

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

In re:

SBSH WINDDOWN, INC., *et al.*¹

Debtors.

Chapter 11

Case No. 18-10039 (CSS)

(Jointly Administered)

Ref. Nos. 427, 459, 461 & 466

ORDER DISMISSING THE DEBTORS' CHAPTER 11 CASES

Pursuant to the *Motion of the Debtors for Entry of an Order Pursuant to Bankruptcy Code Sections 105(a), 305(a), 349, 363, 365, 554, and 1112(b) and Bankruptcy Rules 1017(a) and 6007 (I) Dismissing the Debtors' Chapter 11 Cases, (II) Authorizing the Sale of Remnant Assets and (III) Granting Related Relief* (the "Motion"),² the Initial Order [D.I. 427], and the *Notice of Filing Revised Order to Dismiss Chapter 11 Cases* [D.I. 459]; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware* dated February 29, 2012; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b) in which the Court may enter a final order; and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and notice of the Motion being sufficient under the circumstances; and it appearing that no other or further notice is necessary; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and good and sufficient cause appearing therefor;

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: SBSH Winddown, Inc. (0418), SBVI Winddown, Inc. (5458), and SBPR Winddown, LLC (3572). The Debtors' corporate headquarters and the mailing address is World Plaza Building, 9th Floor, 268 Munoz Rivera Avenue, San Juan, Puerto Rico 00918.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED as set forth herein.
2. Pursuant to sections 1112(b) and 305(a) of the Bankruptcy Code, the Chapter 11 Cases are dismissed effective as of the entry of this Order.
3. Notwithstanding anything to the contrary, including, without limitation, section 349 of the Bankruptcy Code, all prior orders, releases, stipulations, settlements, rulings, and judgments of this Court made in any of the above-captioned Chapter 11 Cases, including, without limitation, the Sale Order and the Final DIP Order, shall remain in full force and effect, shall be unaffected by the dismissal of the Chapter 11 Cases, and are specifically preserved for purposes of finality of judgment and *res judicata* unless expressly amended or overruled by a subsequent stipulation, settlement, order or judgment of this Court, as applicable.
4. The retentions of the Retained Professionals are hereby terminated, effective immediately, without the need for further action on the part of this Court, the Debtors or such firms.
5. Pursuant to sections 105(a) and 554 of the Bankruptcy Code and Bankruptcy Rule 6007, to the extent not previously authorized, the Debtors are authorized, but not directed, to abandon or destroy, or cause to be abandoned or destroyed, any and all of remaining Books and Records; provided, that any documents containing personally identifiable information must be shredded.
6. Upon entry of this Order, Omni Agent Solutions (“Omni”), as the Debtors’ claims and noticing agent, is relieved of its responsibilities as the Debtors’ claims and noticing agent in these Chapter 11 Cases; provided that Omni shall provide the services described in this paragraph and shall be entitled to payment and reimbursement of its fees and costs from and against any

prepetition retainer provided to Omni in connection with these Chapter 11 Cases. In accordance with Local Rule 2002-1(f)(ix), within fourteen (14) days of the entry of this Order, Omni shall (a) forward to the Clerk of the Court an electronic version of all imaged claims, (b) upload the creditor mailing list into CM/ECF, (c) docket a combined final claims register containing claims against each Debtor, and (d) box and transport all original claims to the Philadelphia Federal Records Center, 14700 Townsend Road, Philadelphia, Pennsylvania 19154 and docket a completed SF-135 Form indicating the accession and location numbers of the archived claims.

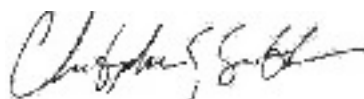
7. As soon as reasonably practicable after the entry of this Order, without the need for further action on the part of this Court and without the need for further corporate action or action of the boards of directors or stockholders of the Debtors, to the extent not previously dissolved, the Debtors are authorized, but not directed, to dissolve their corporate entities in accordance with applicable state law. Any officer of the Debtors is authorized to execute and file on behalf of the Debtors all documents necessary and proper to effectuate and consummate the dissolution of the Debtors in accordance with the laws of the states in which they are formed.

8. The Debtors are hereby authorized and empowered to take any and all steps necessary and appropriate to effectuate the terms of this Order.

9. To the extent applicable, Bankruptcy Rules 6004(h) and 6006(d) are waived and this Order shall be effective and enforceable immediately upon entry.

10. Notwithstanding the dismissal of these Chapter 11 Cases, this Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or relating to the implementation, interpretation or enforcement of this or any other Order of this Court entered in the Chapter 11 Cases.

Dated: August 21st, 2020
Wilmington, Delaware



CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE

Notice RecipientsDistrict/Off: 0311-1
Case: 18-10039-CSSUser: Danielle
Form ID: pdfodcDate Created: 8/21/2020
Total: 34**Recipients submitted to the BNC (Bankruptcy Noticing Center) without an address:**cr Ferraiuoli, LLC
cr Aaron B. Fenwick

TOTAL: 2

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TOTAL: 20

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TOTAL: 12