

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§ CASE NO. 21-30574
	§
COUNTRY FRESH HOLDING COMPANY, INC., et al.¹,	§ (CHAPTER 7)
	§
Debtors.	§
	§ Jointly Administered

**APPLICATION TO EMPLOY JUENGLING, PC
AS SPECIAL FINANCIAL CONSULTANT PURSUANT TO 11 U.S.C. §§ 327(a) AND 328**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE MARVIN ISGUR UNITED STATES BANKRUPTCY JUDGE:

Janet S. Northrup, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate of Country Fresh Holding Company, Inc., et al. hereby files this *Application for Authority to Employ Juengling, PC as Special Financial Consultant Pursuant to Sections 327(a) and 328* (the “Application”), and shows:

¹ The Debtors in these Chapter 7 cases and the last four digits of each Debtors’ taxpayer identification number are as follows: Country Fresh Holding Company Inc. (7822); Country Fresh Midco Corp. (0702); Country Fresh Acquisition Corp. (5936); Country Fresh Holdings, LLC (7551); Country Fresh LLC (1258); Country Fresh Dallas, LLC (7237); Country Fresh Carolina, LLC (8026); Country Fresh Midwest, LLC (0065); Country Fresh Orlando, LLC (7876); Country Fresh Transportation LLC (8244) CF Products, LLC (8404) Country Fresh Manufacturing, LLC (7839); Champlain Valley Specialty of New York, Inc. (9030); Country Fresh Pennsylvania, LLC (7969); Sun Rich Fresh Foods (NV) Inc. (5526); Sun Rich Fresh Foods (USA) Inc. (0429); and Sun Rich Fresh Foods (PA) Inc. (4661). The Debtors’ principal place of business is 3200 Research Forest Drive, Suite A5, The Woodlands, TX, 77381.

Application to Employ

1. The Trustee desires to employ Juengling, PC (the “Firm”), a Texas professional corporation, on an hourly basis to assist the Trustee by performing professional services in matters related to (i) location and analysis of Debtors’ books and records; (ii) preparation of financial and operating information; (iii) analysis of PACA claims and the purchase price adjustment; (iv) financial investigation and analysis; (v) preference and other claims analysis; and (vi) preparing such reports regarding the above matters as requested by the Trustee or the Court.

2. The Firm maintains offices at 6405 Ladbroke Ct., Plano, Texas, 75024. The Firm’s main telephone number is 972-746-7829.

3. The Trustee has selected the Firm because its members have extensive experience in matters relating to matters of this character. Grant Juengling, the Director of the Firm will perform the services for the Trustee as set forth in this Application. Mr. Juengling is a certified fraud examiner (CFE), certified valuation analyst (CVA), and a certified public accountant (CPA). Mr. Juengling has significant experience in bankruptcy matters, financial investigations, accounting systems, financial reporting, and valuation, as well as in other areas such as forensic accounting and litigation services, which may be needed in this case. Mr. Juengling, specifically, frequently and successfully handles similar issues related to tracing of transactions and valuation of assets inside and outside of bankruptcy. The Trustee has previously employed Mr. Juengling regarding matters of this nature in other case(s). The Trustee believes that the Firm and Mr. Juengling are well qualified to assist the Trustee.

4. The Firm will render consulting services including, but not limited to:

- (a) locating, securing, and analyzing Debtors’ books and records;
- (b) preparing financial and operating information and reports as necessary, including, but not limited to, preparing monthly operating reports as warranted;

- (c) investigating and analyzing the financial affairs of the Debtors as necessary including, but not limited to, analysis of PACA claims resolution and analysis of purchase price adjustments of the sale of Debtors' assets;
- (d) providing financial investigation and analysis to the Trustee's Counsel as may be required by them in performing their services to the Trustee;
- (e) preference analysis and analysis of transactions related to any claims the Estate may have including, but not limited to, insolvency analysis; and
- (f) performing such other and further duties related to the above matters, and reporting thereof, as may be specifically requested by the Trustee or the Court.

Statement Regarding Connections to the Case

5. To the best of Trustee's and the Firm's knowledge after diligent inquiry, other than as set forth in the Declaration of the Firm attached hereto as Exhibit 1, the Firm has no connection with the Debtors, Debtors' creditors, any other parties-in-interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States Trustee and has no interest adverse to the Trustee or the Estate pursuant to FED. R. BANKR. P. 2014.

6. The Trustee believes that the Firm's employment is necessary and would be in the best interest of the Estate, for the reasons set out above.

7. The Trustee certifies that the Firm is not being employed to perform duties required to be performed by the Trustee. The Trustee has informed the Firm that if trustee duties are performed, the bankruptcy estate may not compensate the Firm for those services.

Compensation

8. The Trustee requests that the Firm be retained at an hourly rate (with fees to be paid at the normal hourly rate of the persons performing services) as to all services performed for her as her special consultants, with payment of fees and reimbursement of its expenses subject to application to and approval of this Court. Mr. Juengling's current hourly rate is \$375.00. The Firm

employs additional professionals at rates ranging from \$200.00 to \$275.00. Personnel with lower billing rates will be used as warranted. The Firm evaluates its rates periodically (typically, annually) and raises or lowers various rates to reflect market conditions. Expenses are charged at the cost incurred by the Firm.

9. In reaching her decision, the Trustee has evaluated the estate's available resources, and the complexity of the matters in this case. Under the circumstances, the Trustee believes that the terms of the proposed agreement are both reasonable and prudent. The Firm has not received any funds from the Debtors or any other party in this case since the date of petition.

10. Accordingly, the Trustee requests that the Court approve the retention of the Firm as special financial consultant under 11 U.S.C. § 327(a) and 328 as set forth above and for such other relief as is just.

WHEREFORE, the Trustee prays that the Court enter an order authorizing the Trustee to employ the Firm of Juengling, PC, at its regular hourly rates, with payment of fees and reimbursement of its expenses subject to application to and approval of this Court, with such employment to be made effective June 21, 2021, and for other and further relief as is just.

Dated: July 14, 2021.

Respectfully submitted,

/s/ Janet S. Northrup
Janet S. Northrup, Chapter 7 Trustee
SBN 03953750
Total Plaza
1201 Louisiana, 28th Floor
Houston, Texas 77002
(713) 759-0818 Telephone
(713) 759-6834 Facsimile
jsn@hwa.com

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to Bankr. R. 2014, this instrument was served (i) via ECF on all parties receiving ECF notice in this case, and (ii) via United States first class mail, with proper postage affixed, addressed to the parties set forth on the attached Service List on this 14th day of July, 2021.

/s/ Janet S. Northrup
Janet S. Northrup