

Mark Petrocchi
State Bar No. 15851750
GRIFFITH, JAY & MICHEL, LLP
2200 Forest Park Blvd.
Fort Worth, TX 76110
Phone (817) 926-2500
Fax (817) 926-2505
mpetrocchi@lawgjm.com
COUNSEL FOR FRIEDLANDER FAMILY TRUST

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE	§	
	§	
TRICOLOR HOLDINGS, LLC, <i>et al.</i> , ¹	§	Jointly Administered Under Case
	§	No. 25-33487-mvl7
	§	
	§	HEARING SCHEDULED:
DEBTOR.	§	NOVEMBER 4, 2025 AT 1:30 P.M.

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

TO THE HONORABLE JUDGE OF SAID COURT:

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE ST., RM. 1254 DALLAS, TX 75242-1496 BEFORE 4:00 P.M. ON THE 29TH DAY OF OCTOBER 2025, WHICH IS AT LEAST FOURTEEN (14) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED, A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER

¹ The Debtors' in these chapter 7 cases are as follows: Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, Tricolor Asset Funding, LLC, and Apoyo Financial, LLC.



AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Now comes the Friedlander Family Trust, through its Trustee M. Taylor Katz (“Friedlander”) and files this Motion for Relief from the Automatic Stay (the “Motion”) requesting relief from the automatic stay and in support thereof, would respectfully show the court as follows:

Jurisdiction

1. This court has jurisdiction over this proceeding pursuant to 28 U.S.C. §1334 and §157.
2. This matter is governed primarily by 11 U.S.C. §362.

Introduction

3. Tricolor California Auto Group LLC dba Ganas Auto is the lessee in connection with the lease with Friedlander. The premises was used as auto dealership. It is believed that the premises has little ongoing value to the Chapter 7 estate.

4. Friedlander requests that the Court lift the stay with respect to the premises leased to the Debtor and the contents of that premises.

Facts

5. The Debtor filed for bankruptcy protection on or about September 10, 2025.

6. Friedlander and the Debtor are parties to two related leases. The first agreement is to a Standard Industrial/Commercial Single-Tenant Lease - Net (“Lease”) dated August 18, 2020 concerning premises known as 13750 Beach Boulevard, Westminster, CA 92683. The second agreement is another Standard Industrial/Commercial Single-Tenant Lease - Net (“Lease 2”) dated August 28, 2020 concerning the premises known as 8024 21st Street, Westminster, CA 92683. The properties described in the Lease and Lease 2 are adjacent properties (collectively described as the “Premises”).

7. The terms of the Lease require payments for sixty (60) months in the amount of Seventeen Thousand Five Hundred Dollars and 00/100 (\$17,500.00).

8. True and correct copies of the Lease and Lease 2 are attached and incorporated in a contemporaneous filed affidavit of M. Taylor Katz.

9. The Leases are guaranteed by Tricolor Holdings LLC.

10. Following the filing of the bankruptcy, Friedlander caused an inspection of the property without entering the locked portions of the Premises. It appeared from a visual inspection that there had recently been water damage in the property. With the email consent of counsel for the trustee, Friedlander has entered and examined the property. There does not appear to be water damage to the property.

11. It does not appear that there are any ongoing operations at the property. There are vehicles on the property. There is furniture of potentially questionable value within the improvements on the Premises. There appears to be significant computer equipment. The Leases were extended by email confirmation for the terms set forth in the option to extend.

12. The Debtor has no equity in the leased Premises. The Premises is not necessary to an effective reorganization.

Relief Requested

13. Section 362 (d) of the United States Bankruptcy Code provides that on request of a party in interest after notice and hearing, the court shall grant relief from the automatic stay with respect to an act against property if the Debtor does not have equity in the property and such property is not necessary to an effective reorganization.

Specifically, Section 362 provides as follows:

(d) On request of a party in interest and after notice and a hearing, the court shall grant relief from the stay provided under subsection (a) of this section, such as by terminating, annulling, modifying, or conditioning such stay -

(1) for cause, including the lack of adequate protection of an interest in property of such party in interest;

(2) with respect to a stay of an act against property under subsection (a) of this section, if -

(A) the debtor does not have an equity in such property; and

(B) such property is not necessary to an effective reorganization.; or

(3) with respect to a stay of an act against single asset real estate under subsection (a), by a creditor whose claim is secured by an interest in such real estate, unless, not later than the date that is 90 days after the entry of the order for relief (or such later date as the court may determine for cause by order entered within that 90-day period) -

(A) the debtor has filed a plan of reorganization that has a reasonable possibility of being confirmed within a reasonable time; or

(B) the debtor has commenced monthly payments to each creditor whose claim is secured by such real estate (other than a claim secured by a judgment lien or by an unmatured statutory lien), which payments are in an amount equal to interest at a current fair market rate on the value of the creditor's interest in the real estate.

14. The Debtor is not engaged in a reorganization. The stay should be lifted for cause including the failure to operate and protect the property, and the debtor's lack of equity in the property that is not necessary to an effective reorganization.

15. Friedlander requests that an order lifting the automatic stay not be stayed.

Conclusion

16. Lack of equity combined with no need for reorganization is cause to lift the automatic stay as to the Premises and the contents of the Premises.

17. Section 362 automatic stay should be lifted in connection with the property, which is the subject of this Motion, in a form substantially like the attached order.

18. The relief from the stay should be immediate and not stayed pursuant to Bankruptcy Rule 4001(a)(3).

Prayer

WHEREFORE, PREMISES CONSIDERED, Friedlander Family Trust prays that the Section 362 automatic stay be lifted in all things for cause under Section 362(d)(2) as to the Premises together with all improvements and any personal property abandoned there; that the relief requested not be stayed for 14 days; and for such other and further relief as may be just and equitable.

By: /s/Mark J. Petrocchi

Mark J. Petrocchi

State Bar No. 15851750

GRIFFITH, JAY & MICHEL, LLP

2200 Forest Park Blvd.

Fort Worth, TX 76110

Phone (817) 926-2500

Fax (817) 926-2505

mpetrocchi@lawgjm.com

ATTORNEYS FOR FRIEDLANDER FAMILY TRUST

CERTIFICATE OF CONFERENCE

The undersigned certifies that he communicated with Eric Seitz, and no agreement was reached.

/s/Mark J. Petrocchi

Mark J. Petrocchi

CERTIFICATE OF SERVICE

The undersigned certifies that he caused a true and correct copy of the foregoing document to be served electronically upon those persons registered on the ECF filing system of the court, and by US mail postage prepaid on the Debtor at 6021 Connection Dr., 4th Floor, Irving, TX 75039 on this 15th day of October 2025.

/s/Mark J. Petrocchi
Mark J. Petrocchi

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE	§	
	§	
TRICOLOR HOLDINGS, LLC, <i>et al.</i> , ¹	§	Jointly Administered Under Case
	§	No. 25-33487-mvl7
	§	
DEBTOR.	§	

ORDER LIFTING THE AUTOMATIC STAY

CAME ON for consideration the Motion for Relief from the Automatic Stay filed by Friedlander Family Trust (the “Motion”, Doc. ____). After considering the Motion, the Court was of the opinion that the Motion should be granted.

IT IS THEREFORE ORDERED the stay is lifted to allow the Friedlander Family Trust to take possession and enforce its contractual remedies with respect to the premises described in those two commercial leases identified as the Standard Industrial/Commercial Single-Tenant Lease – Net

¹ The Debtors’ in these chapter 7 cases are as follows: Tricolor Holdings, LLC, TAG Intermediate Holding Company, LLC, Tricolor Auto Group, LLC, Tricolor Auto Acceptance, LLC, Tricolor Insurance Agency, LLC, Tricolor Home Loans LLC dba Tricolor Mortgage, Tricolor Real Estate Services, LLC, TAG California Holding Company, LLC, Flexi Compras Autos, LLC, TAG California Intermediate Holding Company LLC, Tricolor California Auto Group, LLC, Tricolor California Auto Acceptance, LLC, Risk Analytics LLC, Tricolor Tax, LLC, Tricolor Financial, LLC, Tricolor Auto Receivables LLC, Tricolor Asset Funding, LLC, and Apoyo Financial, LLC.

dated August 18, 2020 concerning the premises known as 13750 Beach Boulevard, Westminster, CA 92683 and Standard Industrial/Commercial Single-Tenant Lease - Net dated August 28, 2020 concerning the premises known as 8024 21st Street, Westminster, CA 92683.

IT IS FURTHER ORDERED that the stay is further lifted with respect to any personal property not removed from the Premises within thirty (30) days of the date of the entry of this order.

IT IS FURTHER ORDERED that this order is immediately effective and not stayed by Bankruptcy Rule 6004.

Prepared by:

By: /s/Mark J. Petrocchi
Mark J. Petrocchi
State Bar No. 15851750
GRIFFITH, JAY & MICHEL, LLP
2200 Forest Park Blvd.
Fort Worth, TX 76110
Phone (817) 926-2500
Fax (817) 926-2505
mpetrocchi@lawgjm.com
ATTORNEYS FOR FRIEDLANDER FAMILY TRUST