

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

)	
In re:)	Chapter 11
)	
OUTER HARBOR TERMINAL, LLC, ¹)	Case No. 16-10283 (LSS)
)	
Debtor.)	Re: Docket Nos. 781, 848 & 850
)	

ORDER CONVERTING CASE

This matter came before this Court on the *Motion of United States Trustee to Convert or Dismiss the Debtor's Chapter 11 Case* [Docket No. 781] (the "Motion"); and the Court finding that due and sufficient notice of the Motion was given and that no objections to the Motion were filed; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and that this is a core proceeding under 28 U.S.C. § 157(b)(2); and after due deliberation and sufficient cause appearing therefor, based on the record in this case, the *Debtor's Statement in Response to the United States Trustee's Motion to Convert or Dismiss* [Docket No. 850] and the reasons set forth by the Court at the hearings held on the Motion, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Motion is GRANTED, and the chapter 11 case of Outer Harbor Terminal, LLC (the "Debtor") will be converted to a case under chapter 7 effective 4:00 p.m. (^{Pacific}~~Eastern~~ Standard Time) on October 16, 2017.

2. The Debtor shall:

¹ The last four digits of the Debtor's federal tax identification number are 2070. The Debtor's principal place of business is located at 1599 Maritime Street, Oakland, CA 94607.

- a. forthwith turn over to the chapter 7 trustee all records and property of the estate under its custody and control as required by Federal Rule of Bankruptcy Procedure (“FRBP”) 1019(4); and,
 - b. within 15 days of the date of this Order file a schedule of unpaid debts incurred after commencement of the superseded case including the name and address of each creditor, as required by FRBP 1019(5).
3. The Debtor shall, within 30 days from the date of this order, file and transmit to the United States Trustee a final report and account as required by FRBP 1019(5)(A).
 4. A representative of the Debtor, and, if so requested by the chapter 7 trustee, counsel to the Debtor in this case, shall appear at the First Meeting of Creditors pursuant to Section 341 (a) and 343 of the Bankruptcy Code, and such representative of the Debtor shall be available to testify at such First Meeting of Creditors.
 5. This Court shall retain jurisdiction over all matters arising from or relating to the interpretation or enforcement of this Order.

Dated: October 13, 2017
Wilmington, Delaware



THE HONORABLE LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE