

United States Bankruptcy Court
District of Puerto Rico

In re:
GRUPO HIMA SAN PABLO INC
Debtor

Case No. 23-02510-ESL
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0104-3
Date Rcvd: Nov 27, 2023

User: admin
Form ID: pdf003

Page 1 of 4
Total Noticed: 39

The following symbols are used throughout this certificate:

- Symbol Definition
+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2023:

Table with 2 columns: Recip ID and Recipient Name and Address. Lists various recipients including GRUPO HIMA SAN PABLO INC, JEFFREY P NOLAN, ROBERT M. SCHECHTER, WARREN MARTIN, JR., AM Acquisition I, LLC, etc.

TOTAL: 32

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Table with 4 columns: Recip ID, Notice Type: Email Address, Date/Time, Recipient Name and Address. Lists electronic notices sent to DEPARTAMENTO DE HACIENDA, PR DEPARTMENT OF LABOR, and quiebra@justicia.pr.gov.

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TOTAL: 45

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: GRUPO HIMA SAN PABLO, INC. Debtor	CASE NO. 23-02510 (ESL) CHAPTER
IN RE: CENTRO MEDICO EL TURABO, INC. Debtor	CASE NO. 23-02513 (ESL) CHAPTER 11
IN RE: HIMA SAN PABLO PROPERTIES, INC. Debtor	CASE NO. 23-02515 (ESL) CHAPTER 11
IN RE: PORTAL DE CAGUAS, INC. Debtor	CASE NO. 23-02516 (ESL) CHAPTER 11
IN RE: GENERAL CONTRACTING SERVICES, INC. Debtor	CASE NO. 23-02517 (ESL) CHAPTER 11
IN RE: IA DEVELOPERS, CORP. Debtor	CASE NO. 23-02519 (ESL) CHAPTER 11
IN RE: CMT DEVELOPMENT, LLC. Debtor	CASE NO. 23-02520 (ESL) CHAPTER 11
IN RE: JOCAR ENTERPRISES, INC. Debtor	CASE NO. 23-02521 (ESL) CHAPTER 11

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IN RE: JERUSALEM HOME AMBULANCE, INC. Debtor
IN RE: HOST SECURITY SERVICES, INC. Debtor

CASE NO. 23-02522 (ESL)
CHAPTER 11

CASE NO. 23-02523 (ESL)
CHAPTER 11

FILED & ENTERED NOV/27/2023

ORDER DENYING (A) EMPLOYMENT AND RETENTION OF ANKURA CONSULTING GROUP, LLC AND (B) DESIGNATION OF STEPHEN MAROTTA AS CHIEF RESTRUCTURING OFFICER, RUSSELL PERRY AS RESTRUCTURING OFFICER AND ROBERT WEIGEL AS ASSISTANT TREASURER NUNC PRO TUNC TO THE PETITION DATE WITHOUT PREJUDICE

This case is before the court upon the application (the “**Application**”, Docket Nos. 12, 63)¹ filed on August 15, 2023, by Grupo Hima San Pablo, Inc., and its affiliated debtors in the above-captioned chapter 11 cases (collectively, the “**Chapter 11 Cases**”), as debtors and debtors in possession (collectively, the “**Debtors**”), seeking entry of an order authorizing the employment and retention of Ankura Consulting Group, LLC (“**Ankura**”) to provide the Debtors with the services of Stephen Marotta as Chief Restructuring Officer (“**CRO**”), Russell Perry as Restructuring Officer (“**RO**”) and Robert Weigel as Assistant Treasurer (the “**AT**” and together with the CRO and the RO, collectively the “**OCRO**” or “**Ankura Professionals**”) on a weekly, non-refundable fixed flat fee basis pursuant to the terms set forth in the engagement letter between the Debtors and Ankura, dated as of August 13, 2023 (Docket No. 12-1), as thereafter supplemented (Docket No. 63, 458, p. 5, ¶ 13), pursuant to Sections 105 and 363 of the Bankruptcy Code, 11 U.S.C. § 105, 363.

The court having considered the Application, the accompanying declarations of Stephen Marotta (Docket No. 12-2) and Eugene Davis (Docket No. 346, pp. 10-13) in support of the Application, and all responses or objections to such Application (Docket Nos. 125, 346, 434,

¹ The motion[s] was[were] filed in each of the captioned Chapter 11 Cases. Reference, however, is made only to docket entries in Lead Case No. 23-02510. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the motion[s].

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458), in particular those of the U.S. Trustee for Region 21, and after due deliberation, and it appearing that the fixed flat fee structure proposed is both overly burdensome and higher than “Ankura’s overall fees and expenses” which are “less than anticipated” (Docket No. 458, p. 5, ¶ 13), the Application is hereby **DENIED**. The denial is without prejudice to the filing of an Application that provides for an amended fee structure and the submittal of fee applications which shall be subject to court review and approval in compliance with Sections 330 and 331 of the Bankruptcy Code, 11 U.S.C. § 330, 331. In the alternative, an Application that includes a clause similar to the one referenced by the U.S. Trustee (Docket No. 434, p. 8, ¶ 9), that is:

Ankura will ... file with the Court, and provide to the Office of the United States Trustee for the District of [Puerto Rico] (the “U.S. Trustee”) and all official committees appointed in these chapter 11 cases, monthly reports of compensation earned and expenses incurred as set forth in the Proposed Order. Such reports shall summarize the total hours worked, by professional, for project areas that the services were provided in and summarize the expenses incurred. Such compensation and expenses will be subject to Court review in the event an objection is filed.

Docket No. 434, p. 8, ¶ 9, quoting In re FB Debt Financing Guarantor, LLC, et al., Case No. 23-10025 [Docket No. 109, ¶ 15a] (Bankr. D. Del. Jan. 18, 2023).

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 27th day of November 2023.



Enrique S. Lamotte
United States Bankruptcy Judge