

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

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In re:

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

Debtors.

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)  
) Chapter 11  
)  
) Case No. 20-10256 (KBO)  
)  
) (Jointly Administered)  
)  
) **Ref. Docket No. 700**

**FINAL DECREE AND ORDER PURSUANT TO 11 U.S.C. §§ 105 AND 350, FED. R.  
BANKR. P. 3022 AND LOCAL RULE 3022-1 CLOSING CHAPTER 11 CASES AND  
TERMINATING CLAIMS AND NOTICING SERVICES**

Upon consideration of the motion (the “**Motion**”)<sup>2</sup> of the Debtors for entry of a final decree and order (this “**Final Decree**”), pursuant to sections 105(a) and 350(a) of the Bankruptcy Code, Bankruptcy Rule 3022 and Local Rule 3022-1(a), closing the Chapter 11 Cases and terminating the Claims and Noticing Services provided by Epiq in connection with the Chapter 11 Cases; and this Court having reviewed the Motion; and this Court finding good and sufficient cause for granting the relief as provided herein; and after proper notice and opportunity to respond to the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 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 this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and this Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the relief requested in the

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<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 not defined herein shall have the meanings ascribed to them in the Motion.

Motion being in the best interests of the Debtors and any parties in interest; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.
2. The chapter 11 cases of EF Investment Holdings, Inc. (Case No. 20-10255) and Earth Fare, Inc. (Case No. 20-10256) are hereby closed, effective as of the date of entry of this Final Decree.
3. The entry of this Final Decree is without prejudice to the rights of the Debtors, the U.S. Trustee or any other party to seek to reopen the Chapter 11 Cases for cause pursuant to section 350(b) of the Bankruptcy Code.
4. The Debtors shall file and serve on the U.S. Trustee any remaining quarterly reports and pay any quarterly fees due and owing pursuant to 28 U.S.C. § 1930(a)(6) in the Chapter 11 Case within thirty (30) days of the entry of this Final Decree. Entry of this Final Decree is without prejudice to the rights of the U.S. Trustee to reopen the Chapter 11 Cases to seek appropriate relief in the event of an unresolved dispute over the payment of fees pursuant to 28 U.S.C. § 1930(a)(6) or the post-confirmation reports.
5. The Clerk of the Court shall enter this Final Decree on the dockets of the Chapter 11 Cases, and thereafter such docket shall be marked as “Closed.”
6. Subject to the performance of any obligations of Epiq pursuant to this Final Decree, Epiq’s services as claims and noticing agent for the Chapter 11 Cases are hereby terminated, and Epiq shall be deemed formally discharged as claims and noticing agent for the Chapter 11 Cases without further order of this Court.

7. Pursuant to Local Rule 2002-1(f)(ix), within twenty-eight (28) days of the entry of this Final Decree, Epiq shall: (i) forward to the Clerk of the Court an electronic version of all imaged claims; (ii) upload the creditor mailing list into CM/ECF; and (iii) docket a final claims register. Epiq shall further box and transport all original claims to the Philadelphia Federal Records Center, 14470 Townsend Road, Philadelphia, Pennsylvania 19154, and docket a completed SF-135 Form indicating the accession and location numbers of the archived claims.

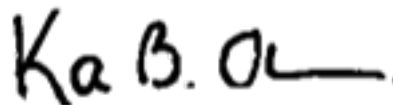
8. The Debtors and their agents are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Decree.

9. Upon completion of the Debtors' remaining responsibilities pursuant to the Plan and this Order, and satisfaction of all obligations related therewith, the Debtors shall remit the balance of their cash to the First Lien Lenders.

10. This Court shall retain jurisdiction to hear and determine any matters or disputes related to the Chapter 11 Cases, including, without limitation, any matters or disputes relating to the effect of the discharge and/or injunction provisions contained in the Plan and/or the Confirmation Order.

11. Notwithstanding the possible applicability of Rules 6004(h), 7062 or 9014 of the Bankruptcy Rules or otherwise, the terms and conditions of this Final Decree shall be immediately effective and enforceable upon its entry.

Dated: December 30th, 2021  
Wilmington, Delaware

  
KAREN B. OWENS  
UNITED STATES BANKRUPTCY JUDGE