

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

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In re	:
	:
OLD MARKET GROUP HOLDINGS	:
CORP., et al.,	:
	:
Debtors.¹	:
	:
-----X	

Chapter 11

Case No. 20-10161 (JLG)

(Jointly Administered)
(ECF No. 1164)

**ORDER GRANTING THIRTEENTH OMNIBUS
OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)**

Upon the *Thirteenth Omnibus Objection to Claims (No Liability Claims)*, dated November 15, 2021 (the “**Objection**”),² of the Plan Administrator on behalf of Old Market Group Holdings Corp. (f/k/a Fairway Group Holdings Corp.) and its debtor affiliates (collectively, the “**Wind Down Estates**”), pursuant to section 502 under title 11 of the United States Code (the “**Bankruptcy Code**”), and Rule 3007 of the Federal Rules of Bankruptcy Procedures (the “**Bankruptcy Rules**”), for an order (i) disallowing and expunging the Claims, and (ii) granting related relief, all as more fully set forth in the Objection; and the Bankruptcy Court having jurisdiction to consider the Objection and the relief requested therein in accordance with

¹ The Wind Down Estates, along with the last four digits of each of their federal tax identification number, are as follows: 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 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); and Old Market Westbury LLC (6240). 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 terms not otherwise herein defined shall have the meanings ascribed to such terms in the Objection.

28 U.S.C. §§ 157(a)-(b) and 1334 and the *Amended Standing Order of Reference M-431*, dated January 31, 2012 (Preska, C.J.); and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Bankruptcy Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the relief requested in the Objection having been provided, and it appearing that no other or further notice need be provided in accordance with the Case Management Order; and such notice having been adequate and appropriate under the circumstances; and the Bankruptcy Court having held a hearing to consider the relief requested in the Objection on December 15, 2021 (the “**Hearing**”); and upon the record of the Hearing, and upon all of the proceedings had before the Bankruptcy Court; and the Bankruptcy Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and is in the best interests of the Wind Down Estates, their creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Objection is granted to the extent set forth herein.
2. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, each Claim listed on **Schedule 1** annexed hereto, under the heading “*Asserted Claims to be Disallowed*” is disallowed and expunged in its entirety and each such Claim shall be removed from the claims register.
3. The terms and conditions of this Order are effective immediately upon entry.
4. 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**.

5. The Plan Administrator, the Wind Down Estates' claims and noticing agent, Omni Agent Solutions, and the Clerk of this Bankruptcy Court are authorized to take all actions necessary or appropriate to give effect to this Order.

6. The Bankruptcy Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: December 21, 2021
New York, New York

/s/ James L. Garrity, Jr.

THE HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Claims

ASSERTED CLAIMS TO BE DISALLOWED									
#	Claimant	Debtor Name	Claim No. to be Disallowed	Date Filed	Administrative Claim Amount	Priority Claim Amount	Secured Claim Amount	Total Claim Amount	Reason for Proposed Disallowance
1.	Fernando L Valdez	Old Market Stamford LLC	C 181-47	5/28/2020	\$0.00	\$0.00	\$0.00	\$0.00	Insufficient documentation provided by claimant
2.	Kadian Creary-Byfield	Old Market Pelham Wines & Spirits LLC	C 179-7	8/28/2020	\$0.00	\$0.00	\$0.00	\$0.00	Insufficient documentation provided by claimant
3.	Maplebear Inc dba Instacart	Old Market Group Central Services LLC	C 172-95	7/14/2021	\$452,802.47	\$0.00	\$0.00	\$452,802.47	Untimely filed claim, claim was filed after the November 11, 2020 Administrative Bar Date.
TOTAL					\$452,802.47	\$0.00	\$0.00	\$452,802.47	

Note: Disallowance of the claim listed in the column "Claim No. to be Disallowed" does not affect any general unsecured claim the respective claimant may hold.