

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

IN RE:	§	
	§	Case No.: 21-bk-30574
COUNTRY FRESH HOLDING COMPANY, INC., et. al.¹	§	
	§	Chapter 7
Debtors.	§	Jointly Administered

**NOTICE OF REVISED PROPOSED ORDER ON TRUSTEE’S MOTION FOR
AUTHORITY (A) TO PAY ALL REMAINING PRE-CLOSING PACA CLAIMS FROM
THE PACA ESCROW RESERVE, (B) TO RELEASE ANY REMAINING ESCROWED
FUNDS IN THE PACA ESCROW RESERVE TO THE TRUSTEE, (C) TO EXPUNGE
ALL OTHER PACA CLAIMS AND (D) FOR RELATED RELIEF
(Related to Dkt. No. 915)**

PLEASE TAKE NOTICE that, on September 2, 2021, Janet S. Northrup, the Chapter 7 Trustee (the “Trustee”) of the bankruptcy estate of Country Fresh Holding Company, Inc *et. al.* (the “Debtors”) filed her *Trustee’s Motion to for Authority (A) to Pay All Remaining Pre-Closing PACA Claims from the PACA Escrow Reserve, (B) to Release Any Remaining Escrowed Funds in the PACA Escrow Reserve to the Trustee, (C) to Expunge All Other PACA Claims and (D) for Related Relief* [Dkt. No. 915] (the “**PACA Motion**”), which was filed with a proposed order at Docket No. 915-5 (the “**Original Proposed Order**”) attaching at Exhibit 1 thereto a list of Remaining Unpaid PACA Claims (the “**Original Remaining Unpaid PACA Schedule**”). Since the filing of the PACA Motion, one PACA invoice was paid pursuant to the *Stipulation and Agreed*

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.

Order Regarding Release of Escrowed Fund by CitiBank, N.A. to Buyer [Dkt. No. 928] (the “Escrow Release Stipulation”) entered on September 7, 2021.

PLEASE TAKE FURTHER NOTICE that no objection or other response to the PACA Motion was timely filed by any party. As a result, the Trustee now submits a revised proposed order with this Notice (the “**Revised Proposed Order**”) that revises the Remaining Unpaid PACA Claims to reflect all payments made pursuant to the Escrow Release Stipulation. Further, attached hereto as **Exhibit A** is a version of Original Remaining Unpaid PACA Schedule whereby all cells changed as compared between the Original Proposed Order and the Revised Proposed Order are highlighted.

Dated: September 24, 2021.

Respectfully submitted,

/s/ Heather Heath McIntyre

Wayne Kitchens TBN 11541110

wkitchens@hwa.com

Heather McIntyre TBN 24041076

hmcintyre@hwa.com

HUGHESWATTERSASKANASE, LLP

Total Plaza

1201 Louisiana, 28th Floor

Houston, Texas 77002

Telephone: (713) 759-0818

Facsimile: (713) 759-6834

**ATTORNEYS FOR JANET S. NORTHRUP,
CHAPTER 7 TRUSTEE**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 24, 2021, a true and correct copy of the foregoing document has been served on

- (i) parties receiving ECF notice via ECF in the above-referenced case, and
- (ii) parties listed on the attached Master Service List via first-class, U.S. mail, postage prepaid to the extent not served via ECF; and
- (iii) parties listed on the attached Service List of Unpaid Debts per Docket No. 761 via first-class, U.S. mail, postage prepaid to the extent not served via ECF; and
- (iv) parties listed on the attached Service List of Known PACA Vendors via first-class, U.S. mail, postage prepaid to the extent not served via ECF.

/s/ Heather Heath McIntyre _____
Heather Heath McIntyre

EXHIBIT A

Country Fresh**Bankruptcy Petition #: 21-30574****Remaining Unpaid PACA Schedule**

Vendor	Unpaid Invoice Total	Interest Amount	Interest Rate (Annual)	80% Attorneys Fees	Total
A Plus Growers	\$ 17,824.80	\$ 12,822.09	4.50%	\$ -	\$ 30,646.89
Amazon Prod. Network	-	6,489.40	contract rate	11,849.83	18,339.23
Ayco Farms	10,317.60	-	-	-	10,317.60
C. Lane Company, LLC	5,300.00	14,426.47	contract rate	32,799.60	52,526.07
C.H. Robinson	-	20,765.64	contract rate	36,520.92	57,286.56
CarbAmericas Inc.	-	11,666.70	contract rate	24,516.37	36,183.07
Citrus Plus, Inc.	10,162.90	6,426.63	contract rate	7,140.20	23,729.73
Continental Fresh, LLC	-	3,381.50	4.50%	-	3,381.50
Custom Produce Sales	51,315.69	57,677.33	contract rate	25,130.06	134,123.08
Diamond Onions Inc.	326.56	-	-	-	-
Eagle Produce	3,816.51	4,605.29	contract rate	1,852.93	10,274.73
Freshouse II, LLC	-	437.78	contract rate	1,625.19	2,062.97
FreshPoint Central Fla., Inc.	-	567.31	contract rate	5,061.13	5,628.44
Fyffes NorthAmerican	-	2,798.20	contract rate	39,216.12	42,014.32
Grimmway	2,720.00	-	contract rate	889.21	3,609.21
JA Pacific	67,095.59	29,604.37	4.50%	-	96,699.96
Kapi Kapi Growers, Inc.	-	5,714.12	contract rate	-	5,714.12
Kingston Produce	13,760.00	-	-	-	13,760.00
Loomis Distributing, Inc.	-	2,703.02	contract rate	2,409.12	5,112.14
Midwest Best Produce	92,359.15	1,558.56	4.50%	-	93,917.71
Nickey Gregory	9,842.20	1,324.26	contract rate	6,770.51	17,936.97
Oppeheimer	-	12,224.28	contract rate	7,844.42	20,068.70
Pacific Trellis	13,500.00	286.27	contract rate	-	13,786.27
Panorama	33,591.60	-	none	35,893.46	69,485.06
Pete Pappas Sales, Inc.	-	33.78	contract rate	5,197.95	5,231.73
Pura Vida	-	2,190.01	4.50%	1,854.14	4,044.15
S & S Marketing	812.80	17,616.35	contract rate	30,494.80	48,923.95
Sol Grp. Mrkt.	-	4,135.14	4.50%	-	4,135.14
Stella Farms LLC	18,590.82	7,068.56	contract rate	36,204.66	61,864.04
TMC Prod. Sols. Corp.	-	4,964.03	contract rate	21,283.75	26,247.78
Wm. Bolthouse Farms	6,425.00	-	-	-	6,425.00
Total	\$ 357,761.22	\$ 231,487.09		\$ 334,554.39	\$ 923,476.14