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Attorneys for Steven R. Bailey, Chapter 7 Trustee

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

In re:

**EMPIRE SOLAR GROUP, LLC,
Debtor.**

Bankruptcy Case No. 21-23636

Chapter 7

Honorable Joel T. Marker

**NOTICE OF CHAPTER 7 TRUSTEE'S FIRST OMNIBUS MOTION TO REJECT
UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY, AND NOTICE
OF HEARING ON MOTION**

Objection Deadline: October 18, 2021

Hearing Date: November 3, 2021, at 10:30 a.m., Mountain Time

PLEASE TAKE NOTICE that Steven R. Bailey, the duly appointed Chapter 7 Trustee in the above-entitled case (the "**Trustee**"), has filed with the United States Bankruptcy Court for the District of Utah the *Chapter 7 Trustee's First Omnibus Motion to Reject Unexpired Leases of Nonresidential Real Property* (the "**Motion**"). If you would like a copy of the Motion, you may obtain a copy by requesting one from the undersigned counsel by email addressed to either Michael R. Johnson, at mjohnson@rqn.com, or David H. Leigh, at dleigh@rqn.com.

In the Motion, the Trustee seeks the entry of an Order authorizing the rejection of certain leases for nonresidential property (the "**Leases**") to which the Debtor is a party. The Debtor is a lessee under such Leases. The Leases are further identified in Exhibit 1 attached to the Motion, and Exhibit 1 to the Motion also identifies the Counterparties to the Leases. The Trustee contends that rejection of the Leases is based on sound business judgment and will benefit the bankruptcy estate.

YOUR RIGHTS MAY BE AFFECTED. You should read this notice and the Motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested in the Motion, then you or your attorney must do the following:

(1) On or before **October 18, 2021**, file with the Bankruptcy Court a written Objection explaining your position, at:

Clerk of the Court
United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City, UT 84101

(2) If you mail your objection to the Bankruptcy Court for filing, you must mail it early enough so that the Court will **receive** it on or before **October 18, 2021**. You must also mail a copy to the undersigned counsel at P.O. Box 45385, Salt Lake City, UT 84145-0385.

(3) You must also attend the hearing on **November 3, 2021 at 10:30 a.m.** **Mountain Time** before the Honorable Joel T. Marker, Chief United States Bankruptcy Judge, via telephone by dialing (636) 651-3182 followed by 3834658#. **There will be no further notice of the hearing, and failure to attend the hearing will be deemed a waiver of your objection.**

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief. In the absence of a timely filed objection, the undersigned counsel may and will ask the Court to enter an order approving the Motion without hearing.

DATED this 1st day of October, 2021.

RAY QUINNEY & NEBEKER P.C.

/s/ Michael R. Johnson
Michael R. Johnson
David H. Leigh
Attorneys for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of October, 2021, a true and correct copy of the foregoing **NOTICE OF CHAPTER 7 TRUSTEE'S FIRST OMNIBUS MOTION TO REJECT UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY, AND NOTICE OF HEARING ON MOTION** was electronically filed and therefore served via ECF on the following:

- **Steven R. Bailey tr** karen@baileylaw.org, UT06@ecfcbis.com
- **Megan K Baker** baker.megan@dorsey.com, long.scarlette@dorsey.com
- **Matthew M. Boley** mboley@ck.law, klopez@ck.law
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- **Jeffrey L. Trousdale** jtrousdale@cohnekinghorn.com, mparks@ck.law;tkosec@ck.law
- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov

I further certify that on the 1st day of October, 2021, a true and correct copy of the foregoing was mailed by first class mail, postage prepaid, to the parties requesting Notice in this bankruptcy case and to the designated mailing addresses for notice of Counterparties/Lessors of rejected leases:

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CREF3 Felt Owner LLC
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Jay & Mike Investments, LLC
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Arka Miramar II, LP;
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Attn: Asset Management-AIP

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Freeway Holdings, LLC and
Wailea Investments, LLC
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TPRF/TREP Acquisition 4, LLC
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/s/ Carrie Hurst

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