

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

GREEN BOX NA GREEN BAY, LLC

Case No. 16-24179

Chapter 11

Debtor.

**NOTICE OF MOTION OF JAIRO HUILAR FOR ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. §503(b)(1)**

Jario Huilar (“Huilar”), by and through his attorneys, Law Firm of Conway, Olejniczak & Jerry, S.C., has filed a motion with the Court for allowance and payment of administrative expense claim under § 503(b)(1) of the Bankruptcy Code.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE, IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE).

If you do not want the Court to grant relief as set forth in Huilar’s motion (a copy of which is attached), or if you want the Court to consider your views on the motion, then, within twenty-one (21) days of this notice, you or your attorney must file with the Court a written request for a hearing, or if the Court requires a written response, an answer, explaining your position at:

Clerk
U.S. Bankruptcy Court
Eastern District of Wisconsin
Room 126, Federal Building
517 East Wisconsin Avenue
Milwaukee, WI 53202

If you mail your request to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to the following:

Attorney Michele M. McKinnon
Counsel for Jario Huilar
Law Firm of Conway, Olejniczak & Jerry, S.C.
P.O. Box 23200
Green Bay, WI 54305-3200

and Attorney Paul G. Swanson
Attorney for Debtor
107 Church Avenue
P.O. Box 617
Oshkosh, WI 54903-0617

and Attorney Amy J. Ginsberg
Office of the U.S. Trustee
517 E. Wisconsin, #430
Milwaukee, WI 53202

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated this 14th day of November, 2016.

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.
Attorneys Jario Huilar

By: /s/ Michele M. McKinnon

Michele M. McKinnon
State Bar No. 1041053

POST OFFICE ADDRESS:

231 South Adams Street
P.O. Box 23200
Green Bay, WI 54305-3200
Phone: 920-437-0476
Fax: 920-437-2868
2473601

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

GREEN BOX NA GREEN BAY, LLC
Debtor.

Case No. 16-24179
Chapter 11

**MOTION OF JAIRO HUILAR FOR ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. §503(b)(1)**

Jairo Huilar (“Huilar”), by and through his attorneys, Law Firm of Conway, Olejniczak & Jerry, S.C., hereby moves this Court for allowance and payment of an administrative expense claim pursuant to 11 U.S.C. §503(b)(1) of the Bankruptcy Code. In support of this Motion, Huilar represents as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction of this matter pursuant to 28 U.S.C. §§157 and 1334. This is a court proceeding pursuant to 28 U.S.C. §157(b)(2). Venue in this case and over the Motion is proper pursuant to 28 U.S.C. §§1408 and 1409.

2. The statutory predicates for the relief requested herein is §§503(b)(1) of Chapter 11 of Title 11 of the United States Code.

BACKGROUND

3. On April 27, 2016 (the “Petition Date”), the Debtor filed a Voluntary Petition for Relief under Chapter 11 of the Bankruptcy Code.

Michele M. McKinnon
231 South Adams Street
P.O. Box 23200
Green Bay, WI 54305-3200
Phone: 920-437-0476
Fax: 920-437-2868
E-mail: mmm@lcojlaw.com

4. The Debtor continues to operate its business and manage its financial affairs pursuant to §§1107 and 1108 of the Bankruptcy Code.
5. Prior to the Petition Date, Huilar entered into a Rental Agreement with Debtor effective July 3, 2013 (the “Lease”) on property located at 432 N. Saint Bernard Drive, De Pere, Wisconsin (the “Real Estate”). The initial term of the Lease was one (1) year, but the Lease has continued on month-to-month terms since June 30, 2014.
6. Upon information and belief, Debtor allowed its employees to reside on the Real Estate.
7. Debtor has failed to make any rent payments to Huilar since August of 2015.
8. On October 6, 2016, this Court granted Huilar relief from the automatic stay to evict the Debtor’s employees from the Real Estate.
9. Debtor’s employees vacated the Real Estate in October of 2016.
10. Debtor is in arrears of its Lease obligations as follows:

September 2015 rent:	\$ 885.00
September late fee:	\$ 300.00
October 2015 rent:	\$ 885.00
October late fee:	\$ 310.00
December late fee:	\$ 310.00
February late fee:	\$ 180.00
March 2016 rent:	\$ 885.00
March late fee:	\$ 300.00
May 2016 rent:	\$ 885.00
June 2016 rent:	\$ 885.00
July 2016 rent:	\$ 885.00
August 2016 rent:	\$ 885.00
September 2016 rent:	\$ 885.00
October 2016 rent:	<u>\$ 885.00</u>
Total Owed:	\$9,365.00

RELIEF REQUESTED

11. By this Motion, Huilar respectfully requests that the Court enter an order allowing and directing the Debtor to pay Huilar, as an administrative expense, all unpaid rents pursuant to §§365(d)(3) and 503(b) of the Bankruptcy Code.

WHEREFORE, Huilar respectfully requests that the Court enter an Order providing the following:

- a. Allowing its §503(b)(1) administrative expense claim in the amount of \$11,785.00;
- b. Directing payment of Huilar’s administrative expense claim immediately upon the Court’s entry of such order pursuant to §§365(d)(3) and 503(b)(1);
- c. Granting such other and further relief as the Court deems just and proper.

Dated this 14th day of November, 2016.

LAW FIRM OF CONWAY, OLEJNICZAK, & JERRY, S.C.
Attorneys for Jario Huilar

/s/ Michele M. McKinnon
By: _____
Michele M. McKinnon
State Bar No. 1041053

POST OFFICE ADDRESS:

231 South Adams Street
P. O. Box 23200
Green Bay, WI 54305-3200
Phone: 920-437-0476
Fax: 920-437-2868
2473601

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:

GREEN BOX NA GREEN BAY, LLC

Case No. 16-24179

Chapter 11

Debtor.

CERTIFICATE OF SERVICE

I, Sarah M. Leupold, certify that I caused a copy of the foregoing Notice of Motion and Motion of Jairo Huilar for Allowance and Payment of Administrative Expense Claim to be served upon the following individuals by electronic filing through ECF or U.S. Mail on November 14, 2016:

- **Carla O. Andres** candres@gklaw.com, kboucher@gklaw.com;pbrellenthin@gklaw.com
- **Daniel C. Beck** dbeck@winthrop.com, tcooke@winthrop.com
- **Angela D. Dodd** dodda@sec.gov, okeefej@sec.gov;mathieb@sec.gov
- **Amy J. Ginsberg** amy.j.ginsberg@usdoj.gov, Carrie.Jekelis@usdoj.gov
- **Michael D. Jankowski** mjankows@reinhardt.com
- **Office of the U. S. Trustee** ustpreion11.mi.ecf@usdoj.gov
- **Brittany S. Ogden** brittany.ogden@quarles.com, tracy.christianson@quarles.com
- **Michael S. Polsky** mpolsky@bcblaw.net, pfoster@bcblaw.net
- **Jonathan T. Smies** jsmies@gklaw.com, mlaluzerne@gklaw.com;kboucher@gklaw.com;pbrellenthin@gklaw.com
- **Paul G. Swanson** pswanson@oshkoshlawyers.com, hsaladin@oshkoshlawyers.com
- **Brian P. Thill** bthill@murphydesmond.com

SEE ATTACHED MAILING LABELS

/s/ Sarah M. Leupold

Sarah M. Leupold

Label Matrix for local noticing
0757-2
Case 16-24179-beh
Eastern District of Wisconsin
Milwaukee
Mon Nov 14 11:54:30 CST 2016

Cliffton Equities, Inc.
c/o Quarles & Brady LLP
33 East Main Street
Suite 900
Madison, WI 53703-3095

Little Rapids Corporation
c/o Godfrey & Kahn, S.C.
200 South Washington Street, Suite 100
Green Bay, WI 54301-4298

Steinhilber, Swanson, Mares, Marone & McDer
107 Church Avenue
P.O. Box 617
Oshkosh, WI 54903-0617

Advanced Resource Materials, LLC
7320 McGinnis Ferry Road
Suwanee, GA 30024-1269

Attorney Brian Thill
Murphy Desmond, SC
PO Box 2038
Madison, WI 53701-2038

Attorney John R. Petitjean
125 S. Jefferson S, Suite 101
PO Box 1626
Green Bay, WI 54305-1626

Attorney Steven Krueger
Law Firm of Conway, Olejniczak & Jerry,
231 South Adams Street
Green Bay, WI 54301-4513

Brittany Ogden
Attorney at Law
P. O. Box 2113
Madison, WI 53701-2113

E3 Consulting
221 Scenic Ridge Court
Colgate, WI 53017-9391

Ability Insurance Company
55 N. Water Street, #3
South Norwalk, CT 06854-2659

Crossgate Partners, LLC
c/o Godfrey & Kahn, S.C.
200 South Washington Street, Suite 100
Green Bay, WI 54301-4298

Paper Holdco, LLC
c/o Winthrop & Weinstine, P.A.
225 South Sixth Street, Suite 3500
Minneapolis, MN 55402-4629

Wisconsin Economic Development Corporation
c/o Murphy Desmond SC
PO Box 2038
Madison, WI 53701-2038

Advanced Resource Materials, LLC
A/K/A Crossgate Partners, LLC
7320 McGinnis Ferry Rd.
Suwanee, GA 30024-1269

Attorney Brittany S. Ogden
Quarles & Brady, LLP
PO Box 2113
Madison, WI 53701-2113

Attorney Jonathan Smies
Godfrey Kahn, SC
200 South Washington Street, Suite 100
Green Bay, WI 54301-4298

Baisch Engineering, Inc.
809 Hyland Avenue
Kaukauna, WI 54130-1433

Brown County Treasurer
P.O. Box 23600
Green Bay, WI 54305-3600

EARTH (Environmental Advanced Research T
2077 B Lawrence Dr.
De Pere, WI 54115-9106

Advanced Resource Materials, LLC
c/o Godfrey & Kahn, S.C.
200 South Washington Street, Suite 100
Green Bay, WI 54301-4298

Green Box NA Green Bay, LLC
2107 American Blvd.
De Pere, WI 54115-8194

Quotient Partners, LLC
c/o Michael D. Jankowski, Esq.
Reinhart, Boerner, Van Deuren s.c.
1000 N. Water St.
Suite 1700
Milwaukee, WI 53202-3186

Ability Insurance Company
One City Center
Portland, ME 04101-6420

Anthem BCVS WI Group
PO Box 105163
Atlanta, GA 30348-5163

Attorney C.J. Murray
Counsel for Michael Polsky
Two Plaza East, Suite 1085
330 East Kilbourn Avenue
Milwaukee, WI 53202-3170

Attorney Michael Polsky
Two Plaza East, Suite 1085
330 East Kilbourn Avenue
Milwaukee, WI 53202-3170

Brian Thill
Attorney at Law
P. O. 2038
Madison, WI 53701-2038

Creditors Adjustment Bureau Inc.,
assignee of Sanli Pastore & Hill
P. O. Box 5932
Sherman Oaks, CA 91413-5932

Evoqua Water Technologies LLC
10 Technology Drive
Lowell, MA 01851-2728

Ferrellgas, Inc.
One Liberty Plaza, MD 40
Liberty, MO 64068-2971

Glenarbor Equipment, LLC
55 E Erie Street Suite 2304
Chicago, IL 60611-2250

Glenarbor LLC
55 East Erie Street, Unit 2304
Chicago, IL 60611-2250

Green Earth Conversion, Inc.
Attn: Joe Connolly
26622 Dinerall
Mission Viejo, CA 92691-1511

Internal Revenue Service
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

Jairo Huilar
PO Box 12132
Green Bay, WI 54307-2132

Jonathan Smies
Attorney at Law
200 S. Washington St. Ste. 100
Green Bay, WI 54301-4298

Little Rapids Corporation
Attn: Ron Thiry
2273 Larsen Rd.
Green Bay, WI 54303-4809

Little Rapids Corporation
c/o Godfrey & Kahn, S.C.
Attorney Carla O. Andres
200 South Washington Street, Suite 100
Green Bay, WI 54301-4298

Mackinac Environmental Technology, Inc.
300 Ferry Lane
Saint Ignace, MI 49781-1858

Marco A. Araujo
2595 Development Dr, Ste 150
Green Bay, WI 54311-4288

Michael S. Polsky, Esq.
Beck, Chaet, Bamberger & Polsky, S.C.
Two Plaza East, Suite 1085
330 East Kilbourn Avenue
Milwaukee WI 53202-3170

Michelle McKinnon
Attorney at Law
P. O. Box 23200
Green Bay, WI 54305-3200

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Paper Holdco, LLC
a/k/a Varde
160 Greenwood Dr. Ste 101
Dover, DE 19904

Patriot Tissue, LLC
2107 American Blvd.
De Pere, WI 54115-8194

Ron Van Den Heuvel
2077B Lawrence
De Pere, WI 54115-9106

State of Wisconsin
DWD - Unemployment Insurance
P.O. Box 8914
Madison, WI 53708-8914

Steve Smith
55 East Erie Street, Unit 2304
Chicago, IL 60611-2250

Steven Klawans
Securities & Exchange Commission
175 W. Jackson Blvd., Suite 900
Chicago, IL 60604-2908

Temployment
336 S Jefferson Street
Green Bay, WI 54301-4523

Varde Partners, Inc.
8500 Normandale Lake Blvd
Minneapolis, MN 55437-3878

Wisconsin Department of Revenue
Attn: Special Procedures Unit
PO Box 8901
Madison, WI 53708-8901

Wisconsin Department of Revenue
P.O. Box 8981
Madison WI 53708-8981

Wisconsin Dept of Workforce Development
Division of Unemployment Insurance
General Accounting
P.O. Box 7945
Madison WI 53707-7945

Wisconsin Economic Development Corp.
201 W Washington Avenue
Madison, WI 53703-2760

Angela Dodd United States Securities & Excha
175 W. Jackson Blvd.
Suite 900
Chicago, IL 60604-2815

Jario Huilar
P.O. Box 12132
Green Bay, WI 54307-2132

Michael S Polsky
Beck, Chaet, Bamberger & Polsky, S.C.
Two Plaza East, Suite 1085
330 East Kilbourn Avenue
Milwaukee, WI 53202-3170

Paul G. Swanson
Steinhilber Swanson LLP
107 Church Avenue
P.O. Box 617
Oshkosh, WI 54903-0617