

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

-----X	
In re	: Chapter 11
	:
OLD MARKET GROUP HOLDINGS	: Cases No. 20-10161 (JLG))
CORP., et al.,	:
	:
Debtors.¹	: (Jointly Administered)
	: Re: Docket No. 1031
-----X	

**ORDER GRANTING THE GUC RECOVERY TRUST’S THIRD
OMNIBUS OBJECTION TO PROOFS OF CLAIM
(CONTINGENT OR UNLIQUIDATED CLAIMS)**

Upon the objection (the “Objection”)² of Old Market Group Holdings Corp. GUC Recovery Trust (the “GUC Recovery Trust”) through Drivetrain, LLC, in its capacity as Trustee of the GUC Recovery Trust (the “GUC Recovery Trustee”) for entry of an order (this “Order”) disallowing and expunging the claims identified on **Schedule 1** (collectively, the “C/U Claims”) in each case pursuant to section 502(b) of the Bankruptcy Code and Bankruptcy Rule 3007, all as more fully set forth in the Objection; and upon the Declaration of Thomas FitzGerald in Support of the GUC Recovery Trust’s *Third Omnibus Objection to Proofs of Claim (Contingent or Unliquidated Claims)*; and the Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference M-431*, dated

¹ The Wind Down Estates, along with the last four digits of each of their federal tax identification number, are as follows: Old Market Group Holdings Corp. (2788); Old Market Group Acquisition Company (2860); Old Market Bakery LLC (4129); Old Market Broadway LLC (8591); Old Market Chelsea LLC (0288); Old Market Construction Group, LLC (2741); Old Market Douglaston LLC (2650); Old Market East 86th Street LLC (3822); Old Market eCommerce LLC (3081); Old Market Georgetowne LLC (9609); Old Market Greenwich Street LLC (6422); Old Market Group Central Services LLC (7843); Old Market Group Plainview LLC (8643); Old Market Hudson Yards LLC (9331); Old Market Kips Bay LLC (0791); Old Market Store LLC (9240); Old Market Paramus LLC (3338); Old Market Pelham LLC (3119); Old Market Pelham Wines & Spirits LLC (3141); Old Market Red Hook LLC (8813); Old Market Stamford LLC (0738); Old Market Stamford Wines & Spirits LLC (3021); Old Market Staten Island LLC (1732); Old Market Uptown LLC (8719); Old Market Westbury LLC (6240); and Old Market Woodland Park LLC (9544). The location of the Wind Down Estates corporate headquarters is 2284 12th Avenue, New York, New York 10027. Old Market Community Foundation Inc., a charitable organization, owned by Old Market Group Holdings Corp., is not a debtor in these proceedings.

² Capitalized term used but not otherwise defined herein shall have the meanings ascribed to them in the Objection.

January 31, 2012 (Preska, C.J.), and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Objection is in the best interests of creditors, the GUC Recovery Trust, its beneficiaries, and other parties in interest; and the Court having found that the GUC Recovery Trust provided appropriate notice of the Objection and the opportunity for a hearing on the Objection under the circumstances; and the Court having reviewed the Objection; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Objection is sustained to the extent set forth herein.
2. Each of the C/U Claims listed on Schedule 1 attached hereto and incorporated herein by reference is disallowed and expunged in its entirety, pursuant to section 502 of the Bankruptcy Code.
3. Omni Agent Solutions (“Omni”), the Debtors’ noticing and claims agent, is authorized to update the Claims Register to reflect the relief granted in this Order.
4. Entry of this Order is without prejudice to the GUC Recovery Trust’s right to object to any other Claims in these chapter 11 cases or to further object to the C/U Claims (to the extent they are not disallowed and expunged pursuant to this Order) on any grounds whatsoever, at a later date.
5. Each C/U Claim and the Objection by the GUC Recovery Trustee to each C/U Claim as addressed in the Objection and as identified in **Schedule 1** attached hereto

constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each C/U Claim. Any stay of this Order shall apply only to the contested matter which involves such creditor and shall not act to stay the applicability or finality of this Order with respect to the other contested matters covered hereby.

6. This Order has no *res judicata*, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object to or defend on any basis are expressly reserved with respect to any claim referenced or identified in the Objection that is not listed on **Schedule 1**.

7. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. The GUC Recovery Trust, the GUC Recovery Trustee, Omni, and the Clerk of this Court are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.

9. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: July 20, 2021
New York, New York

/s/ James L. Garrity, Jr.
HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE

SCHEDULE 1

Contingent/Unliquidated Claims

Schedule 1

Contingent/Unliquidated Claims

The Basis for Proposed Disallowance is Further Discussed in Paragraph 10 of the Objection

	Name of Claimant	Asserted Debtor	Date Claim Filed	Claim / Schedule Number	Claim / Scheduled Amount	Basis for Disallowance
1.	Brian Garrido 240 West 64th Street, Apt #7F New York, NY 10023	20-10161	1/28/2020	161-12	\$2,000,000.00 (C)	Discrimination Claim. Claimant neither has amended the claim to assert a liquidated amount nor has provided proof of any liquidated or noncontingent amounts allegedly owing. The claim should therefore be disallowed and expunged.
2.	Jevonie Medwood c/o Asher & Associates, P.C. 111 John Street, 14th Floor New York, New York 10038	20-10161	5/28/2020	161-312	\$0.00 (U)	Claimant has not amended the claim to assert a liquidated amount nor has provided proof of any liquidated amounts allegedly owing. The claim should therefore be disallowed and expunged.
3.	Levi Tannis PO Box 340513 Brooklyn, New York 11234	20-10170	4/13/2020	170-31	\$10,000.00 (C)	Personal Injury Claim. Claimant neither has amended the claim to assert a liquidated amount nor has provided proof of any liquidated or noncontingent amounts allegedly owing. The claim should therefore be disallowed and expunged.
4.	Liberty Mutual Insurance Company 100 Liberty Way Dover, NH 03820	20-10161	3/18/2020	161-189	\$0.00 (C)(U)	Insurance Claim. Claimant neither has amended the claim to assert a liquidated amount nor has provided proof of any liquidated or noncontingent amounts allegedly owing. The claim should therefore be disallowed and expunged.

Schedule 1

Contingent/Unliquidated Claims

The Basis for Proposed Disallowance is Further Discussed in Paragraph 10 of the Objection

	Name of Claimant	Asserted Debtor	Date Claim Filed	Claim / Schedule Number	Claim / Scheduled Amount	Basis for Disallowance
5.	Natalie Bazile 263 Rich Avenue Mt. Vernon, New York 10552	20-10179	3/28/2020	179-6	\$0.00 (U)	Claimant neither has amended the claim to assert a liquidated amount nor has provided proof of any liquidated or noncontingent amounts allegedly owing. The claim should therefore be disallowed and expunged.