

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

In re:

EARTH FARE, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10256 (KBO)

(Jointly Administered)

**Docket Ref. No. 640**

## **ORDER AUTHORIZING THE DEBTORS' ENTRY INTO STIPULATION WITH OHIO BUREAU OF WORKERS' COMPENSATION**

Upon the motion (the “**Motion**”)<sup>2</sup> of the debtors and debtors in possession (the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”) for entry of an order, pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “**Bankruptcy Code**”), and Rule 9019 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), authorizing the Debtors’ entry into the Stipulation attached hereto as **Exhibit 1**; and the Court having determined that it has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 1334 and 157, and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated as of February 29, 2012; and the Court having determined that the Motion is a core matter pursuant to 28 U.S.C. § 157(b)(2) and that it may enter a final order consistent with Article III of the United States Constitution; and the Court having determined that venue of these Chapter 11 Cases and this Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that due and adequate notice of the Motion has been given

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Earth Fare, Inc. (3936) and EF Investment Holdings, Inc. (8084). The mailing address for each of the Debtors is P.O. Box 1389, Fletcher, North Carolina 28732.

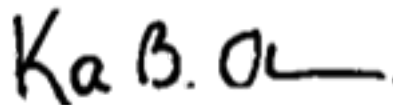
<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

under the circumstances, and that no other or further notice need be given; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest and is an appropriate exercise of the Debtors' business judgment; and after due deliberation, and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED, as set forth herein.
2. Pursuant to section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019, the Debtors are hereby authorized to enter into the Stipulation, substantially in the form attached hereto as **Exhibit 1**.
3. The Parties are authorized and empowered to take such actions as may be necessary or appropriate to implement the terms of this Order and the Stipulation, and to perform their respective obligations under the terms of the Stipulation.
4. Upon the execution of the Stipulation, the Stipulation shall be binding on and shall inure to the benefit of the Parties thereto and their respective successors and assigns, including, for the avoidance of doubt, any subsequently appointed representative on behalf the Debtors' estates.
5. The Court retains jurisdiction and power with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: October 7th, 2021  
Wilmington, Delaware

  
KAREN B. OWENS  
UNITED STATES BANKRUPTCY JUDGE