

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

A.B.C. CARPET CO., INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 21-11591 (DSJ)

(Jointly Administered)

**ORDER (I) CLOSING CERTAIN CHAPTER 11 CASES; (II) GRANTING FINAL
DECREES IN CERTAIN CLOSED CHAPTER 11 CASES; (III) AMENDING CAPTION
OF REMAINING CASE; AND (IV) GRANTING RELATED RELIEF**

Upon consideration of the motion (the “Motion”) of the Liquidating Trustee,² for entry of an order pursuant to section 350(a) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 3022 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 3022-1 of the Local Bankruptcy Rules for the Southern District of New York (the “Local Bankruptcy Rules”): (i) closing certain chapter 11 cases; (ii) granting final decrees in certain closed chapter 11 cases; (iii) amending the caption of the sole remaining case; and (iv) granting related relief, all as more fully described in the Motion; and this Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409 and the Confirmation Order; and this Court having reviewed the Motion; **and no objections to the Motion having been timely filed**; and this Court hereby finding and determining that (a) the relief sought in the Motion and granted herein is in the best interests of the above-captioned debtors (the

¹ The Debtors in these chapter 11 cases (the “Chapter 11 Cases”), along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: A.B.C. Carpet Co., Inc. (6537), A.B.C. Home Furnishings, Inc. (6915), and A.B.C. Oriental Carpets, Inc. (3679). The Debtors’ principal place of business is 888 Broadway, New York, New York 10003.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

“Debtors”), their estates and creditors, and all parties in interest, (b) due and proper notice of the Motion has been given, and (c) the legal and factual bases set forth in the Motion demonstrate sufficient and just cause for the relief granted herein; and after due deliberation, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT: [DSJ 7/12/2022]**

1. The cases of A.B.C. Home Furnishings, Inc (Case No. 21-11592) and A.B.C. Oriental Carpets, Inc. (Case No. 21-11593) (such cases, the “Closing Cases”) shall be closed, effective as of the date of entry of this Order.

2. This Order shall serve as a Final Decree in each of the Closing Cases. The Clerk shall enter this Order individually on each of the dockets of the Closing Cases and thereafter such dockets shall be marked as “Closed.”

3. A docket entry, substantially similar to the following shall be entered on the docket of each of the Closing Cases:

An order has been entered in accordance with section 350 of the Bankruptcy Code closing the chapter 11 cases of A.B.C. Home Furnishings, Inc., Case No. 21-11592 (DSJ) and A.B.C. Oriental Carpets, Inc., Case No. 21-11593 (DSJ). **All further pleadings and other papers shall be filed, and all further docket entries shall be made, in the case of A.B.C. Carpet Co., Inc., Case No. 21-11591 (DSJ).**

4. Entry of this Order is without prejudice to (a) the rights of any Debtor or other party in interest to seek to reopen any of the Closing Cases for cause pursuant to section 350(b) of the Bankruptcy Code, and (b) the right of the Debtors, the Liquidating Trustee, or any other parties in interest to dispute, object to or resolve all claims that were filed against the Debtors in the Chapter 11 Cases.

5. The caption in the chapter 11 case of A.B.C. Carpet Co., Inc. (the “Remaining Debtor”), Case No. 21-11591 (DJS) shall be amended as follows:

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

A.B.C. CARPET CO., INC.,^[FN1]

Debtor.

Chapter 11

Case No. 21-11591 (DSJ)

^[FN1] The Debtor's service address in the chapter 11 case is A.B.C. Liquidating Trust, c/o Joseph A. Pack, Pack Law, 51 Northeast 24th Street, Suite 108, Miami, Florida 33137.

6. All pending and future matters relating to each of the Debtors, including objections to claims, shall be administered and heard in the case of the Remaining Debtor.

7. Each Debtor in the Closing Cases, or the Liquidating Trustee, as applicable, shall remain responsible for making payments in U.S. Trustee fees payable pursuant to 28 U.S.C. § 1930, in accordance with the terms of the Plan, through the date the Closing Cases have been closed.

8. The Liquidating Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

9. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: New York, New York
July 12, 2022

s/ David S. Jones

HONORABLE DAVID S. JONES
UNITED STATES BANKRUPTCY JUDGE