

United States Bankruptcy Court  
Northern District of Alabama

In re:  
Premier Kings, Inc.  
Debtor

Case No. 23-03871-TOM  
Docket #0112 Date Filed: 11/01/2023  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 1126-2  
Date Rcvd: Oct 30, 2023

User: admin  
Form ID: pdf000

Page 1 of 2  
Total Noticed: 14

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 01, 2023:

Recip ID	Recipient Name and Address
db	+ Premier Kings, Inc., 7078 Peachtree Industrial Blvd #800, Peachtree Corners, GA 30071-1068
aty	+ Brooke L. Bean, King & Spalding, 1180 Peachtree Street NE, Ste 1600, Atlanta, GA 30309-3531
aty	+ Glenn Moses, Venable LLP, 100 S.E. 2nd Street, Suite 4400, Miami, FL 33131-2118
aty	+ Jacob Johnson, Alston & Bird LLP, 1201 West Peachtree Street, Atlanta, GA 30309-3424
aty	+ Jeffrey R. Dutson, King & Spalding LLP, 1180 Peachtree Street NE, Ste 1600, Atlanta, GA 30309-7525
aty	+ Peter J. Haley, Nelson Mullins Riley & Scarborough LLP, One Financial Center, Suite 3500, Boston, MA 02111-2641
aty	+ William P. Reily, King & Spalding LLP, 110 N. Wacker Drive, Suite 3800, Chicago, IL 60606-1511
cr	+ Burger King Company LLC, 5707 Blue Lagoon Drive, Miami, FL 33126, UNITED STATES 33126-2015
cr	+ Kemco Facilities Services, LLC, 5750 Bell Circle, Montgomery, AL 36116-4132
op	+ Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite #300, El Segundo, CA 90245-5614
intp	#+ Premier Holdings, LLC, 3300 Eastern Blvd, Montgomery, AL 36116-1408
intp	+ RRG of Jacksonville, LLC, c/o Peter Haley, Nelson Mullins Riley & Scarborough LLP, One Financial Center, Suite 3500, Boston, MA 02111-2641
intp	+ Renasant Bank, 1901 Sixth Ave. N., Suite 1500, Birmingham, AL 35203-4642

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: bnc_notices_southern@alnb.uscourts.gov	Oct 31 2023 00:02:00	Thomas Corbett, BA Birmingham, 1800 5th Avenue North, Birmingham, AL 35203-2111

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 01, 2023

Signature: /s/Gustava Winters



230287123110100000000012

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 30, 2023 at the address(es) listed below:

Name	Email Address
Albert Kass	on behalf of Other Professional Kurtzman Carson Consultants LLC ecfpleadings@kccllc.com
Anthony B Bush	on behalf of Creditor Kemco Facilities Services LLC abush@bushlegalfirm.com, jason@bushlegalfirm.com
Brian R Walding	on behalf of Creditor Burger King Company LLC bwalding@waldinglaw.com dbyrd@waldinglaw.com;bnichols@waldinglaw.com;lbos@waldinglaw.com
Eric T Ray	on behalf of Debtor Premier Kings Inc. etray@hklaw.com, brooke.freeman@hklaw.com
Gary H. Leibowitz	on behalf of Debtor Premier Kings Inc. gleibowitz@coleschotz.com, klabrada@coleschotz.com
Glenn E Glover	on behalf of Other Professional Wells Fargo Bank National Association gglover@babc.com mpalmer@babc.com
Gregory Michael Taube	on behalf of Interested Party RRG of Jacksonville LLC greg.taube@nelsonmullins.com, linnea.hann@nelsonmullins.com;sharon.reid@nelsonmullins.com
Harry Conrad Jones, III	on behalf of Debtor Premier Kings Inc. hjones@coleschotz.com
Hirshel Hall	on behalf of Interested Party McLane Foodservice Inc. hirshel.hall@alston.com
Irving Edward Walker	on behalf of Debtor Premier Kings Inc. iwalker@coleschotz.com
J. Thomas Corbett	jtom_corbett@alnb.uscourts.gov courtmailbir11@alnb.uscourts.gov
James Blake Bailey	on behalf of Other Professional Wells Fargo Bank National Association jbailey@bradley.com kpbarnes@bradley.com;jbailey@ecf.courtdrive.com
Jeremy L Retherford	on behalf of Interested Party Renasant Bank jretherford@balch.com blankford@balch.com
Jesse S Vogtle, Jr	on behalf of Debtor Premier Kings of North Alabama LLC jesse.vogtle@hklaw.com, brooke.freeman@hklaw.com
Jesse S Vogtle, Jr	on behalf of Debtor Premier Kings Inc. jesse.vogtle@hklaw.com, brooke.freeman@hklaw.com
Jesse S Vogtle, Jr	on behalf of Debtor Premier Kings of Georgia Inc. jesse.vogtle@hklaw.com, brooke.freeman@hklaw.com
John Michael Pardoe	on behalf of Debtor Premier Kings Inc. mpardoe@coleschotz.com
Jon A Dudeck	jon_dudeck@alnb.uscourts.gov courtmailbir7@alnb.uscourts.gov
Max A. Moseley	on behalf of Interested Party Premier Holdings LLC mmoseley@kppblaw.com
Morgan L Allred	on behalf of Debtor Premier Kings Inc. morgan.allred@hklaw.com, brooke.freeman@hklaw.com
Paul J. Battista	on behalf of Creditor Burger King Company LLC pjbatista@venable.com cascavone@venable.com;jnunez@venable.com
Rachel L. Webber	rachel_webber@alnb.uscourts.gov dana_gilliam@alnb.uscourts.gov,Robin_G_Smith@alnb.uscourts.gov,courtmailtus@alnb.uscourts.gov

TOTAL: 22

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

In re:

PREMIER KINGS, INC., *et al.*,<sup>1</sup>

Debtors.

(Chapter 11)

Case No. 23-02871-TOM

Joint Administration Requested

**INTERIM ORDER AUTHORIZING PAYMENT OF PREPETITION PAYROLL  
OBLIGATIONS, EMPLOYEE BENEFITS, AND RELATED ITEMS, AND THE  
CONTINUATION OF CERTAIN EMPLOYMENT  
PROGRAMS AND POLICIES IN THE ORDINARY COURSE**

Upon consideration of the motion (the “Motion”)<sup>2</sup> of the Debtors for entry of an order authorizing payment of prepetition payroll obligations, employee benefits and related items, and the continuation of certain employment programs and policies in the ordinary course; and upon consideration of all pleadings related thereto, including the Baker Declaration; and it appearing that the Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding and this Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion is in the best interest of the Debtors, their estates, and their creditors; and after due deliberation and good and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT, ADJUDGED, AND DECREED THAT:**

1. The Motion is granted on an interim basis.

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification numbers, are: Premier Kings, Inc. (3932); Premier Kings of Georgia, Inc. (9797); and Premier Kings of North Alabama, LLC (9282). The Debtors’ address is 7078 Peachtree Industrial Blvd., Suite #800, Peachtree Corners, GA 30071. The Debtors have filed a motion for joint administration with the Court.

<sup>2</sup> All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

2. The final hearing (the “Final Hearing”) on the Motion shall be held on November 13, 2023, at 10:30 AM CT. Any objection or responses to entry of a final order on the Motion shall be filed on or before 4:00 p.m., CST, on November 10, 2023, and shall be served on: (a) the Office of the Bankruptcy Administrator for the Northern District of Alabama; (b) the holders of the forty (40) largest unsecured claims against the Debtors on a consolidated basis; (c) counsel to Burger King; (d) counsel to Wells Fargo Bank, National Association, as Administrative Agent for the Lender Group; (e) the United States Attorney’s Office for the Northern District of Alabama; (f) the Internal Revenue Service; (g) the office of the Attorney General for the State of Alabama; (h) the Securities and Exchange Commission; and (i) any party that has requested notice pursuant to Bankruptcy Rule 2002. In the event no objections to entry of a final order on the Motion are timely received, this Court may enter such final order without need for the Final Hearing.

3. The Debtors are authorized, but not required, in their sole and absolute discretion and in the exercise of their business judgment, to honor and pay in the ordinary course of business existing Prepetition Payroll Obligations, Employee Benefits and related items, subject to (and capped at) the statutory limitations set forth in 11 U.S.C. §§ 507(a)(4) and 507(a)(5).

4. The Debtors hereby are authorized and empowered, but not directed, in their sole and absolute discretion, on a case-by-case basis, to honor their Employees’ PTO, by allowing the Employees to use, in the Debtors’ sole discretion, all or portions of their prepetition PTO on a post-petition basis in the ordinary course; provided, however, that notwithstanding the relief granted in this paragraph, nothing herein shall be deemed or construed to create or impose any administrative expense liability on the Debtors with regard to the prepetition PTO or to authorize the Debtors to compensate their Employees for prepetition PTO in cash unless applicable state law mandates such compensation upon an Employee’s termination.

5. The Debtors are authorized, but not required, to make all normal and customary withholdings and deductions from wages and other compensation paid to the Employees, and to make all matching payments or contributions required under applicable law or otherwise made in the ordinary course of business, for the purpose of paying all applicable taxes and other obligations normally associated with such payments, either directly or through Greenlink or another third-party payroll service provider.

6. The Debtors are authorized, but not required, to pay all prepetition administrative fees and other prepetition premiums and expenses customarily associated with the Health Care Plans, Insurance and Disability Plans, PTO, and the Additional Employee Benefits.

7. The Debtors are authorized, but not required, to pay all prepetition administrative fees customarily associated with the use of a third-party payroll provider.

8. The Debtors are authorized, but not required, to issue new post-petition checks or make new money transfers to replace any prepetition checks or fund transfer requests that may have been dishonored or denied with respect to the employee-related obligation referenced herein or in the Motion.

9. This Order is without prejudice to any rights that the Debtors may otherwise have under applicable law to modify or terminate any programs, policies, or plans referenced herein or in the Motion.

10. Notwithstanding the relief granted herein and any actions taken hereunder, nothing contained herein shall constitute, nor is it intended to constitute, an assumption of any contract under section 365 of the Bankruptcy Code or the waiver by the Debtors of any of their rights pursuant to any agreement by operation of law or otherwise.

11. All applicable banks and other financial institutions are hereby authorized to (i) receive, process, honor, and pay any and all checks and transfer requests evidencing amounts approved under this Order whether presented prior to or after the Petition Date; (ii) reissue checks evidencing amounts approved under this Order where checks may be dishonored post-petition; and (iii) to the extent that a bank may have honored any prepetition payroll checks prior to the Petition Date, such honoring is ratified. Such banks and financial institutions are authorized to rely on the representations of the Debtors as to which checks are issued or authorized to be paid pursuant to this Order to the extent that the Debtors have good funds standing to their credit with such bank or other financial institution and to rely on the representations of the Debtors as to which checks are issued and authorized to be paid in accordance with this Motion without any duty of further inquiry and without liability for following the Debtors' instructions.

12. Notwithstanding anything contained in the Motion or this Interim Order, any payment authorized to be made by the Debtors herein shall be subject to and consistent with the terms and conditions contained in any orders entered by this Court authorizing the use of cash collateral and any order authorizing postpetition financing (collectively, a "Financing Order"), including compliance with any budget or cash flow forecast in connection therewith. To the extent there is any conflict between this Interim Order and a Financing Order, the terms of the Financing Order shall control.

13. The requirements of Bankruptcy Rule 6003(b) have been satisfied.

14. The requirements of Bankruptcy Rule 6004(a) are waived.

15. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

16. The Court shall retain jurisdiction to hear and determine all matter arising from the implementation of this Order.

Dated: October 30, 2023  
Birmingham, Alabama

/s/ Tamara O. Mitchell  
TAMARA O. MICHELL  
UNITED STATES BANKRUPTCY JUDGE