

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re: ) Chapter 11  
)  
THE KRYSTAL COMPANY, *et al.*,<sup>1</sup> ) Case No. 20-61065 (PWB)  
)  
)  
Debtors. ) (Jointly Administered)  
\_\_\_\_\_ )

**NOTICE OF ASSUMPTION OF  
EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

**PLEASE TAKE NOTICE** that on June 2, 2020, the Court entered the *Amended Order Establishing Procedures for the Assumption or Rejection of Certain Executory Contracts and Unexpired Leases* (the “Procedures Order”) [Docket No. 535].<sup>2</sup>

**PLEASE TAKE FURTHER NOTICE** that pursuant to the terms of the Procedures Order, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) hereby provide notice of the assumption by the Debtors and assignment to the Purchaser of the Assigned Contracts (each as may be amended by agreement of the parties thereto) listed on Schedule 1 attached hereto. Pursuant to the terms of the Procedures Order, the Assigned Contracts are deemed assumed and assigned effective as of the date of this Notice.

*[Remainder of Page Intentionally Blank]*

<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: The Krystal Company (4140); Krystal Holdings, Inc. (5381); and K-Square Acquisition Co., LLC (8916). The location of the Debtors’ corporate headquarters and service address is: 1455 Lincoln Parkway, Suite 600, Dunwoody, Georgia 30346.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Procedures Order.



Date: June 16, 2020  
Atlanta, Georgia

Respectfully submitted,

KING & SPALDING LLP

/s/ Sarah R. Borders

Sarah R. Borders

Georgia Bar No. 610649

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*Counsel for the Debtors in Possession*

**Schedule 1**

**Assigned Contracts**

Counterparty	Address1	Address2	City	State	Zip	Description	Category	Accept/Reject	Notes / Next Steps
200 SOUTH GERMANTOWN, LLC	C/O MARTIN A. GRUSIN	6840 BRIARMEADOWS DRIVE	MEMPHIS	TN	38120	Lease Agreement - Store MFS025	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
AIRPORT PROPERTIES, LLC	C/O CARWIE PROPERTIES	4175 GOVERNMENT BOULEVARD	MOBILE	AL	36693	Lease Agreement - Store MBL005	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
BATKA, LLC	ATTN: ROBERT LATIMER	734 MCCONNELL RUN CROSSING	GRAYSON	GA	30017	Lease Agreement - Store ATL059/ATLF34	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
BRIGHAM LIMITED	ATTN: WILLIAM BRIGHAM	160 BRECKENRIDGE DRIVE	NORTH AUGUSTA	SC	29841	Lease Agreement - Store AUG006	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
CALVIN WALKER TRUST	ATTN: KRISTOPHER LAMONT	1647 FREDERICK MICHAEL WAY	LIVERMORE	CA	94550	Lease Agreement - Store JAX009	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
DUGGIN FAMILY LIMITED PARTNERSHIP	ATTN: THOMAS H. DUGGIN	1030 SMITHVILLE HIGHWAY, SUITE 14	MCMINNVILLE	TN	37110	Lease Agreement - Store MCM001	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
EMMA LEE HAMILTON	ATTN: EMMA LEE HAMILTON	30 CHURCH ROAD	VILLA RICA	GA	30180	Lease Agreement - Store MAR015	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
FCPT HOLDINGS, LLC	ATTN: JAMES L. BRAT, ESQ.	591 REDWOOD HIGHWAY, SUITE 1150	MILL VALLEY	CA	94941	Lease Agreement - Store BIR009	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
FCPT HOLDINGS, LLC	ATTN: JAMES L. BRAT, ESQ.	591 REDWOOD HIGHWAY, SUITE 1150	MILL VALLEY	CA	94941	Lease Agreement - Store KNX015	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
FCPT HOLDINGS, LLC	ATTN: JAMES L. BRAT, ESQ.	591 REDWOOD HIGHWAY, SUITE 1150	MILL VALLEY	CA	94941	Lease Agreement - Store MNT011	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
GATE PETROLEUM COMPANY	ATTN: BECKY HAMILTON	9540 SAN JOSE BLVD	JACKSONVILLE	FL	32257	Lease Agreement - Store JAX024	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
GATE PETROLEUM COMPANY	ATTN: BECKY HAMILTON	9540 SAN JOSE BLVD	JACKSONVILLE	FL	32257	Lease Agreement - Store JAX025	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
GUARANTY LOAN & REAL ESTATE CO.	ATTN: BUTCH CORDELL	310 MID-CONTINENT PLAZA #200	WEST MEMPHIS	AR	72301	Lease Agreement - Store MFS019	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
HARDY REALTY AND DEVELOPMENT CO	ATTN: JIMMY KELLY	P.O. BOX 51	ROME	GA	30162	Lease Agreement - Store RME003	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
LADAS LAND AND DEVELOPMENT, INC.	ATTN: STEVE LADAS	426 SOUTH CRAFT HWY	CHICKASAW	AL	36611	Lease Agreement - Store MBL009	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
LEHIGH GAS WHOLESALE SERVICES, INC.	ATTN: JOSEPH V. TOPPER JR.	702 HAMILTON STREET, SUITE 203	ALLENTOWN	PA	18101	Lease Agreement - Store KNX017	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
NOLENVILLE OLD HICKORY, LLC	ATTN: MIKE OUTLAW	18331 PINES BLVD, SUITE 319	PEMBROKE PINES	FL	33029	Lease Agreement - Store NSH014	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
ROBERT LAING	ATTN: ROB LAING	800 N. BARBARA ST	CASPER	WY	82601	Lease Agreement - Store NSH020	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
TONY NGUYEN FAMILY TRUST	ATTN: TONY NGUYEN	11808 ROWLES CT.	LOS ANGELES	CA	90066	Lease Agreement - Store COL001	Real Estate - Lease	ASSUME, AS AMENDED	Executed Amendment (Final Accept)
VISION REAL ESTATE, LLC	ATTN: MICHAEL TAYLOR	523 3RD AVENUE SOUTH	NASHVILLE	TN	37210	Lease Agreement - Store CBT001	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
WILL HILL NEWTON JR	ATTN: WILL NEWTON	P.O. BOX 12445	ATLANTA	GA	30355	Lease Agreement - Store GRF001	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)
WILLARD SCARBRO FAMILY, L.P.	ATTN: WILLARD SCARBRO	120 COUNTRY WALK DR	POWELL	TN	37879	Lease Agreement - Store KNX016	Real Estate - Lease	ASSUME	As-Is/Executed Assumption (Final Accept)