

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re

BENITAGO INC., et al.,

Reorganized Debtors.¹

Chapter 11

Case No. 23-11394 (SHL)

(Jointly Administered)

FINAL DECREE CLOSING THE CHAPTER 11 CASE OF BENITAGO INC.

Upon the motion (the “Motion”)² of the above-captioned Reorganized Debtors, for entry of a Final Decree pursuant to sections 105(a) and 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022, closing the chapter 11 case of Benitago Inc. (the “Benitago Case”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 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 it may enter a final order consistent with Article III of the United States Constitution; 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 this Court having found that the relief requested in the Motion is in the best interests of the Reorganized Debtors, creditors, and other parties in interest; and this Court having found that the Reorganized Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and that no other or further notice need be provided; and this Court having reviewed the Motion and having heard the statements in

¹ The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor’s tax identification number, are: Cove Brands Inc. (f/k/a Benitago, Inc.) (4084); Acrux LLC (9391); Aludra Limited (4147); Algedi LLC (3835); Biham LLC (4095); Canopus LLC (8124); Denebola LLC (5430); Errai LLC (7652); Felis LLC (4176); Ginan LLC (2439); Hamal LLC (1775); Izar LLC (6010); Jabbah LLC (0658); Kamuy LLC (8461); Lich LLC (2892); Maasym LLC (9332); Nusakan LLC (1861); Okab LLC (6499); Phact LLC (3663); Chechia LLC (N/A); Dalim LLC (4741); Segin LLC (8849); Taiyi LLC (N/A); Veritate LLC (6416); Wazn LLC (7193); Yildun LLC (3017); Bharani LLC (1732); Alhena LLC (7613); and Revati LLC (0170).

² Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to them in the Motion.

support of the relief requested therein at any hearing before this Court (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Motion and at any Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth in this Final Decree.
2. The following case is hereby closed, effective immediately: *Benitago Inc.*, Case No. 23-11394.
3. No later than ten (10) days after the date of entry of the Final Decree, (i) Benitago Inc. (“Benitago”) shall file its final post-confirmation report for the fourth quarter of 2024 through the date of entry of the Final Decree and shall serve a true and correct copy of said statement on the United States Trustee (the “U.S. Trustee”), and (ii) Benitago shall pay the appropriate sum of quarterly fees due and payable under 28 U.S.C. § 1930(a)(6)(A) and (B) by remitting payment to the U.S. Trustee.
4. The employment of Stretto as the Claims and Noticing Agent in the cases is terminated effective upon the entry of this Final Decree.
5. Stretto shall prepare a final claims register for the Clerk’s Office pursuant to any current guidelines implementing 28 U.S.C. § 156(c).
6. Upon entry of this Final Decree, Stretto is released and discharged as the Claims and Noticing Agent and shall bear no further responsibility in these cases, except that Stretto shall comply with Paragraph 6 of this Final Decree.
7. Stretto may reduce the public case administration website to a static homepage, and in its discretion may opt to deactivate the website altogether.

8. Stretto shall keep electronic copies of all records until one (1) year (after which time Stretto may, but is not required to, destroy such records), and Stretto need not keep paper copies of such records.

9. Stretto may destroy (A) all excess copies of notices, pleadings, plan solicitation documents, customized envelopes, and other printed materials, and (B) all undeliverable and/or returned mail not previously destroyed.

10. Stretto shall be compensated by the Debtors' estates for the performance of services required hereunder in accordance with the terms of the Stretto Retention Order.

11. The Reorganized Debtors and their agents are authorized to take all actions necessary to effectuate the relief granted in this Final Decree in accordance with the Motion.

12. Notwithstanding anything to the contrary, the terms and conditions of this Final Decree shall be immediately effective and enforceable upon entry.

13. Nothing in this Final Decree shall change the amount or nature of any distribution, or any other substantive rights, that any Claim against or Interest in any Debtor would have been entitled to under the Plan, the Confirmation Order, the Bankruptcy Code, the Bankruptcy Rules, or otherwise, had this Final Decree not been entered.

14. Notwithstanding the relief granted in this Final Decree and any actions taken pursuant to such relief, nothing in this Final Decree shall be deemed: (a) an admission as to the amount of, basis for, or validity of any Claim against the Debtors or the Reorganized Debtors under the Bankruptcy Code or other applicable non-bankruptcy law; (b) a waiver of the rights of the Reorganized Debtors, or any other parties in interest to dispute any Claim on any grounds; (c) a promise or requirement to pay any prepetition Claim; (d) an assumption, adoption, or rejection of any agreement, contract, or lease under section 365 of the Bankruptcy Code; (e) an admission as

to the validity, enforceability, or perfection of any Lien on, security interest in, or other encumbrance on property of the Debtors' estates; (f) a waiver of any claims or causes of action which may exist against any entity; or (g) a waiver or limitation of the rights of the Reorganized Debtors, or any other parties in interest under the Bankruptcy Code or any other applicable law.

15. The Reorganized Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Decree.

16. This Court shall retain exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Final Decree.

Dated: November 18, 2024

/s/ Sean H. Lane
THE HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE