

United States Bankruptcy Court
Northern District of Alabama

In re:
Premier Kings, Inc.
Debtor

Case No. 23-02871-TOM
Docket #0748 Date Filed: 6/29/2024
Chapter 11

CERTIFICATE OF NOTICE

District/off: 1126-2
Date Rcvd: Jun 27, 2024

User: admin
Form ID: pdf000

Page 1 of 7
Total Noticed: 57

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 redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	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 Jun 29, 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	+ 375 W. Arenas Avi-Ross, LLC, c/o Marina Rossi, 1508 Bay Road #915, Miami Beach, FL 33139-3242
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
intp	+ 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
consult	+ HyperAMS, LLC, 980 Carnegie St, Rolling Meadows, IL 60008-1006
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, ATTN COUNTY ATTORNEY, 100 NORTHSIDE SQUARE, SUITE 700, HUNTSVILLE AL 35801-8815 address filed with court.; Madison County, Alabama, 100 North Side Square, Huntsville, AL 35801, UNITED STATES
r	+ Marcus & Millichap Real Estate Services, 6 Cadillac Drive, Ste 100, Brentwood, TN 37027-5080
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
intp	#+ Premier Holdings, LLC, 3300 Eastern Blvd, Montgomery, AL 36116-1408
intp	+ RRG of Jacksonville, LLC, c/o Peter Haley, Nelson Mullins Riley & Scarborough LLP, One Financial Center, Suite 3500, Boston, MA 02111-2641
intp	+ 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
11374815	+ Merit Bank, 100 North Gay Street, Merit, Alabama 36830-4814

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		



230287124070100000000017

		Jun 27 2024 23:41:00	Christian & Small LLP, 505 N 20th St Ste 1800, Birmingham, AL 35203-4633
smg	+ Email/Text: bnc_notices_southern@alnb.uscourts.gov	Jun 27 2024 23:42:00	Thomas Corbett, BA Birmingham, 1800 5th Avenue North, Birmingham, AL 35203-2111
intp	+ Email/PDF: acg.acg.ebn@aisinfo.com	Jun 27 2024 23:45:46	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	Jun 27 2024 23:43:00	Brinks Incorporated, PO Box 101031, Atlanta, GA 30392-1031
cr	+ Email/Text: terri.pounders@cbsbank.net	Jun 27 2024 23:42:00	CB&S Bank, CB&S Bank, P.O. Box 910, Russellville, AL 35653-0910
cr	+ Email/Text: hjamison@burr.com	Jun 27 2024 23:41:00	JG Coastal Properties, Inc., c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th Street, Suite 3400, Birmingham, AL 35203-3284
cr	^ MEBN	Jun 27 2024 23:35:18	Kemco Facilities Services, LLC, 5750 Bell Circle, Montgomery, AL 36116-4132
op	+ Email/Text: kcenoticing@kccllc.com	Jun 27 2024 23:41:00	Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite #300, El Segundo, CA 90245-5614
cr	Email/Text: bncbankruptcies@madisoncountyal.gov	Jun 27 2024 23:41:00	Madison County, Alabama, 100 North Side Square, Huntsville, AL 35801, UNITED STATES
intp	Email/Text: ryan.oconnor@meritbank.com	Jun 27 2024 23:41:00	Merit Bank, 3810 Governors Drive NW, Unit 300, Huntsville, AL 35805-3586
cr	+ Email/Text: hjamison@burr.com	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	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	Jun 27 2024 23:41:00	Premier Kings Holdings, LLC, c/o Heather A. Jamison, Burr & Forman LLP, 420 N. 20th St., Ste. 3400, Birmingham, AL 35203-3284
cr	^ MEBN	Jun 27 2024 23:38:44	Rave Enterprises, LLC, c/o Heard, Ary & Dauro, LLC, 303 Williams Avenue SW, Suite 921, Huntsville, AL 35801-6084

cr	^	MEBN	Jun 27 2024 23:38:43	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	Jun 27 2024 23:39:00	Raymond James & Associates, Inc., 880 Carillon Parkway, St. Petersburg, FL 33716-1100
cr	+	Email/Text: AGBankRevenue@ag.tn.gov	Jun 27 2024 23:40:00	TN Dept of Revenue, c/oTN Atty General, Bankruptcy Div, PO Box 20207, Nashville, TN 37202-4015

TOTAL: 24

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: Jun 29, 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 June 27, 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

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Jesse S Vogtle, Jr

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Michael Alan Harrison
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Morgan L Allred
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Peter J. Haley
on behalf of Interested Party RRG of Jacksonville LLC peter.haley@nelsonmullins.com, marie.moss@nelsonmullins.com

Rachel L. Webber
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dana_gilliam@alnb.uscourts.gov,Robin_G_Smith@alnb.uscourts.gov,courtmailtus@alnb.uscourts.gov

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

Stephen B Porterfield
on behalf of Creditor Committee Brinks Incorporated stephen.porterfield@dentons.com jan.pack@dentons.com

Steven D Altmann

District/off: 1126-2
Date Rcvd: Jun 27, 2024

User: admin
Form ID: pdf000

Page 7 of 7
Total Noticed: 57

on behalf of Creditor 375 W. Arenas Avi-Ross LLC steve@nomberglaw.com,
stevenmel@charter.net;altmannsr67761@notify.bestcase.com

Steven D Altmann

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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: 92

**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.¹)

ORDER GRANTING MOTION FOR EXAMINATION OF MERIT BANK

Upon Mark Smith’s, as Plan Administrator, motion (the “Motion”)² 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 Merit Bank 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 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 Debtors in these cases are Premier Kings, Inc., Premier Kings of Georgia, Inc., and Premier Kings of North Alabama, LLC.

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

1. The Motion is **GRANTED**.
2. Merit Bank shall comply with the document requests attached to the Motion as Exhibit B, except that all document requests shall be limited to (a) documents created on or prior to Merit Bank's loan to the Company, and (b) non-privileged documents located after reasonable diligence, by no later than July 15, 2024, or such other date agreed upon by the Plan Administrator and Merit Bank, and shall provide a witness for examination no later than the week of July 22, 2024, or such other date agreed upon by the Plan Administrator and Merit Bank, 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.
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.
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; (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, or (g) an admission or concession by Merit Bank of any factual assertions made in the Motion.

7. Notice of the Motion satisfies the requirements of Bankruptcy Rule 6004(a).

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