



Brenda K. Martin

Brenda K. Martin, Bankruptcy Judge

FREEBORN & PETERS LLP
Richard S. Lauter*
Devon J. Eggert*
Elizabeth L. Janczak*
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone: 312.360.6000
Facsimile: 312.360.6520
rlauter@freeborn.com
deggert@freeborn.com
ejanczak@freeborn.com

*Admitted *pro hac vice*

Counsel for Dale Schian, Creditor Trustee of the PRM
Family Holding Company, L.L.C. Creditor Trust

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:

PRM FAMILY HOLDING COMPANY,
L.L.C., *et al.*,

Debtors.

Chapter 11

Case No. 2:13-bk-09026-BKM

(Jointly Administered)

DALE SCHIAN, CREDITOR TRUSTEE
OF THE PRM FAMILY HOLDING
COMPANY, L.L.C. CREDITOR TRUST,

Plaintiff,

Adv. Pro. No. 2:15-ap-00352-BKM

v.

FRESH AMERICAN PRODUCE, INC.,

Defendant.

~~ORDER GRANTING MOTION FOR ENTRY
OF DEFAULT JUDGMENT PURSUANT TO
FED. R. CIV. P. 55(b)(1)~~

This Filing Applies to:

- All Debtors
- Specified Debtors

Default was entered against Defendant Fresh American Produce, Inc. (the “*Defendant*”) on August 14, 2015. Plaintiff Dale Schian, not individually but solely as creditor trustee (the “*Plaintiff*”) of the PRM Family Holding Company, L.L.C. Creditor Trust (the “*Creditor Trust*”) has requested entry of

1 judgment by default and has filed an affidavit of the amount due and stating the Defendant is a
2 corporation and is, therefore, not in military service, is not an infant, and is not an incompetent person.

3 IT IS HEREBY ORDERED, pursuant to Rule 55(b)(1), Fed. R. Civ. P., made applicable in these
4 proceedings by Rule 7055, Fed. R. Bankr. P., judgment is entered against Fresh American Produce, Inc.
5 in favor of the Plaintiff as follows:

6 1. Final Judgment is entered against the Defendant and in favor of the Plaintiff on Counts I
7 and III of the Complaint in the amount of \$50,002.41.

8 2. Plaintiff shall be awarded post-judgment interest at the statutory rate from the date this
9 Judgment is entered until paid in full pursuant to 28 U.S.C. § 1961.

10 3. Final Judgment is entered against the Defendant and in favor of the Plaintiff on Count IV
11 of the Complaint. Accordingly, any and all claims of the Defendant against the Debtors or the Creditor
12 Trust, whether asserted in a proof of claim or scheduled on the Debtors' schedules of assets and
13 liabilities are disallowed pursuant to 11 U.S.C. § 502(d).

14 4. Count II, pled in the alternative to Count I, is hereby dismissed as moot.

(BKM) 15 ~~5. There is no just reason to delay enforcement or appeal of this judgment.~~

16 DATED AND SIGNED ABOVE.