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8

9 **UNITED STATES BANKRUPTCY COURT**

10 **CENTRAL DISTRICT OF CALIFORNIA**

11 **SANTA ANA DIVISION**
12

13 In re)	Case No. 8:15-bk-13008-TA
)	
14 ANNA'S LINENS, INC.,)	Chapter 11
)	
15 Debtor.)	
)	NOTICE OF REJECTION OF
16)	UNEXPIRED LEASE OF NON-
17)	RESIDENTIAL REAL PROPERTY
)	LEASE
18)	
19)	
)	Store Number: 272
20)	Store Address: 8801 Memorial Boulevard
21)	Suite 202
)	Port Arthur, TX 77640
22)	
23)	[No Hearing Required]
24)	
25)	

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To: Cole MT Port Arthur TX, LLC c/o Cole Real Estate Investments

Re: Store No. 272 [8801 Memorial Boulevard, Suite 202, Port Arthur, Texas 77640]

Date of Rejection Notice: August 21, 2015

PLEASE TAKE NOTICE that on July 6, 2015, the United States Bankruptcy Court for the Central District of California, Santa Ana Division (“Court”), entered that certain “Final Order Granting Emergency Motion By Debtor For Entry Of Interim And Final Orders: (A) Authorizing Assumption Of Agency Agreement; (B) Authorizing Sale Free And Clear Of All Liens, Claims, And Encumbrances Pursuant To Bankruptcy Code Sections 363(b) And (f); (C) Approving The Store Closing Sale Guidelines; (D) Authorizing The Debtor To Abandon; And (E) Authorizing Lease Rejection Procedures With Respect To The Closing Stores Pursuant To Section 365” [ECF No. 240] (the “Order”).

PLEASE TAKE FURTHER NOTICE that, pursuant to the terms of the Order and other orders of the Court, the above-captioned debtor and debtor in possession (the “Debtor”) hereby provides this notice of its intent to reject the above-referenced Lease (“Lease Rejection Notice”). **This Lease Rejection Notice is subject to rescission by the Debtor at any time on or before September 15, 2015.** In the event that this Lease Rejection Notice is not rescinded by the Debtor on or before September 15, 2015, the Lease shall be deemed rejected effective upon the later of (i) two (2) business days after the date the Debtor notifies the lessor in writing that the Lease Rejection Notice is no longer subject to rescission, or (ii) the date the Debtor relinquishes control of the leasehold premises by notifying the lessor in writing of the Debtor’s surrender of such premises in broom clean condition and turn-over of the keys, key codes, and security codes, if any (the “Effective Date of Rejection”).

PLEASE TAKE FURTHER NOTICE that, pursuant to the terms of the Order, any inventory, furniture, trade fixtures or equipment remaining in the premises pertaining to the above-referenced Lease after the Effective Date of Rejection shall be deemed abandoned by the Debtor free and clear of any liens and, without further order of the Court, may be disposed of by the lessor as the lessor chooses without liability or accountability to any party therefor.

Dated: August 21, 2015

ANNA’S LINENS, INC.

By: /s/ Juliet Y. Oh

DAVID B. GOLUBCHIK

EVE H. KARASIK

JULIET Y. OH

LEVENE, NEALE, BENDER,

YOO & BRILL L.L.P.

Attorneys for Debtor in Possession

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled **NOTICE OF REJECTION OF UNEXPIRED LEASE OF NONRESIDENTIAL REAL PROPERTY LEASE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **August 21, 2015**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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2. SERVED BY UNITED STATES MAIL: On **August 21, 2015**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **August 21, 2015**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Served via Overnight Mail

Hon. Theodor C. Albert
United States Bankruptcy Court
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5085 / Courtroom 5B
Santa Ana, CA 92701-4593

Served via Overnight Mail

Cole MT Port Arthur TX, LLC
c/o Cole Real Estate Investments
2325 East Camelback Rd, Ste 1100
Phoenix, AZ 85016

Served via Overnight Mail

Jeff Wegner, Kutak Rock LLP
1650 Farnam Street
The Omaha Building
Omaha, Nebraska 68102

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 21, 2015	Stephanie Reichert	/s/ Stephanie Reichert
<i>Date</i>	<i>Type Name</i>	<i>Signature</i>

Served by Overnight Mail:

General Electric Capital Corporation
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Billings, MT 59107

Macquarie Equipment Finance, LLC
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Bloomfield Hills, MI 48302

JP Morgan Chase Bank, N.A.
1111 Polaris Parkway, Suite A-3
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Signature Financial LLC
225 Broadhollow Road
Melville, NY 11747

Sterling National Bank
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