

**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  
 )  
 )  
Debtors. ) (Joint Administration Requested)  
\_\_\_\_\_ )

**AGENDA FOR FIRST DAY HEARING**

Time and Date of Hearing: January 22, 2020 at 10:00 a.m. (Prevailing Eastern Time)

Location of Hearing: Chief Judge Wendy L. Hagenau  
United States Bankruptcy Court  
Northern District of Georgia  
Richard B. Russell Federal Building  
United States Courthouse  
75 Ted Turner Drive, SW  
Courtroom 1403  
Atlanta, Georgia 30303

Copies of Motions: A copy of each pleading can be viewed on the Court's website at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users) and on the website of the Debtors' proposed claims and noticing agent, Kurtzman Carson Consultants LLC, at <http://www.kcellc.net/krystal>. Further information may be obtained by calling Kurtzman Carson Consultants toll free at (888) 249-2792 (U.S./Canada) or (310) 751-2607 (International).

<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.



**I. Introduction**

1. ***First Day Declaration.*** Declaration of Jonathan M. Tibus, the Debtors' Chief Restructuring Officer, in Support of Chapter 11 Petitions and First Day Pleadings. [Docket No. 17]

**II. Matters Requested to be Heard at First Day Hearing**

2. ***Joint Administration Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Directing Joint Administration of Related Chapter 11 Cases and (II) Granting Related Relief. [Docket No. 4]
3. ***Consolidated List of Creditors Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Prepare a Consolidated List of Creditors, File a Consolidated List of the 30 Largest Unsecured Creditors, and Redact Certain Personal Identification Information for Individual Creditors; (II) Approving the Form and Manner of Notifying Creditors of the Commencement of this Chapter 11 Case and Other Information; and (III) Granting Related Relief. [Docket No. 5]
4. ***Schedules Extension Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Extending Time to File Schedules and Statements of Financial Affairs and (II) Granting Related Relief. [Docket No. 6]
5. ***Claims Agent Retention Application.*** Debtors' Emergency Application for Appointment of Kurtzman Carson Consultants LLC as Claims, Noticing, and Solicitation Agent. [Docket No. 7]
6. ***Cash Management Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Continued Use of Prepetition Bank Accounts, Cash Management System, Forms, and Books and Records and (II) Granting Related Relief. [Docket No. 8]
7. ***Taxes and Fees Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Debtors to Pay Certain Prepetition Taxes and Related Obligations and (II) Granting Related Relief. [Docket No. 9]
8. ***Insurance Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Debtors to Continue Prepetition Insurance and Workers' Compensation Programs and to Pay Prepetition Premiums and Related Obligations and (II) Granting Related Relief. [Docket No. 10]
9. ***Customer Programs Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Honor Prepetition Obligations to Customers and Otherwise Continue Customer Programs in the Ordinary Course of Business and (II) Granting Related Relief. [Docket No. 11]

10. **Wages Motion.** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Payment of Prepetition Wages, Payroll Taxes, Certain Employee Benefits, and Related Expenses; (II) Directing Banks to Honor Related Prepetition Transfers; and (III) Granting Related Relief. [Docket No. 12]
11. **Utilities Motion.** Debtors' Emergency Motion Entry of Interim and Final Orders (I) Prohibiting Utilities from Altering, Refusing, or Discontinuing Service on Account of Prepetition Invoices; (II) Deeming Utilities Adequately Assured of Future Performance; (III) Establishing Procedures for Determining Adequate Assurance of Payment; and (IV) Granting Related Relief. [Docket No. 14]
12. **Motion to Approve Vendor Credit Support.** Emergency Motion for Entry of Interim and Final Orders (I) Authorizing and Confirming Vendor Credit Support Arrangement; (II) Granting Superpriority Administrative Expense Claims; and (III) Granting Related Relief. [Docket No. 16]
13. **Cash Collateral Motion.** Emergency Motion for Entry of an Interim and Final Order (1) Authorizing the Debtors to Use Cash Collateral; (2) Granting Adequate Protection to Lenders; (3) Modifying the Automatic Stay; (4) Scheduling a Final Hearing; and (5) Granting Related Relief. [Docket No. 18]

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Date: January 21, 2020  
Atlanta, Georgia

Respectfully submitted,

KING & SPALDING LLP

/s/ Sarah R. Borders

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