

This order is SIGNED.

Dated: December 7, 2021



**JOEL T. MARKER
U.S. Bankruptcy Judge**



msc

Prepared and Submitted by:

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

<p>In re:</p> <p>EMPIRE SOLAR GROUP, LLC,</p> <p>Debtor.</p>	<p>Bankruptcy Case No. 21-23636</p> <p>Chapter 7</p> <p>Honorable Joel T. Marker</p>
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ORDER ESTABLISHING BAR DATE FOR FILING CLAIMS FOR CERTAIN ADMINISTRATIVE EXPENSES AND LEASE REJECTION DAMAGES AND APPROVING NOTICE OF BAR DATE

This matter is before the Court on the *Chapter 7 Trustee’s Motion for an Order Establishing Bar Date for Filing Claims for Certain Administrative Expenses and Lease Rejection Damages, and Approving Notice of Bar Date* (the “**Motion**”) (Dkt. # 155) that was filed on November 12, 2021, by Steven R. Bailey, the Chapter 7 Trustee (the “**Trustee**”).

In the Motion, the Trustee seeks an Order (1) fixing Friday, January 28, 2022 (the “**Bar Date**”), as the deadline for filing claims for post-petition administrative expenses allowable

under Sections 503(b)(3) and 503(b)(9) of the Bankruptcy Code and lease rejection damages pursuant to Bankruptcy Rule 3002(c)(4) (collectively, “**Specified Claims**”); and (2) approving the form, manner, and sufficiency of the notice regarding the deadline (the “**Bar Date Notice**”).

The Court, after carefully reviewing the Motion and such other and further papers and pleadings that were filed in support of and in opposition thereto, has determined that the Motion is well-taken, and that the relief requested therein should be granted.

Based upon the foregoing, and good cause appearing, **IT IS HEREBY ORDERED** as follows:

1. The Motion is GRANTED;
2. All proof of Specified Claims must be filed on or before **Friday, January 28, 2022**;
3. Any person or entity that fails to file proof of a Specified Claim on or before the Bar Date is (i) forever barred, estopped, and enjoined from asserting a Specified Claim against the Debtor or the Estate; (ii) precluded from receiving any payment on account of such Specified Claim; (iii) excluded from participating in any distributions of such Specified Claim in this case; and (iv) excluded from receiving further notices regarding Specified Claims;
4. The form, manner, and sufficiency of the Bar Date Notice is approved; and
5. The Trustee shall send out the Bar Date Notice within three (3) calendar days of the date of this Order.

-----END OF ORDER-----

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of December, 2021, a true and correct copy of the foregoing ***proposed* ORDER ESTABLISHING BAR DATE FOR FILING CLAIMS FOR CERTAIN ADMINISTRATIVE EXPENSES AND LEASE REJECTION DAMAGES AND APPROVING NOTICE OF BAR DATE** was electronically filed and therefore served via ECF on the following:

- **B. Scott Allen** allen@mvmlegal.com, coley@mvmlegal.com
- **Steven R. Bailey** karen@baileylaw.org, UT06@ecfcbis.com
- **Megan K Baker** baker.megan@dorsey.com, long.scarlette@dorsey.com
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- **Mark S. Swan** mswan@strongandhanni.com, mark@swanlaw.net
- **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 7th day of December, 2021, a true and correct copy of the foregoing was mailed by first class mail, postage prepaid, to the following parties requesting notice who are not ECF registered users:

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P.O. Box 113
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/s/ Carrie Hurst

1587343

DESIGNATION OF PARTIES TO BE SERVED

Service of the foregoing **ORDER ESTABLISHING BAR DATE FOR FILING CLAIMS FOR CERTAIN ADMINISTRATIVE EXPENSES AND LEASE REJECTION DAMAGES AND APPROVING NOTICE OF BAR DATE** (the “**Order**”) should be served on the persons in the manner designated below:

By electronic service: I certify that the parties of record in this case as identified immediately below are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF System:

- **B. Scott Allen** allen@mvmlegal.com, coley@mvmlegal.com
- **Steven R. Bailey** karen@baileylaw.org, UT06@ecfcbis.com
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- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov

By first class U.S. Mail: I certify that the parties of record in this case as identified immediately below will be served notice of entry of the foregoing Order by first class U.S. Mail:

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