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

| In re: |
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| MOTORCYCLE TIRES \& ACCESSORIES |
| LLC, et al., ${ }^{1}$ |
| Debtors in a Foreign Proceeding |

)
)
) Case No. 19-12706 (KBO)
) Joint Administration Requested
)
) Chapter 15
) Re: Docket No. 7

ORDER SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE OF (I) FILING OF (A) PETITIONS PURSUANT TO CHAPTER 15 OF THE BANKRUPTCY CODE AND (B) FOREIGN REPRESENTATIVE'S MOTION FOR PROVISIONAL AND FINAL RELIEF IN RECOGNITION OF A FOREIGN MAIN PROCEEDING PURSUANT TO SECTIONS 105(a), 1519, 1520 AND 1521 OF THE BANKRUPTCY CODE; (II) ENTRY OF PROVISIONAL RELIEF ORDER; (III) DEADLINE TO OBJECT TO ENTRY OF RECOGNITION ORDER; (IV) HEARING FOR COURT TO CONSIDER CHAPTER 15 PETITIONS AND ENTRY OF RECOGNITION ORDER; (V) APPROVING THE MANNER OF SERVICE ON THE MASTER SERVICE LIST OF ANY PLEADINGS THAT THE FOREIGN REPRESENTATIVE FILES IN THE CHAPTER 15 CASES; AND (VI) GRANTING CERTAIN RELATED RELIEF

Upon consideration of the motion (the "Motion") ${ }^{2}$ of KPMG, Inc. ("KPMG" or the "Foreign Representative"), in its capacity as the court-appointed monitor and authorized foreign representative for the above-captioned debtors (collectively, the ("Debtors"), in the Canadian proceeding (the "Canadian Proceeding") commenced under the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36, as amended (the "CCAA"), pending before the Superior Court in Commercial Division in the in the District of Montreal (the "Canadian Court"), hereby moves (this "Motion") this Court for entry of an order, pursuant to section 105(a) of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code") and Rules 2002, 9006 and 9007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), specifying

1 The Debtors in these chapter 15 cases, along with the last four digits of each Debtor's federal tax identification number, are: Motorcycle Tires \& Accessories LLC (8629); Moncy Holding Company, Inc. (6755); Moncy Financial Services Company, Inc. (7515); Moncy LLC (3654); and Nichols Motorcycle Supply, Inc. (4371). The Debtors' mailing address is 1550 Melissa Court, Corona, CA 92879.
${ }_{2}$ Capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Motion.
the form and manner of service of the notice of (i) the filing of (a) the Debtors' chapter 15 petitions (collectively, the "Chapter 15 Petitions") and (b) certain related pleadings pursuant to chapter 15 of the Bankruptcy Code, including the Recognition Motion, (ii) this Court's entry of the Provisional Relief Order, (iii) the deadline to object to this Court's entry of the Recognition Order, and (iv) the hearing for this Court to consider the Chapter 15 Petitions and entry of the Recognition Order, and granting certain related relief; and upon the Codère Declaration; and due and sufficient notice of the Motion having been given; and it appearing that no other or further notice need be provided; and it appearing that the relief requested in the Motion is in the best interests of the Foreign Representative, the Debtors and other parties-in-interest in the Chapter 15 Cases; 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 Recognition Notice, substantially in the form attached hereto as Exhibit 1, is hereby approved.
3. Prior to mailing the Recognition Notice, the Foreign Representative may fill in any missing dates and other information, correct any typographical errors, confirm the provisions thereof to the provisions of this Order, and make such other and further non-material, nonsubstantive changes as the Foreign Representative deems necessary or appropriate.
4. The Foreign Representative shall serve, or cause to be served, on the Notice Parties:
(i) the Recognition Notice, (ii) the Provisional Relief Order, and (iii) the proposed Recognition

Order by United States or Canadian mail, first class postage prepaid, by close of business on December 23, 2019.
5. The Foreign Representative shall serve, or cause to be served, on the Master Service List, including any party requesting to be added thereto, all pleadings filed by the Foreign

Representative in the Chapter 15 Cases by United States or Canadian mail, first class postage prepaid and no further or additional notice will be required. Service of all pleadings filed in these Chapter 15 Cases on the Master Service List is hereby approved as due and sufficient notice of such pleadings on all interested parties in these Chapter 15 Cases.
6. To the extent not previously served, in the event any other interested party files a notice of appearance in the Chapter 15 Cases, the Foreign Representative shall serve, or cause to be served, on such party the Recognition Notice, the Provisional Relief Order, and the proposed Recognition Order (or, to the extent the proposed Recognition Order has previously been entered by this Court, the Recognition Order) within three (3) business days of the filing of such notice of appearance by United States or Canadian mail, first class postage prepaid.
7. Service of the Recognition Notice, the Provisional Relief Order, and the proposed Recognition Order in accordance with this Order is hereby approved as due and sufficient notice and service of the filing of the Chapter 15 Petitions, the Recognition Motion, the Provisional Relief Order, the proposed Recognition Order, the Recognition Hearing and the Recognition Objection Deadline on all interested parties in the Chapter 15 Cases.
8. All notice requirements specified in section 1514(c) of the Bankruptcy Code are hereby waived or otherwise deemed inapplicable to the Chapter 15 Cases.
9. Bankruptcy Rule 1010 does not apply to the Debtors' petitions seeking recognition of a foreign main proceeding and therefore the summons requirements in Bankruptcy Rule 1011(b) are inapplicable to the Chapter 15 Petitions and the Recognition Motion and any requirements under the Bankruptcy Code, the Bankruptcy Rules or otherwise for notice thereof.
10. This Court shall retain jurisdiction with respect to any and all matters arising from or related to the interpretation or implementation of this Order.

