



IT IS ORDERED as set forth below:

Date: August 21, 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, <i>et al.</i> , ¹)	
)	Case No. 25-52415 (SMS)
Debtors.)	(Jointly Administered)
)	
)	Contested Matter
)	
LIBERTY FRUIT COMPANY, INC.)	
)	
Movant.)	
)	

**AGREED ORDER RESOLVING
PACA CREDITOR LIBERTY FRUIT, INC.'S MOTION FOR ORDER
COMPELLING PAYMENT OF PREPETITION PACA TRUST CLAIM, RELIEF FROM
STAY, ABANDONMENT, TURNOVER AND SUPPORTING MEMORANDUM OF LAW**

¹ 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.



This matter is before the Court on the *PACA Creditor Liberty Fruit, Inc. 's Motion for Order Compelling Payment of Prepetition PACA Trust Claim, Relief from Stay, Abandonment, Turnover and Supporting Memorandum of Law* [Docket No. 543] (the “Motion”) and Proof of Claim No. 532 (the “Proof of Claim”) filed by Liberty Fruit Company, Inc. (“Liberty Fruit”). The Motion seeks to compel Debtor OTB Acquisition LLC, one of the above captioned debtors and debtors in position (collectively, the “Debtors”), to make immediate payment to Liberty Fruit in an amount sufficient to satisfy its claim as set forth in the Proof of Claim and Motion (the “PACA Claim”) in accordance with the Perishable Agricultural Commodities Act, 7 U.S.C. § 499a et seq. (“PACA”).

The Court has jurisdiction over these matters pursuant to 28 U.S.C. §§ 157 and 1334 and the *Second Amended and Restated General Order 26-2019, Procedures for Complex Chapter 11 Cases*, dated February 6, 2023 (the “Complex Case Procedures”). This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

The Debtors and Liberty Fruit (by and through their undersigned counsel) represent to the Court that the Debtors and Liberty Fruit consent to the entry of the relief sought herein.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED solely to the extent set forth herein.
2. On or before the date that is three (3) business days following entry of this Order, the Debtors shall make a payment in the amount of \$182,686.25 to Liberty Fruit in accordance with wire instructions provided by Liberty Fruit (the “PACA Claim Payment”). The PACA Claim Payment shall satisfy in full (i) the PACA Claim, including without limitation, the Proof of Claim, and (ii) any and all claims, disputes, causes of action, suits, debts, liens, obligations, liabilities,

demands, losses, costs, and expenses (including attorneys' fees) of any kind, character, or nature whatsoever, known or unknown, disputed, fixed, or contingent, which Liberty Fruit has, may have or claims to have against the Debtors. Liberty Fruit may not seek any further recovery from the Debtors, their estates, or any successors thereto, including, but not limited to, taking any collection action or asserting any additional claims against any Debtor.

3. Notwithstanding the foregoing, (a) nothing herein constitutes a finding or adjudication as to any liability, causation, damages, or coverage, nor as to the validity, priority, amount, characterization, or allowability of any claim of Liberty Fruit against the Debtors, their estates or their successors and (b) any judgment, verdict, or ruling rendered in a forum other than this Court shall not control the allowance or disallowance of any claim against the Debtors or their estates, the jurisdiction of which shall be exclusively retained by the Court. By entry of this Order, the Debtors do not admit liability or the existence of any claim and expressly reserves all rights, claims, and defenses, including the right to object to any other claims filed by Liberty Fruit.

4. Notwithstanding Fed. R. Bankr. P. 4001(a)(3) or anything else to the contrary, this Order is enforceable immediately upon entry.

5. The Court retains jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this Order.

6. 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 Liberty Fruit and other appropriate parties.

7. This Order shall be a final Order approving the Motion as set forth herein.

[END OF ORDER]

AGREED TO BY AND REQUEST ENTRY OF:

/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

Email: bbean@kslaw.com

Email: asong@kslaw.com

Counsel for the Debtors in Possession

/s/ Katy Koestner Esquivel

Katy Koestner Esquivel

(admitted *pro hac vice*; Florida Bar No. 0159484)

ESQUIVEL LAW, CHARTERED

Moorings Professional Building

2335 Tamiami Trail North, Suite 301

Naples, FL 34103-4457

Telephone: (239)206-3731

Email: kke@esquivel-law.com

Email: service@esquivel-law.com

Counsel for Liberty Fruit Company, Inc.