

**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
)	
Debtors.¹)	Substantively Consolidated
)	

ORDER GRANTING MOTION FOR EXAMINATION OF NUCO2, LLC

Upon the motion² (the “Motion” – Doc. 757) of Mark Smith, as Plan Administrator, for entry of an order (the “Order”), (a) directing NuCO2 LLC (“NuCO2”) to produce certain documents, (b) authorizing the Plan Administrator to issue subpoenas under Federal Rules of Bankruptcy Procedure 2004 and 9016 to NuCO2, and (c) 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

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.



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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**.
2. NuCO2 shall comply with the document requests detailed on Exhibit A of the Motion within forty-five (45) days of the entry of this Order.
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. 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.
6. The Plan Administrator is authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

7. 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.

Dated: July 16, 2024

/s/ Tamara O. Mitchell
Tamara O. Mitchell,
United States Bankruptcy Judge

Notice Recipients

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

User: admin
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intp Mosaic Gold Crown Group, LLC

TOTAL: 1

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cr Burger King Company LLC 5707 Blue Lagoon Drive Miami, FL 33126 UNITED STATES

intp	RRG of Jacksonville, LLC	c/o Peter Haley	Nelson Mullins Riley & Scarborough LLP	One Financial Center, Suite 3500	Boston, MA 02111
op	Kurtzman Carson Consultants LLC	222 N. Pacific Coast Highway	Suite #300	El Segundo, CA 90245	
intp	Premier Holdings, LLC	3300 Eastern Blvd	Montgomery, AL 36116		
cr	Kemco Facilities Services, LLC	5750 Bell Circle	Montgomery, AL 36116		
cr	CB&S Bank	CB&S Bank	P.O. Box 910	Russellville, AL 35653	
cr	Playland Maintenance Service Inc.	3935 Tamiami Trail	Cumming, GA 30041		
cr	M D Homes Alabama LLC	PO Box 6415	East Brunswick, NJ 08816		
cr	BK Collinsville LLC	4615 University Drive	Coral Gables, FL 33146		
cr	GAJ Realty Group Inc	8 Rosewood Drive	North Massapequa, NY 11758		
cr	Hudson Construction Company	1425 Market Blvd	Suite 530 318	Roswell, GA 30076	
cr	Brinks Incorporated	PO Box 101031	Atlanta, GA 30392		
cr	TK&K Unlimited Inc	8014 Cumming Hwy	Suite 403 332	Canton, GA 30115	
cr	E.S.S., Inc.	203 McMillin St	Nashville, TN 37203-2912		
cr	Hemphill Services Inc	PO Box 1234	Trussville, AL 35173		
intp	Bulldog Restaurants, LLC	c/o Baker Donelson	1901 6th Ave. N., Suite 2600	Birmingham, AL 35203	
cr	South Coast Enterprises, LLC	c/o Heard, Ary & Dauro, LLC	303 Williams Avenue SW	Suite 921	Huntsville, AL 35801
cr	Rave II Enterprises, LLC	c/o Heard, Ary & Dauro, LLC	303 Williams Avenue SW	Suite 921	Huntsville, AL 35801
cr	Rave Enterprises, LLC	c/o Heard, Ary & Dauro, LLC	303 Williams Avenue SW	Suite 921	Huntsville, AL 35801
cr	AuburnBank	c/o Parnell & Parnell, P.A.	P.O. Box 224	Montgomery, AL 36102	
intp	Merit Bank	3810 Governors Drive NW	Unit 300	Huntsville, AL 35805-3586	
cr	DPI Group, LLC	c/o Stephen Porterfield	2311 Highland Avenue South	Birmingham, AL 35205	
mv	Willie J Butler	c/o The Evans Law Firm, P.C.	1736 Oxmoor Road	Birmingham, AL 35209 UNITED STATES	
cr	Karen L Nystrom	C/O ENGEL HAIRSTON--RAULSTON BROWN, PC	P.O. Box 1927	BIRMINGHAM, AL 35201	
fa	Aurora Management Partners	1201 Peachtree Street, Suite 1570	Atlanta, GA 30361		
op	Raymond James & Associates, Inc.	880 Carillon Parkway	St. Petersburg, FL 33716		
cr	Premier Kings Holdings of Georgia, LLC	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Kings Holdings of Alabama, LLC	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Kings Holdings, LLC	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Holdings of Georgia, LLC	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Holdings, LLC	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Kings Holdings of Georgia, LLC	c/o Chloe E. Champion	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Kings Holdings of Alabama, LLC	c/o Chloe E. Champion	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
cr	Premier Kings Holdings, LLC	c/o Chloe E. Champion	Burr & Forman LLP	420 N. 20th St., Ste. 3400	Birmingham, AL 35203
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intp	BMO Bank N.A., c/o AIS Portfolio Services, LLC	4515 N Santa Fe Ave. Dept. APS	Oklahoma City, OK 73118		
cr	Gates of Beachwood, LLC	505 20th Street, North. Suite 800	Birmingham		
cr	PeoplesSouth Bank	c/o Parnell & Parnell, P.A.	P.O. Box 224	Montgomery, AL 36102	
cr	Ashley Moore	c/o Pilcher & Grissom, LLC	2 Office Park Cir, Suite 2	Birmingham, AL 35223	
cr	TN Dept of Revenue	c/oTN Atty General, Bankruptcy Div	PO Box 20207	Nashville, TN 37202-0207	
cr	c/o Luke Buckler Marshall Septic Service, LLC	P.O. Box 940	Guntersville, AL 35976	UNITED STATES	
r	Marcus & Millichap Real Estate Services	6 Cadillac Drive, Ste 100	Brentwood, TN 37027		
aty	C Elizabeth Littell-Courson	Jinks Crow, P.C.	P.O. Box 350	Union Springs, AL 36089	
cr	Charmaine Edwin	4-09 Plaza Road	Fairlawn, NJ 07410		
cr	Madison County, Alabama	100 North Side Square	Huntsville, AL 35801	UNITED STATES	
consult	HyperAMS, LLC	980 Carnegie St	Rolling Meadows, IL 60008		
cr	375 W. Arenas Avi-Ross, LLC	c/o Marina Rossi	1508 Bay Road #915	Miami Beach, FL 33139	
cr	JG Coastal Properties, Inc.	c/o Heather A. Jamison	Burr & Forman LLP	420 N. 20th Street	Suite 3400
aty	Christian & Small LLP	505 N 20th St Ste 1800	Birmingham, AL 35203		
aty	Ben Moore, II	214 Second Avenue N Ste 205	Nashville, TN 37201		
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aty	Jeffrey R. Dutson	King & Spalding LLP	1180 Peachtree Street NE	Ste 1600	Atlanta, GA 30309
aty	Nathaniel J Middleton	3951 Snapfinger Parkway, Suite 332	Decatur, GA 30035		
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