

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 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 30, 2020  
Atlanta, Georgia

Respectfully submitted,

KING & SPALDING LLP

/s/ Sarah R. Borders

Sarah R. Borders

Georgia Bar No. 610649

Jeffrey R. Dutson

Georgia Bar No. 637106

Leia Clement Shermohammed

Georgia Bar No. 972711

**KING & SPALDING LLP**

1180 Peachtree Street NE

Atlanta, Georgia 30309

Telephone: (404) 572-4600

Email: sborders@kslaw.com

Email: jdutson@kslaw.com

Email: lshermohammed@kslaw.com

*Counsel for the Debtors in Possession*

**Schedule 1**

**Assigned Contracts**

Counterparty	Address1	Address2	City	State Province	Zip	Description	Category	Accept/Reject
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store ATL026	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store ATL028	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store ATL037	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store ATL052	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store ATL057	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store CDR001	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store DL7002	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store MAC007	Real Estate - Lease	NEW ACCEPT
STORE CAPITAL	ATTN: ASSET MANAGEMENT	8377 E. HARTFORD DRIVE, SUITE 100	SCOTTSDALE	AZ	85255	Lease Agreement - Store SAV002	Real Estate - Lease	NEW ACCEPT
THE KLUMP FAMILY FOUNDATION, INC.	SCHOLARSHIP AMERICA		SAINT PETER	MN	56082	Gift Agreement by and Between The Klump Family Foundation, Inc. and Scholarship America, Inc. Regarding The Krystal Company Square Up Scholarship Program	GAA	NEW ACCEPT
CENTURY HEALTHCARE	ATTN: BILLY COX	8300 FALLWATER TRAIL, SUITE 120	THE COLONY	TX	75056	Letter re: Renewal Confirmation	HR / Healthcare	NEW ACCEPT
talentReef	950 17th	Suite #700	Denver	CO	80202	HR Services Agreement	HR / Healthcare	NEW ACCEPT
LEWIS COMMERCIAL PROPERTIES, LLC	ATTN: J CURTIS LEWIS III	123 W. OGLETHORPE AVE	SAVANNAH	GA	31401	Lease Agreement - Store SAV010	Real Estate - Lease	NEW ACCEPT
PARMENTER REIT FUND V, LLC	1455 LINCOLN PARKWAY, SUITE 550		DUNWOODY	GA	30346	Lease Agreement - Store RSC000	Real Estate - Lease	NEW ACCEPT
PR&D, INC	ATTN: DOUGLAS GROSSMAN	1270 LINCOLN AVENUE STE 400	PASADENA	CA	91103	Lease Agreement - Store SAV007	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store ATH002/ATLF22	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store ATL002	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store AUG001	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store BGK002	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store CHN002	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store DAY002	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store GPM002	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store KNX009	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store MAC003	Real Estate - Lease	NEW ACCEPT
PREFERRED PREMIUM PROPERTIES, LLC	C/O JOSEPH R. BAGBY PROPERTY RESOURCES CORP	125 BRAZILIAN AVE	PALM BEACH	FL	33480	Lease Agreement - Store WRG001	Real Estate - Lease	NEW ACCEPT
SAI SHAKTI, LC	ATTN: TILAK SIRRI	8360 COLONIAL PLACE	DULUTH	GA	30097	Lease Agreement - Store SAV005	Real Estate - Lease	NEW ACCEPT
THE COCA-COLA COMPANY*	Attn: Ryan Carter	One Coca-Cola Plaza	Atlanta	GA	\$30,313.00	Beverage Marketing Agreement and All Related Amendments	Food & Paper	NEW ACCEPT
Ringgold Property**								

\*Note: This contract was previously designated as a rejected contract in error. Buyer is assuming this contract subject to certain amendments (to be documented).

\*\*The real estate owned by The Krystal Company located in Ringgold, Georgia has closed and, as such, is hereby removed from the DRA list