

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:) Chapter 11
)
THE KRYSTAL COMPANY, *et al.*,¹) Case No. 20-61065 (PWB)
)
)
Debtors.) (Jointly Administered)
_____)

NOTICE OF HEARING

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. A hearing on the motions set forth below (collectively, the “Motions”) will be held on **February 4, 2020 at 10:00 a.m.** in Courtroom 1401, United States Bankruptcy Court for the Northern District of Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303.

- a. *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]. A hearing was held on this motion on January 22, 2020, and the Court entered an order on January 23, 2020 granting the motion on an interim basis. [Docket No. 48]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 28, 2020**

- b. *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]. A hearing was held on this motion on January 22, 2020, and the Court entered an order that same day granting the motion on an interim basis. [Docket No. 40]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 28, 2020.**

¹ 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.



- c. *Vendor Support Agreement Motion.* 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]. A hearing was held on this motion on January 22, 2020, and the Court entered an order on January 23, 2020 granting the motion on an interim basis. [Docket No. 53]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 31, 2020.**

- d. *Cash Collateral Motion.* Debtors' 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]. A hearing was held on this motion on January 22, 2020, and the Court entered an order that same day granting the motion on an interim basis. [Docket No. 39]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 31, 2020.**

- e. *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]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on February 3, 2020.**

- f. *PACA Motion.* Debtors' Motion for Entry of an Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims Arising Under the Perishable Agricultural Commodities Act and (II) Granting Related Relief [Docket No. 21]. **Any party objecting to the requests for relief sought in this motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on January 31, 2020.**

2. **If you file a written response to any of the Motions, you must attach a certificate stating when, how and on whom (including addresses) you served the response. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.**

[Remainder of page intentionally left blank]

Date: January 23, 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

*Proposed Counsel for the Debtors in
Possession*