

United States Bankruptcy Court
Northern District of Alabama

In re:
Premier Kings, Inc.
Debtor

Case No. 23-02871-TOM
Docket #0672 Date Filed: 05/25/2024
Chapter 11

CERTIFICATE OF NOTICE

District/off: 1126-2
Date Rcvd: May 23, 2024

User: admin
Form ID: pdf000

Page 1 of 6
Total Noticed: 53

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.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 25, 2024:

Recip ID	Recipient Name and Address
db	#+ Premier Kings, Inc., 7078 Peachtree Industrial Blvd #800, Peachtree Corners, GA 30071-1068
aty	+ Ben Moore, II, 214 Second Avenue N Ste 205, Nashville, TN 37201-1628
aty	+ C Elizabeth Littell-Courson, Jinks Crow, P.C., P.O. Box 350, Union Springs, AL 36089-0350
aty	+ Jacob Johnson, Alston & Bird LLP, 1201 West Peachtree Street, Atlanta, GA 30309-3424
aty	+ Jeffrey R. Dutson, King & Spalding LLP, 1180 Peachtree Street NE, Ste 1600, Atlanta, GA 30309-7525
aty	+ William P. Reily, King & Spalding LLP, 110 N. Wacker Drive, Suite 3800, Chicago, IL 60606-1513
cr	+ Ashley Moore, c/o Pilcher & Grissom, LLC, 2 Office Park Cir, Suite 2, Birmingham, AL 35223, UNITED STATES 35223-2509
cr	+ AuburnBank, c/o Parnell & Parnell, P.A., P.O. Box 224, Montgomery, AL 36101-0224
fa	+ Aurora Management Partners, 1201 Peachtree Street, Suite 1570, Atlanta, GA 30361-3514
cr cm	+ BK Collinsville LLC, 4615 University Drive, Coral Gables, FL 33146-1148
int p	+ Bulldog Restaurants, LLC, c/o Baker Donelson, 1901 6th Ave. N., Suite 2600, Birmingham, AL 35203-4644
cr	+ Burger King Company LLC, 5707 Blue Lagoon Drive, Miami, FL 33126, UNITED STATES 33126-2015
cr	+ Charmaine Edwin, 4-09 Plaza Road, Fairlawn, NJ 07410-3842
cr	+ DPI Group, LLC, c/o Stephen Porterfield, 2311 Highland Avenue South, Birmingham, AL 35205-2972
cr cm	E.S.S., Inc., 203 McMillin St, Nashville, TN 37203-2912
cr cm	+ GAJ Realty Group Inc, 8 Rosewood Drive, North Massapequa, NY 11758-3239
cr cm	+ Hemphill Services Inc, PO Box 1234, Trussville, AL 35173-6101
cr cm	+ Hudson Construction Company, 1425 Market Blvd, Suite 530 318, Roswell, GA 30076-6708
cr	+ Karen L Nystrom, C/O ENGEL HAIRSTON--RAULSTON BROWN, PC, P.O. Box 1927, BIRMINGHAM, AL 35201-1927
cr cm	+ M D Homes Alabama LLC, PO Box 6415, East Brunswick, NJ 08816-6415
cr	+ Madison County, Alabama, 100 North Side Square, Huntsville, AL 35801, UNITED STATES 35801-4800
r	+ Marcus & Millichap Real Estate Services, 6 Cadillac Drive, Ste 100, Brentwood, TN 37027-5080
int p	#+ Merit Bank, 659 Gallatin St SW, Huntsville, AL 35801-4914
cr	+ PeoplesSouth Bank, c/o Parnell & Parnell, P.A., P.O. Box 224, Montgomery, AL 36101-0224
cr cm	+ Playland Maintenance Service Inc., 3935 Tamiami Trail, Cumming, GA 30041-8948
int p	#+ Premier Holdings, LLC, 3300 Eastern Blvd, Montgomery, AL 36116-1408
int p	+ RRG of Jacksonville, LLC, c/o Peter Haley, Nelson Mullins Riley & Scarborough LLP, One Financial Center, Suite 3500, Boston, MA 02111-2641
cr	+ Rave Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084
cr	+ Rave II Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084
int p	+ Renasant Bank, 1901 Sixth Ave. N., Suite 1500, Birmingham, AL 35203-4642
cr	+ South Coast Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084
cr cm	+ TK&K Unlimited Inc, 8014 Cumming Hwy, Suite 403 332, Canton, GA 30115-9339
mv	+ Willie J Butler, c/o The Evans Law Firm, P.C., 1736 Oxmoor Road, Birmingham, AL 35209, UNITED STATES 35209-4053
cr	+ c/o Luke Buckler Marshall Septic Service, LLC, P.O. Box 940, Guntersville, AL 35976, UNITED STATES 35976-0940

TOTAL: 34

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). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: ddsparks@csattorneys.com	May 23 2024 23:39:00	Christian & Small LLP, 505 N 20th St Ste 1800, Birmingham, AL 35203-4633
smg	+ Email/Text: bnc_notices_southern@alnb.uscourts.gov		



230287124052500000000002

		May 23 2024 23:40:00	Thomas Corbett, BA Birmingham, 1800 5th Avenue North, Birmingham, AL 35203-2111
intp	+ Email/PDF: acg.acg.ebn@aisinfo.com	May 23 2024 23:57:24	BMO Bank N.A., c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: bankruptcy@brinksinc.com	May 23 2024 23:41:00	Brinks Incorporated, PO Box 101031, Atlanta, GA 30392-1031
cr	+ Email/Text: terri.pounders@cbsbank.net	May 23 2024 23:39:00	CB&S Bank, CB&S Bank, P.O. Box 910, Russellville, AL 35653-0910
cr	^ MEBN	May 23 2024 23:34:59	Kemco Facilities Services, LLC, 5750 Bell Circle, Montgomery, AL 36116-4132
op	+ Email/Text: kccnoticing@kccllc.com	May 23 2024 23:39:00	Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite #300, El Segundo, CA 90245-5614
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Holdings of Georgia, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Holdings of Georgia, LLC, c/o Chloe E. Champion, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Holdings, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Holdings, LLC, c/o Chloe E. Champion, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Kings Holdings of Alabama, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Kings Holdings of Alabama, LLC, c/o Chloe E. Champion, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Kings Holdings of Georgia, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Kings Holdings of Georgia, LLC, c/o Chloe E. Champion, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	+ Email/Text: hjamison@burr.com	May 23 2024 23:39:00	Premier Kings Holdings, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	^ MEBN	May 23 2024 23:33:44	Rave Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084
cr	^ MEBN	May 23 2024 23:33:43	Rave II Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084
op	+ Email/Text: bankruptcynotices@raymondjames.com	May 23 2024 23:37:00	Raymond James & Associates, Inc., 880 Carillon Parkway, St. Petersburg, FL 33716-1100
cr	+ Email/Text: AGBankRevenue@ag.tn.gov	May 23 2024 23:38:00	TN Dept of Revenue, c/oTN Atty General, Bankruptcy Div, PO Box 20207, Nashville, TN 37202-4015

TOTAL: 21

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.

Recip ID	Bypass Reason	Name and Address
cr		Gates of Beachwood, LLC, 505 20th Street, North, Suite 800, Birmingham
intp		Mosaic Gold Crown Group, LLC

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

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: May 25, 2024

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 May 23, 2024 at the address(es) listed below:

Name	Email Address
Albert Kass	on behalf of Other Professional Kurtzman Carson Consultants LLC ecfpleadings@kccllc.com
Allwin E Horn, IV	on behalf of Creditor Charmaine Edwin allwinh@hollis-wright.com
Amy B. Kisz	on behalf of Creditor Gates of Beachwood LLC amy@hakimian.us
Anthony B Bush	on behalf of Creditor Kemco Facilities Services LLC abush@bushlegalfirm.com, jason@bushlegalfirm.com
Bill D Bensinger	on behalf of Interested Party Mark Smith bdb@csattorneys.com bill-bensinger-5829@ecf.pacerpro.com
Bill D Bensinger	on behalf of Creditor Committee Official Committee of Unsecured Creditors bdb@csattorneys.com bill-bensinger-5829@ecf.pacerpro.com
Bill D Bensinger	on behalf of Plaintiff Official Committee of Unsecured Creditors bdb@csattorneys.com bill-bensinger-5829@ecf.pacerpro.com
Brian R Walding	on behalf of Creditor Burger King Company LLC bwalding@waldinglaw.com dbyrd@waldinglaw.com;bnichols@waldinglaw.com;lbos@waldinglaw.com
Brooke L. Bean	on behalf of Other Professional Wells Fargo Bank National Association bbean@kslaw.com
C Taylor Crockett	on behalf of Creditor 108 Charlton Street Realty Inc. taylor@taylorcrockett.com, cathy@taylorcrockett.com;kim@taylorcrockett.com
Charles N Parnell	on behalf of Creditor PeoplesSouth Bank bkrp@parnellssoutheast.com
Charles N Parnell	on behalf of Creditor AuburnBank bkrp@parnellssoutheast.com
Chloe Champion	on behalf of Creditor Premier Holdings LLC cchampion@burr.com, sgoolsby@burr.com

Chloe Champion
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Chloe Champion
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kpbarnes@bradley.com;jbailey@ecf.courtdrive.com

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breanna@heardlaw.com;amanda@heardlaw.com;aary@heardlaw.com;adauro@heardlaw.com;candice@heardlaw.com

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Kevin D. Heard
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Lyndel Anne Vargas
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Mark P. Williams
on behalf of Interested Party BMO Bank N.A. c/o AIS Portfolio Services, LLC mpwilliams@nwkt.com

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mcleland@bakerdonelson.com;dbivins@bakerdonelson.com

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Morgan L Allred
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Paul J. Battista
on behalf of Creditor Burger King Company LLC pjbatista@venable.com cascavone@venable.com;jnunez@venable.com

Peter J. Haley
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Peter J. Haley
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Seth B Grissom
on behalf of Creditor Ashley Moore sbg@pglawllc.com

Stephen B Porterfield
on behalf of Creditor DPI Group LLC stephen.porterfield@dentons.com, jan.pack@dentons.com

Steven D Altmann
on behalf of Interested Party First Chatham Bank steve@nomberglaw.com
stevenmel@charter.net;altmannsr67761@notify.bestcase.com

Tazewell Taylor Shepard, IV
on behalf of Interested Party Merit Bank ty@ssmattorneys.com emily@ssmattorneys.com

Thomas Benjamin Humphries
on behalf of Interested Party Mark Smith tbumphries@csattorneys.com cfellis@csattorneys.com

Wesley Ryan Bulgarella
on behalf of Interested Party Newell-Berg Alliance AL LLC and Newell-Berg Alliance TN II, LLC
wbulgarella@maynardcooper.com, wbulgarella@maynardcooper.com

William M. Hancock
on behalf of Creditor CB&S Bank bankruptcy@wolfejones.com wmhancock@wolfejones.com

TOTAL: 88

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:)	CHAPTER 11
)	
PREMIER KINGS, INC., et al.,¹)	CASE NO.: 23-02871-TOM
)	
Debtor.)	(Jointly Administered)
)	

ORDER GRANTING DEBTORS' MOTION TO SELL (DOC. 597)

Upon consideration of the motion (the "Motion" – Doc. 597)² filed by the Debtors for approval of the sale of the Real Property and Purchased Assets free and clear of Encumbrances; and the Court having jurisdiction to consider the matters raised in the Motion pursuant to 28 U.S.C. § 1334; and the Court having authority to hear the matters raised in the Motion pursuant to 28 U.S.C. § 157 and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion and the requested relief being a core proceeding that the Court can determine pursuant to 28 U.S.C. § 157(b)(2)(N); and due and proper notice of the Motion having been given under the circumstances, and it appearing that no other or further notice need be provided; and the Court having reviewed and considered the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief requested therein; and the Court having found that the relief requested in the Motion being in the best interests of the Debtors, their creditors, their estates and all other parties in interest; and after

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification numbers, are: Premier Kings, Inc. (3932); Premier Kings of Georgia, Inc. (9797); and Premier Kings of North Alabama, LLC (9282). The Debtors' address is 7078 Peachtree Industrial Blvd., Suite #800, Peachtree Corners, GA 30071.

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

due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion is **GRANTED**.

2. The sale of the Real Property and Purchased Assets to Newell-Berg Holdings AL, LLC (“Purchaser”) on the terms and conditions set forth in the Purchase Agreement, as modified in open court, is hereby approved. The parties explained at the May 22, 2024, hearing on the Motion that the parties agreed to a non-substantive amendment to the Purchase Agreement on April 11, 2024 wherein the Debtors and Purchaser agreed that (a) the Due Diligence Period would be extended to a date which is five-days following the date on which this Order is final and non-appealable, and (b) that the Closing Date would be on or before fourteen (14) days from the end of the extended Due Diligence Period. In no event will the sale close before the expiration of any applicable time period for an appeal of this Order.

3. The transfer to Purchaser of the Debtors’ rights, title and interest in the Real Property and Purchased Assets shall be, and hereby is deemed to be, a legal, valid and effective transfer of the Debtors’ rights, title and interest in the Real Property and Purchased Assets, and vests with or will vest in Purchaser all rights, title and interest of the Debtors in the Real Property and Purchased Assets, free and clear of all Encumbrances of any kind or nature whatsoever to the fullest extent permitted by section 363(f) of the Bankruptcy Code, with all such Encumbrances, specifically those held by Wells Fargo Bank, National Association, as prepetition agent for the prepetition lender group (“Wells Fargo”), attaching to the net proceeds of the sale with the same validity, extent and priority as immediately prior to the sale of the Real Property and Purchased Assets.

4. The net proceeds of the sale of the Real Property and Purchased Assets shall be

paid at closing to Wells Fargo, in its capacity as prepetition agent for the benefit of the prepetition lenders, free and clear of all Encumbrances of any kind or nature whatsoever to the fullest extent permitted by section 363(f) of the Bankruptcy Code.

5. The sale of the Real Property and Purchased Assets to Purchaser satisfies section 363(f) of the Bankruptcy Code and shall be free and clear of all Encumbrances.

6. Purchaser shall be afforded the protections under section 363(m) of the Bankruptcy Code.

7. The Debtors are authorized to take all such actions as are necessary or appropriate to implement the terms of this Order.

8. The Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: May 22, 2024

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

Order Prepared By:
Thomas B. Humphries
CHRISTIAN & SMALL LLP
1800 Financial Center
505 North 20th Street
Birmingham, AL 35203
(205) 795-6588
tbhumphries@csattorneys.com