

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

**In re:** )  
 ) **Case No. 23-02871-TOM11**  
 )  
 **PREMIER KINGS, INC., et al.,** ) **Chapter 11**  
 )  
 ) **Substantively Consolidated**  
 **Debtors.**<sup>1</sup> )

**ORDER GRANTING MOTION FOR EXAMINATION**

Upon Mark Smith’s, as Plan Administrator, motions (the “Motions”)<sup>2</sup> for entry of an order (this “Order”), (a) authorizing the Plan Administrator to issue subpoenas under Federal Rules of Bankruptcy Procedure 2004 and 9016 to Premier Holdings of Georgia, LLC (“PHG”), Premier Holdings, LLC (“PH”), Premier Kings Holdings of Alabama, LLC (“PKHAL”), Premier Kings Holdings of Georgia, LLC (“PKHGA”) and Premier Kings Holdings, LLC (“PKH” and together with PHG, PH, PKHAL, and PKHGA, collectively, the “Respondents”) and (b) granting related relief, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the District Court’s General Order of Reference; and this Court having the power to enter a final order; and this Court having found that venue of these cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having found that the Plan Administrator’s notice of the Motion and opportunity for a hearing thereon were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion; and this Court

<sup>1</sup> The Debtors in these cases are Premier Kings, Inc., Premier Kings of Georgia, Inc., and Premier Kings of North Alabama, LLC.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.



having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT**:

1. The Motion is **GRANTED**, except to the extent modified herein.
2. Respondents shall comply with the document requests attached to the Motion as Exhibit B by no later than July 15, 2024, except that all document requests shall be limited to non-privileged documents located after reasonable diligence, and Respondents shall provide a witness for examination at a date and time mutually agreeable to the Plan Administrator and Respondents no later than the week of July 22, 2024, to the extent that the Plan Administrator determines that such examination is necessary.
3. To the extent necessary, the Plan Administrator's rights are reserved to request depositions and any additional documents under Bankruptcy Rule 2004 based on any other information that may be revealed as a result of the documents provided pursuant to this Order, and Respondents' rights are reserved to object to any such requested depositions and/or additional document requests.
4. This Order is without prejudice to the Plan Administrator's rights to file further motions seeking additional documents and testimony pursuant to Bankruptcy Rule 2004(a) or any other applicable law and without prejudice to Respondents' rights to object to any such motions.
5. No documents produced or testimony given pursuant to this Order shall be admissible in any proceeding, whether before this Court or any other court, of any claim or element of any claim.
6. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any

particular claim by or against the Debtors; (b) a waiver of the Plan Administrator's rights to dispute any particular claim on any grounds; (c) a promise or requirement to pay any particular 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 waiver or limitation of the Plan Administrator's rights under the Bankruptcy Code or any other applicable law; or (f) a concession by the Plan Administrator that any liens (contractual, common law, statutory, or otherwise) satisfied pursuant to the Motion are valid, and the Plan Administrator expressly reserves his rights to contest the extent, validity, or perfection or seek avoidance of all such liens.

7. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed a waiver of Respondents' rights under its contracts, the Bankruptcy Code, or any other applicable law.

8. The Plan Administrator is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

9. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order, including, but not limited to, any discovery disputes that may arise between or among the parties and to interpret, implement and enforce the provisions of this Order.

June 27, 2024

/s/ Tamara O. Mitchell

Tamara O. Mitchell

United States Bankruptcy Judge

# Notice Recipients

District/Off: 1126-2  
Case: 23-02871-TOM11

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Date Created: 6/27/2024  
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## Recipients submitted to the BNC (Bankruptcy Noticing Center) without an address:

intp Mosaic Gold Crown Group, LLC

TOTAL: 1

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