor to sell the Default Judgments attached hereto as Exhibit A free and clear of all liens, claims, interests and encumbrances.

17. Section 363(b) of the Bankruptcy Code provides, in pertinent part, that a debtor, “after notice and a hearing, may use, sell, or lease, other than in the ordinary course of business, property of the estate.” 11 U.S.C. § 363(b), (1); *see In re Ames Dept. Stores, Inc.*, 136 B.R. 357, 359 (Bankr. S.D.N.Y. 1992). In addition, § 105(a) of the Bankruptcy Code provides that the Court “may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” 11 U.S.C. § 105(a).

18. The proposed use, sale, or lease of property of the estate may be approved under §363(b) of the Bankruptcy Code if it is supported by sound business justification. *See In re Lionel Corp.*, 722 F.2d 1063, 1070-71 (2d Cir. 1983); *In re Ionosphere Clubs, Inc.*, 184 B.R. 648 (S.D.N.Y. 1995); *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F.2d 143 (3d Cir. 1986); *In re Delaware & Hudson Ry. Co.*, 124 B.R. 169, 175-76 (D. Del. 1991); *In re Martin (Myers v. Martin)*, 91 F.3d, 395 (3d Cir. 1996). Moreover, pursuant to § 105, the Court has expansive equitable powers to fashion any order or decree which is in the interest of preserving or protecting the value of the Debtor's assets. *See, e.g., In re Chinichian*, 784 F.2d 1440, 1443 (9th Cir. 1986).

19. The Debtor's authority to sell the Default Judgments is amplified in Bankruptcy Rule 6004(f)(1), which in relevant part states that "[a]ll sales not in the ordinary course of business may be by private sale or by public auction."

20. In *Lionel*, one of the seminal and most widely followed cases dealing with asset sales, the Second Circuit determined that a sale of assets could be approved if the debtor or trustee could demonstrate an "articulated business justification" for the sale. *In re Lionel*, 722 F.2d at 1070. The Court further held that the factors to be considered in determining whether a sound business reason exists include the following:

"the proportionate value of the asset to the estate as a whole, the amount of elapsed time since the filing...the effect of the proposed disposition...of the proceeds to be obtained from the disposition vis-à-vis any appraisals of the property, which of the alternatives of use, sale or lease the proposal envisions and, most importantly perhaps, whether the asset is increasing or decreasing in value. This list is not intended to be exclusive, but merely to provide guidance to the bankruptcy judge."

Id. at 1071.

21. If a sound business justification exists, then a presumption attaches that the

decision was informed, in good faith and in the honest belief that the action was in the best interests of the estate. *In re Integrated Resources, Inc.*, 147 B.R. 650, 656 (S.D.N.Y. 1992).

22. In addition to requiring sound business reasons to approve a sale pursuant to Section 363(b) of the Bankruptcy Code, many courts have required a showing that the price to be obtained for assets be fair and reasonable; that the sale to the proposed purchaser was negotiated in good faith; and that it does not unfairly benefit insiders, the purchaser, or a certain creditor or class of creditors. *See, e.g., In re Channel One Communications*, 117 B.R. at 494-97; *In re Indus. Valley Refrig. & Air Cond. Supplies, Inc.*, 77 B.R. 15 (Bankr. E.D. Pa. 1987).

23. The Debtor submits that the sale of the Default Judgments is a prudent exercise of its business judgment under the circumstances and is in the best interest of the Debtor's estate and its creditors. The purchase price for the sale is reasonable and has been negotiated at arm's length and is subject to higher and better offers at or before the hearing scheduled for January 19, 2018. The Debtor is winding up the estate and sale of the Default Judgments is required to fully administer the estate. Accordingly, the Debtor respectfully requests that the Court grant the Motion.

NOTICE

24. Notice of this Motion has been given to parties in accordance with the Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 to Implement Certain Notice and Case Management Procedures entered on May 9, 2011 (docket no. 62) and to SM Financial Services Corporation. The Debtor submits that no other or further notice need be provided.

25. No prior application for the relief requested herein has been made to this or any other Court.

WHEREFORE, the Debtor respectfully requests that this Court grant the relief requested in the Motion, together with such other, further and different relief as the Court deems just and proper.

Dated: December 22, 2017

ASHFORD-SCHAEL LLC
Counsel to the Debtor

By: /s/ Courtney A. Schael
Courtney A. Schael, Esq.
cschael@AshfordNJLaw.com
100 Quimby Street, Suite 1
Westfield, NJ 07090
908-232-5566

EXHIBIT A

**IN RE METROPARK
CASE NO. 11-22866 (RD)
DEFAULT JUDGMENTS**

ADV. PROC. NO	DATE DEFAULT ENTERED	DEFENDANT	JUDGMENT AMOUNT
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13-08246	6/13/14	EAR CLOTHING LLC	\$19,897.60
13-08247	6/13/14	FRANKIE B INC.	\$133,989.00
13-08238	6/13/14	M COLLECTIVE INC. d/b/a MG BLACK	\$55,139.00
13-08281	6/13/14	SIMDOG, INC.	\$14,000.00
13-08260	6/13/14	STAFF-IT GROUP, INC.	\$17,454.34
13-08266	6/13/14	TEMEKA INC.	\$46,051.23
			<hr/>
			\$306,375.17

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
)	
<u>Metropark USA, Inc.</u>	)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8233 (SHL)
)	
9 Fivers, LLC,)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC 14,0008

The court has ordered that:

A Default Judgment is entered in favor of the Committee and against 9 Fivers, LLC in the sum of \$19,844.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
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<u>Metropark USA, Inc.</u>)	Case No. 11-22866 (SMB)
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)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8246 (SHL)
)	
Era Clothing, LLC,)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0010

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Era Clothing, LLC in the sum of \$19,897.60 with Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
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In re:)	
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<u>Metropark USA, Inc.</u>)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8247 (SHL)
)	
<u>Frankie B, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0011

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Frankie B, Inc. in the sum of \$133,989.00 with Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
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<u>Metropark USA, Inc.</u>)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8238 (SHL)
)	
<u>M Collective, Inc. d/b/a MG Black</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0009

The court has ordered that:

Default Judgment is entered in favor of the Committee and against M Collective, Inc., d/b/a MG Black in the sum of \$55,139.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

UNITED STATES BANKRUPTCY COURT
for the
Southern District of New York

In re:)	
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<u>Metropark USA, Inc.</u>)	Case No. 11-22866 (SMB)
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<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8281 (SHL)
)	
<u>Simdog, Inc., d/b/a Simdog</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC 14,0014

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Simdog, Inc., d/b/a Simdog in the sum of \$14,000.00 with post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

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UNITED STATES BANKRUPTCY COURT
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Southern District of New York

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)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>)	Chapter 11
)	
<i>Plaintiff</i>)	
)	
v.)	Adv. Proc. No. 13-8260 (SHL)
)	
<u>Staff-It Group, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0012

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Staff-It Group, Inc. in the sum of \$17,454.34 Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk

B 261C (12/09)

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for the
Southern District of New York

In re:)	
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<u>Metropark USA, Inc.</u>)	Case No. 11-22866 (SMB)
<i>Debtor</i>)	
)	
<u>Official Committee of Unsecured</u>)	
<u>Creditors of Metropark USA, Inc.</u>	)	Chapter 11
<i>Plaintiff</i>)	
)	
v.	)	Adv. Proc. No. 13-8266 (SHL)
)	
<u>Temeka, Inc.</u>)	
<i>Defendant</i>)	

DEFAULT JUDGMENT IN AN ADVERSARY PROCEEDING
WPBC #14,0013

The court has ordered that:

Default Judgment is entered in favor of the Committee and against Temeka, Inc. in the sum of \$46,051.23 Post-judgment interest accruing at the current legal rate allowed by under 28 U.S.C. § 1961 as of the date of this Default Judgment.

Date: 6/13/2014

Vito Genna
Clerk of Court

/s/Eddie Andino
Deputy Clerk