

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

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| <p>In re:</p> <p>AFH AIR PROS, LLC, <i>et al.</i>,¹</p> <p style="text-align: center;">Debtors.</p> | <p>Chapter 11</p> <p>Case No. 25-10356 (PMB)</p> <p>(Jointly Administered)</p> |
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**EMERGENCY MOTION OF THE DEBTORS FOR ENTRY OF AN ORDER
EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES AND
STATEMENTS OF FINANCIAL AFFAIRS**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”), submit this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), pursuant to sections 105 and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”), Rule 1007(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rules 9006-2, 9013-1, and 9013-2 of the Local Rules of the United States Bankruptcy Court for the Northern District of Georgia (the “Local Rules”), extending the time by which the Debtors must file their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and statements of financial affairs (the “Schedules and Statements”), through and including April 14, 2025, for a total of 29 days from the Petition Date, without prejudice to the Debtors’ ability to request additional extensions. In support of the relief requested in this Motion, the Debtors rely upon and incorporate by reference the *Declaration of Andrew D.J. Hede in Support of Chapter 11 Petitions and First Day Pleadings*

¹ The last four digits of AFH Air Pros, LLC’s tax identification number are 1228. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the proposed claims and noticing agent at <https://www.veritaglobal.net/AirPros>. The mailing address for the debtor entities for purposes of these chapter 11 cases is: 150 S. Pine Island Road, Plantation, Florida 33020.



(“First Day Declaration”) filed contemporaneously herewith. In further support of this Motion, the Debtors respectfully state as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the Northern District of Georgia (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper in the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory and legal predicates for the relief requested herein are sections 105 and 521 of the Bankruptcy Code, Bankruptcy Rule 1007(c), Local Rules 9006-2, 9013-1, and 9013-2, and the *Second Amended and Restated General Order 26-2019, Procedures for Complex Chapter 11 Cases*, dated February 6, 2023 (the “Complex Case Procedures”).

BACKGROUND

3. On March 16, 2025 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code with this Court.

4. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

5. No official committee has been appointed in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), and no request has been made for the appointment of a trustee or an examiner.

6. Additional information regarding the Debtors’ businesses, capital structure, and the circumstances leading to the filing of these Chapter 11 Cases is set forth in the First Day Declaration.

RELIEF REQUESTED

7. The Debtors request entry of the Proposed Order extending the time by which the Debtors must file their Schedules and Statements through and including April 14, 2025.

BASIS FOR RELIEF

8. Bankruptcy Rule 1007(c) provides that, in a voluntary case, the schedules, statements, and other documents required by Bankruptcy Rule 1007(c) shall be filed with the voluntary petition or within 14 days thereafter. Fed. R. Bankr. P. 1007(c). However, Bankruptcy Rule 1007(c) permits extensions of the deadline for filing Schedules and Statements for cause. *Id.* The Debtors submit that in view of the amount and type of information that must be assembled and compiled, ample cause exists for the requested extension.

9. Cause exists to extend the deadline for the Debtors to file their Schedules and Statements under the facts and circumstances of these Chapter 11 Cases, including the size and complexity of the Debtors' business, the number of creditors, the number of Debtors, and the burdens that the early stages of these Chapter 11 Cases have imposed on the Debtors and their professionals. The Debtors do not believe that there is sufficient time to finalize the Schedules and Statements under the current deadline. The Debtors, together with their advisors, have been working diligently to compile the information necessary for the Schedules and Statements. The magnitude of that task, when taken together with the considerable demands resulting from the Debtors' transition into chapter 11, supports the requested extension of the Debtors' deadline to file their Schedules and Statements.

10. The relief requested in this Motion will not prejudice or adversely affect the rights of the Debtors' creditors or other parties in interest. No bar date for the filing of proofs of claim has been set, nor have the Debtors yet filed a motion seeking such relief. The extension requested in this Motion will aid the Debtors' efforts to ensure the accuracy and completeness of the

Schedules and Statements, which in turn will promote efficient administration of these Chapter 11 Cases to the benefit of all creditors and parties in interest.

11. Courts in this District have routinely granted relief similar to the relief requested herein. *See, e.g., In re OTB Holding LLC*, Case No. 25-52415 (SMS) (Bankr. N.D. Ga. Mar. 7, 2025) [Docket No. 47]; *In re LaVie Care Centers, LLC*, Case No. 24-55507 (PMB) (Bankr N.D. Ga. June 5, 2024) [Docket No. 41]; *In re Envistacom, LLC*, Case No. 23-52696 (JWC) (Bankr. N.D. Ga. May 19, 2023) [Docket No. 66]; *In re The Krystal Co.*, Case No. 20-61065 (PWB) (Bankr. N.D. Ga. Jan. 22, 2020) [Docket No. 35]; *In re Capital Restaurant Grp., LLC*, Case No. 19-65910 (WLH) (Bankr. N.D. Ga. Oct. 18, 2019) [Docket No. 50]; *In re Jack Cooper Ventures, Inc.*, Case No. 19-62393 (PWB) (Bankr. N.D. Ga. Aug. 8, 2019) [Docket No. 59].

NOTICE

12. Notice of this Motion has been given to the following parties or, in lieu thereof, to their counsel, if known: (a) the Office of the United States Trustee for the Northern District of Georgia; (b) the Debtors' prepetition and postpetition lenders and collateral agent; (c) creditors holding the 30 largest unsecured claims against the Debtors; (d) the United States Attorney for the Northern District of Georgia; (e) the Georgia Department of Revenue; (f) the Internal Revenue Service; (g) the Securities & Exchange Commission; (h) the Georgia Secretary of State; (i) the states attorneys general for states in which the Debtors conduct business; and (j) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

NO PRIOR REQUEST

13. No prior request for the relief sought in this Motion has been made to this or any other court.

CONCLUSION

WHEREFORE, the Debtors respectfully request that this Court enter the Proposed Order granting the relief requested herein and such other and further relief as is just and proper.

Dated: March 16, 2025

Respectfully submitted,

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

David B. Kurzweil (Ga. Bar No. 430492)

Matthew A. Petrie (Ga. Bar No. 227556)

Terminus 200

3333 Piedmont Road, NE, Suite 2500

Atlanta, Georgia 30305

Telephone: (678) 553-2100

Email: kurzweild@gtlaw.com

petriem@gtlaw.com

*Proposed Counsel for the Debtors and
Debtors in Possession*

Exhibit A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

In re:

AFH AIR PROS, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 25-10356 (PMB)

(Jointly Administered)

Re: Docket No. __

**ORDER EXTENDING TIME TO FILE SCHEDULES OF ASSETS AND LIABILITIES
AND STATEMENTS OF FINANCIAL AFFAIRS**

Upon the *Emergency Motion of the Debtors for Entry of an Order Extending the Time to File Schedules of Assets and Liabilities and Statements of Financial Affairs* (the “Motion”);² and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having jurisdiction

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² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

to enter a final order consistent with Article III of the United States Constitution; and venue of these Chapter 11 Cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that due and adequate notice of the Motion has been given under the circumstances; and this Court having held a hearing (the “Hearing”) to consider the relief requested in the Motion; and upon the First Day Declaration and the record of the Hearing, this Court having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED to the extent provided herein.
2. The time by which the Debtors must file the Schedules and Statements is extended through and including April 14, 2025.
3. The relief granted herein is without prejudice to the Debtors’ right to seek further extensions of the time within which to file the Schedules and Statements.
4. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.
5. Notwithstanding any applicable Bankruptcy Rule, this Order shall be effective and enforceable immediately upon entry hereof.
6. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Order.

END OF DOCUMENT

Prepared and presented by:

GREENBERG TRAUIG, LLP

/s/ David B. Kurzweil

David B. Kurzweil (Ga. Bar No. 430492)

Matthew A. Petrie (Ga. Bar No. 227556)

Terminus 200

3333 Piedmont Road, NE, Suite 2500

Atlanta, Georgia 30305

Telephone: (678) 553-2100

Email: kurzweild@gtlaw.com

petriem@gtlaw.com

*Proposed Counsel for the Debtors and
Debtors in Possession*