



IT IS ORDERED as set forth below:

Date: March 7, 2025

Sage M. Sigler  
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re: ) Chapter 11  
)  
OTB HOLDING LLC, *et al.*,<sup>1</sup> ) Case No. 25-52415 (SMS)  
)  
)  
Debtors. ) (Jointly Administered)  
)

**ORDER (I) AUTHORIZING THE DEBTORS TO CONTINUE PREPETITION  
INSURANCE AND WORKERS' COMPENSATION POLICIES AND TO PAY  
PREPETITION PREMIUMS AND RELATED OBLIGATIONS AND  
(II) GRANTING RELATED RELIEF**

This matter is before the Court on the *Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Continue Prepetition Insurance and Workers' Compensation Policies and to Pay Prepetition Premiums and Related Obligations and (II) Granting Related Relief* (the "Motion") [Docket No. 8] of the above-captioned debtors and debtors in possession

<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: OTB Holding LLC (3213), OTB Acquisition LLC (8500), OTB Acquisition of New Jersey LLC (1506), OTB Acquisition of Howard County LLC (9865), Mt. Laurel Restaurant Operations LLC (5100), OTB Acquisition of Kansas LLC (9014), OTB Acquisition of Baltimore County, LLC (6963). OTB Holding LLC's service address is One Buckhead Plaza, 3060 Peachtree Road, NW, Atlanta, GA 30305.



(collectively, the “Debtors”). All capitalized terms used but not defined herein shall have the meanings given them in the Motion.

The Court has considered the Motion, the First Day Declaration, and the matters reflected in the record of the hearing held on the Motion on March 6, 2025. It appears that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §1408; and it appearing that the relief requested is in the best interests of the Debtors’ estates, their creditors, and other parties in interest, and that good cause has been shown therefor; IT IS HEREBY ORDERED:

1. The Motion is granted to the extent set forth herein.
2. The Debtors are authorized, but not directed, to maintain the Insurance Policies identified on **Exhibit A** to the Motion in the ordinary course of business, and to pay, in the ordinary course of business any prepetition or postpetition Insurance Obligations related to the Insurance Policies as they become due, including Brokerage Fees, insurance deductibles, and any other amounts related thereto.
3. The Debtors are authorized, but not directed, to maintain the Surety Bonds identified on **Exhibit B** to the Motion, and to pay, in the ordinary course of business as such obligations become due, all Surety Obligations (including amounts owed to the Surety) arising under or relating to the Surety Bond Program, and any other amounts related thereto.
4. The Debtors are authorized, but not directed, to renew, amend, supplement, extend, modify, rollover, replace, or obtain new Surety Bonds, and to take all appropriate actions in

connection therewith, in the ordinary course of business to the extent that the Debtors determine that such action is in the best interest of their estates.

5. The Debtors are authorized, but not directed, to renew, amend, supplement, extend, modify, rollover, replace, or obtain new Insurance Policies, and to take all appropriate actions in connection therewith, in the ordinary course of business to the extent that the Debtors determine that such action is in the best interest of their estates.

6. The Debtors are further authorized, but not directed, to maintain their Insurance Policies and Surety Bond Program in accordance with practices and procedures that were in effect before the commencement of these chapter 11 cases, including, without limitation renew, modify, supplement or acquire additional bonding capacity as needed in the ordinary course of business, request releases from obsolete bonding obligations, and execute other agreements in connection with the Surety Bond Program.

7. The Debtors are authorized, but not directed, to honor the current Letters of Credit and renew, replace, modify, extend, or add to the Letters of Credit as needed postpetition, including through the issuance of new letters of credit or the posting of cash collateral.

8. Pursuant to Bankruptcy Code section 362(d), Employees are authorized to proceed with their claims under the Workers' Compensation Programs in the appropriate judicial or administrative forum, and the Debtors are authorized, but not directed, to (i) continue the Workers' Compensation Programs, (ii) pay all prepetition Workers' Compensation Claims and State Workers' Compensation Payments and (iii) continue to fund the Loss Fund Accounts in the ordinary course of business. This modification of the automatic stay pertains solely to claims under the Workers' Compensation Programs.

9. The Debtors are authorized to honor their obligations under the Premium Financing Agreement without interruption and in accordance with the same practices and procedures as were in effect prior to the commencement of the Debtors' chapter 11 cases to the extent that the Debtors determine such action is in the best interest of their estates.

10. The Debtors are authorized to enter into new premium financing agreements in the ordinary course of business and in accordance with the same practices and procedures as were in effect prior to the commencement of the Debtors' chapter 11 cases to the extent that the Debtors determine such action is in the best interest of their estates.

11. The Debtors are authorized, but not required, to pay all amounts necessary to maintain the Insurance Policies.

12. Subject to the availability of funds, the Debtors' banks and financial institutions (collectively, the "Banks") are authorized to process, honor, and pay any and all checks or electronic transfers issued in connection with the Insurance Policies.

13. Banks that process, honor, and pay any and all checks or electronic transfers on account of the Insurance Policies may rely on the representations of the Debtors as to which checks or electronic transfers are issued and authorized to be paid in accordance with this Order without any duty of further inquiry and without liability for following the Debtors' instructions.

14. Payments made pursuant to the authority granted in this Order shall not be deemed to constitute the postpetition assumption of any executory contract pursuant to Bankruptcy Code section 365.

15. Nothing in this Order shall affect the Debtors' rights to contest the amount or validity of any amounts under any of the Insurance Policies or Surety Bond Program.

16. Notwithstanding the relief granted herein or any actions taken pursuant to such relief, nothing contained in the Motion or this Order or any payment made pursuant to this Order shall constitute, nor is it intended to constitute: (a) an admission as to the validity or priority of any claim or lien (or the priority thereof) against the Debtors; (b) a waiver of the Debtors' or any party in interest's rights to subsequently dispute and/or contest such claim or lien on any grounds; (c) a promise or requirement to pay any claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Order or the Motion; (e) a request or authorization to assume or adopt any agreement, contract or lease under section 365 of the Bankruptcy Code; (f) creation of rights in favor of, or enhancement of the status of any claim held by, any of the Debtors' insurance providers or any third party; or (g) a waiver of the Debtors' or any other party in interest's rights under the Bankruptcy Code or applicable law.

17. Notwithstanding anything to the contrary contained herein, (i) any payment made or to be made, or authorization contained, hereunder shall be subject to the requirements imposed on the Debtors under any approved postpetition financing facility or any order regarding the use of cash collateral approved by the Court in these chapter 11 cases, including, without limitation, the *Interim Order (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Granting (A) Liens and Superpriority Administrative Expense Claims and (B) Adequate Protection; (III) Authorizing Use of Cash Collateral; (IV) Modifying the Automatic Stay; (V) Scheduling a Final Hearing; and Granting Related Relief* (the "DIP Order"), and (ii) to the extent there is any inconsistency between the terms of the DIP Order and any action taken or proposed to be taken hereunder, the DIP Order and the Budget (as defined in the DIP Order) shall control. For the

avoidance of doubt, the Debtors are not authorized to make payments pursuant to this Order except as permitted by the Budget.

18. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective immediately upon its entry.

19. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a), the Bankruptcy Local Rules for the Northern District of Georgia and the Complex Case Procedures are satisfied by such notice.

20. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

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

22. Proposed counsel for the Debtors, through Kurtzman Carson Consultants, LLC d/b/a Verita Global (“Verita”) shall, within three (3) days of the entry of this Order, cause a copy of this Order to be served by electronic mail or first class mail, as applicable, on all parties served with the Motion, and Verita shall file promptly thereafter a certificate of service confirming such service.

[END OF ORDER]

Prepared and presented by:

/s/ Jeffrey R. Dutson

Jeffrey R. Dutson

Georgia Bar No. 637106

Brooke L. Bean

Georgia Bar No. 764552

Alice Kyung Won Song

Georgia Bar No. 692753

**KING & SPALDING LLP**

1180 Peachtree Street NE

Atlanta, Georgia 30309

Telephone: (404) 572-4600

Email: [jdutson@kslaw.com](mailto:jdutson@kslaw.com)

Email: [bbean@kslaw.com](mailto:bbean@kslaw.com)

Email: [asong@kslaw.com](mailto:asong@kslaw.com)

*Proposed Counsel for the Debtors in Possession*

United States Bankruptcy Court  
Northern District of Georgia

In re:  
OTB Holding LLC  
OTB Acquisition LLC  
Debtors

Case No. 25-52415-sms  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 113E-9  
Date Rcvd: Mar 07, 2025

User: bncadmin  
Form ID: pdf453

Page 1 of 3  
Total Noticed: 1

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.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 09, 2025:**

Recip ID	Recipient Name and Address
db	+ OTB Holding LLC, 3060 Peachtree Road, NW, Atlanta, GA 30305-2234

TOTAL: 1

**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).

NONE

## 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: Mar 09, 2025

Signature:           /s/Gustava Winters          

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 7, 2025 at the address(es) listed below:

Name	Email Address
Alan Hinderleider	on behalf of U.S. Trustee United States Trustee Alan.Hinderleider@usdoj.gov
Brooke Bean	on behalf of JointAdmin Debtor OTB Acquisition of New Jersey LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com
Brooke Bean	on behalf of JointAdmin Debtor Mt. Laurel Restaurant Operations LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com
Brooke Bean	on behalf of Debtor OTB Acquisition of Baltimore County LLC bbean@kslaw.com, brooke-bean-2300@ecf.pacerpro.com
Brooke Bean	on behalf of JointAdmin Debtor OTB Acquisition LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com
Brooke Bean	

District/off: 113E-9  
Date Rcvd: Mar 07, 2025

User: bncadmin  
Form ID: pdf453

Page 2 of 3  
Total Noticed: 1

on behalf of JointAdmin Debtor OTB Acquisition of Baltimore County LLC bbean@kslaw.com,  
brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor OTB Holding LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor OTB Acquisition of Howard County LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of JointAdmin Debtor OTB Acquisition of Howard County LLC bbean@kslaw.com  
brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of JointAdmin Debtor OTB Acquisition of Kansas LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor Mt. Laurel Restaurant Operations LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor OTB Acquisition of Kansas LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor OTB Acquisition LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

Brooke Bean

on behalf of Debtor OTB Acquisition of New Jersey LLC bbean@kslaw.com brooke-bean-2300@ecf.pacerpro.com

David S. Weidenbaum

on behalf of U.S. Trustee United States Trustee david.s.weidenbaum@usdoj.gov

Eric M. English

on behalf of Creditor OTB Lender LLC eenglish@porterhedges.com

Harris Winsberg

on behalf of Creditor OTB Lender LLC hwinsberg@phrd.com

Jeff Dutson

on behalf of JointAdmin Debtor OTB Acquisition of Kansas LLC jdutson@kslaw.com

Jeff Dutson

on behalf of JointAdmin Debtor OTB Acquisition of Baltimore County LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Acquisition of Howard County LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Acquisition of New Jersey LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Acquisition of Kansas LLC jdutson@kslaw.com

Jeff Dutson

on behalf of JointAdmin Debtor OTB Acquisition of New Jersey LLC jdutson@kslaw.com

Jeff Dutson

on behalf of JointAdmin Debtor Mt. Laurel Restaurant Operations LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor Mt. Laurel Restaurant Operations LLC jdutson@kslaw.com

Jeff Dutson

on behalf of JointAdmin Debtor OTB Acquisition LLC jdutson@kslaw.com

Jeff Dutson

on behalf of JointAdmin Debtor OTB Acquisition of Howard County LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Holding LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Acquisition LLC jdutson@kslaw.com

Jeff Dutson

on behalf of Debtor OTB Acquisition of Baltimore County LLC jdutson@kslaw.com

John Kendrick Turner

on behalf of Creditor Gregg County john.turner@lgbs.com

John Kendrick Turner

on behalf of Creditor City of Allen john.turner@lgbs.com

John Kendrick Turner

District/off: 113E-9  
Date Rcvd: Mar 07, 2025

User: bncadmin  
Form ID: pdf453

Page 3 of 3  
Total Noticed: 1

on behalf of Creditor Tarrant County john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor City of Roanoke john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor City of Richardson john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor Lewisville ISD john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor Smith County john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor Northwest ISD john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor Dallas County john.turner@lgbs.com

John Kendrick Turner  
on behalf of Creditor Allen ISD john.turner@lgbs.com

Joshua W. Wolfshohl  
on behalf of Creditor OTB Lender LLC jwolfshohl@porterhedges.com

Kristen N. Pate  
on behalf of Creditor Brookfield Properties Retail Inc. bk@bpretail.com kristen.pate@brookfieldpropertiesretail.com

Lisa Wolgast  
on behalf of Creditor CrossFirst Bank lisa.wolgast@btlaw.com  
talía.wagner@btlaw.com,marisa.howell@btlaw.com,LOFarrell@btlaw.com

M Shane Johnson  
on behalf of Creditor OTB Lender LLC sjohnson@porterhedges.com

Ronald M. Tucker  
on behalf of Creditor Simon Property Group Inc. rtucker@simon.com, bankruptcy@simon.com

Ryan Samuel Robinson  
on behalf of Creditor Brookfield Properties Retail Inc. rrobinson@evict.net, ryan.s.robinson.esq@gmail.com

Ryan Samuel Robinson  
on behalf of Creditor Realty Income Corporation rrobinson@evict.net ryan.s.robinson.esq@gmail.com

Ryan Samuel Robinson  
on behalf of Creditor Site Centers Corp rrobinson@evict.net ryan.s.robinson.esq@gmail.com

Ryan Samuel Robinson  
on behalf of Creditor Orange Plaza LLC rrobinson@evict.net ryan.s.robinson.esq@gmail.com

Ryan Samuel Robinson  
on behalf of Creditor Kite Realty Group rrobinson@evict.net ryan.s.robinson.esq@gmail.com

Sameer Kapoor  
on behalf of Creditor OTB Lender LLC skapoor@phrd.com, elytle@phrd.com

Talia B. Wagner  
on behalf of Creditor CrossFirst Bank talía.wagner@btlaw.com

TOTAL: 52