Case 11-53578-PJW Doc 54 510-4 06/02/14 Doc 64 2000 Docket #0054 Date Filed: 6/3/2014

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

In re:	Chapter 11
BLITZ U.S.A., Inc., $et al.$ , <sup>1</sup>	) Case No. 11-13603 (PJW)
Debtors.	) (Jointly Administered)
)	
BLITZ U.S.A., INC., et al.,	)
Plaintiffs,	)
vs.	Adv. Proc. No. 11-53578 (PJW)
TABITHA ALEXSON AS NATURALGUARDIAN AND NEXT FRIEND FOR ETHANGROOMS; JASMINE ALEXIS BALLEW, AMINOR, BY AND THROUGH HER GUARDIANAD LITEM, KAREN BRITT PEELER ANDJASMINE BALLEW; JERRY C. BARNETT ANDDANIEL R. FULTON; MIGUEL BARRERA,INDIVIDUALLY AND AS PERSONALREPRESENTATIVE OF THE ESTATE OFSIXIALFREDO BARRERA; LANDONBEADORE, BY AND THROUGH HIS PARENTS,PAUL BEADORE AND MELISSA WEEKS, ANDMELISSA WEEKS, AND PAUL BEADORS,INDIVIDUALLY; CHRISTOPHER BOSSE;AMANDA BURCH, INDIVIDUALLY AND ASNEXT FRIEND AND NATURAL GUARDIANFOR TIMOTHY BURCH; CHRISTOPHERDRONEY; JESSICA FENN AND JEREMIAHFENN, SR., INDIVIDUALLY AND ON BEHALFOF THEIR DECEASED SON AND DAUGHTER,JEREMIAH FENN, JR. AND JA'EL FENN;KAYLEE FREELAND, A MINOR; CHADFUNCHESS; KAREN GUENIOT-KORNEGAY,INDIVIDUALLY, AND ON BEHALF OF ALL OFTHE WRONGFUL DEATH BENEFICIARIES OFMATTHEW DYLAN KORNEGAY; WADE	

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Blitz U.S.A., Inc. (8104); LAM 2011 Holdings, LLC (8742); Blitz Acquisition Holdings, Inc. (8825); Blitz Acquisition, LLC (8979); Blitz RE Holdings; LLC (9071); and F3 Brands, LLC (2604). The location of the Debtors' corporate headquarters and the Debtors' service address is: 404 26th Ave. NW, Miami, OK 74354.



GUILFORD; ROBERT JACOBY; RANDALL JOHNSON; CARMEN LOPEZ AND SANTIAGO ) ROSA, GUARDIANS AD LITEM FOR JESUS ) SANTIAGO ROSA, CARMEN LOPEZ AND SANTIAGO ROSA IN THEIR OWN RIGHT, AND ) JESUS SANTIAGO ROSA, IN HIS OWN RIGHT; MARY JO PIERCE FOR B.P., A MINOR, BY HIS MOTHER AND NATURAL GUARDIAN; SHERRI PURVIS INDIVIDUALLY AND AS NEXT FRIEND AND NATURAL GUARDIAN ) FOR JAMES C. PURVIS; LORI SHICKEL, BOTH INDIVIDUALLY AND AS MOTHER AND NEXT FRIEND OF JORDAN SHICKEL, A MINOR; ROBYN SMITH, FOR DEVAN VANBRUNT, A MINOR, BY HIS MOTHER AND NATURAL GUARDIAN; STATE FARM LLOYDS, AS SUBROGEE OF ERIC AND TAMMY BALCH; DENNIES THORNTON, A MINOR, BY AND THROUGH HIS NEXT FRIEND AND FATHER, ) DAVID THORNTON; DYLAN J. TREVINO, A MINOR, SUING BY HIS NEXT FRIEND AND GUARDIAN, DIANA TREVINO, AND DIANA TREVINO, INDIVIDUALLY; KENNETH WARD AND CURTIS WARD; RICHARD L YIM, JR.; and **JOHN DOES 1-1000**,

Defendants.

## **NOTICE OF DISMISSAL**

The Blitz Liquidating Trust, as successor in interest to Blitz U.S.A., Inc., Blitz Acquisition, LLC, Blitz RE Holdings, LLC and Miami OK LLC (f/k/a F3 Brands LLC), by and through its undersigned counsel, hereby files notice that this action is dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure, made applicable by Rule 7041 of the Federal Rules of Bankruptcy Procedure.

Dated: June 3, 2014

## <u>/s/ Kevin J. Mangan</u>\_\_\_\_

## WOMBLE CARLYLE SANDRIDGE & RICE, LLP

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-and-

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Counsel to the Blitz Liquidating Trustee on behalf of the Blitz Liquidating Trust