

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

**EMERGENCY MOTION OF THE DEBTORS FOR ENTRY OF AN ORDER
SHORTENING NOTICE AND SCHEDULING EXPEDITED HEARING ON DEBTORS'
MOTION SEEKING ENTRY OF AN ORDER (I) SETTING A BAR DATE FOR FILING
PROOFS OF CLAIM; (II) SETTING AN AMENDED SCHEDULES BAR DATE; (III)
SETTING A REJECTION DAMAGES BAR DATE; (IV) APPROVING THE FORM OF
AND MANNER FOR FILING PROOFS OF CLAIM; (V) APPROVING NOTICE OF
THE BAR DATES; AND (VI) GRANTING RELATED RELIEF**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) submit this motion (the “Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”) pursuant to section 105 of title 11 of the United States Code (the “Bankruptcy Code”), Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Local Rule 9006-2 of the Bankruptcy Court Rules for the Northern District of Georgia (the “Local Rules”), and Complex Case Procedures (E)(4) of the *General Order 26-2019, Procedures for Complex Chapter 11 Cases, dated February 6, 2023* (the “Complex Case Procedures”), (i) shortening the applicable notice period for the *Motion Seeking Entry of an Order (I) Setting a Bar Date for Filing Proofs of Claim; (II) Setting an Amended Schedules Bar Date; (III) Setting a Rejection Damages Bar Date; (IV) Approving the Form of and Manner For Filing*

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Wellmade Industries MFR. N.A LLC (1058) and Wellmade Floor Coverings International, Inc. (8425). The mailing address for the Debtors for purposes of these chapter 11 cases is: 1 Wellmade Drive, Cartersville, GA 30121.



Proofs of Claim; (V) Approving Notice of the Bar Dates; and (VI) Granting Related Relief (this “Bar Date Motion”),² (ii) setting the deadline to file objections to the Bar Date Motion to **September 15, 2025 at 4:00 p.m. (prevailing Eastern Time)** (the “Objection Deadline”), and (iii) scheduling the hearing on the Bar Date Motion for **September 17, 2025 at 10:15 a.m. (prevailing Eastern Time)**³ (the “Hearing”), or at such other date and time that this Court is available. In support of this Motion, the Debtors respectfully state as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the Northern District of Georgia (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper in the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory and legal predicates for the relief requested herein are section 105 of the Bankruptcy Code, Bankruptcy Rule 9006(c)(1), Local Rule 9006-2, and Complex Case Procedure (E)(4).

BACKGROUND

A. The Chapter 11 Cases

3. On August 4, 2025 (the “Petition Date”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code with this Court.

4. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

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

³ In accordance with the Complex Case Procedure E(4), the Court’s next available Hearing Date is September 17, 2025 at 10:15 a.m. (prevailing Eastern Time).

5. On August 14, 2025, the United States Trustee appointed the official committee of unsecured creditors in the above-captioned chapter 11 cases (the “Chapter 11 Cases”). No request has been made for the appointment of a trustee or an examiner.

6. Additional information regarding the Debtors’ businesses, capital structure, and the circumstances leading to the filing of these Chapter 11 Cases is set forth in the Declaration of David Baker in Support of Chapter 11 Petitions and First Day Pleadings [D.I. 14] (the “First Day Declaration”), which is fully incorporated herein by reference.

B. The Bar Date Motion

7. As set forth in the Bar Date Motion, the Debtors are seeking, among other relief, Court approval of (i) the deadlines for each person or entity to file proofs of claim based on prepetition claims against any Debtor, (ii) the form and manner for filing Proofs of Claim, and (iii) the notice of the Bar Dates, including the proposed form of such notice.

8. The claims bar date allows the Debtors and parties in interest to expeditiously determine and evaluate the liabilities of the estates. Among other things, the procedures described in the Bar Date Motion will provide comprehensive notice and clear instructions to creditors, on the one hand, and allow these chapter 11 cases to move forward quickly with a minimum of administrative expense and delay, on the other hand.

9. The Debtors believe that the process set forth in the Bar Date Motion will be of sufficient length and breadth to reach the full universe of parties likely to hold claims against the Debtors given the Debtors’ liquidity and time constraints.

RELIEF REQUESTED

10. By this Motion, the Debtors seek entry of a proposed order, substantially in the form attached hereto as **Exhibit A**, (i) shortening the applicable notice period for the Bar Date

Motion, (ii) setting the Objection Deadline to file objections to the Bar Date Motion to **September 15, 2025 at 4:00 p.m. (prevailing Eastern Time)**, and (iii) scheduling the Hearing on the Bar Date Motion to **September 17, 2025 at 10:15 a.m. (prevailing Eastern Time)**, or at such other date and time that this Court is available.

BASIS FOR RELIEF

11. Section 102(1) of the Bankruptcy Code provides that the phrase “after notice and a hearing” requires only such notice and opportunity for a hearing as may be appropriate under the circumstances. 11 U.S.C. § 102(1). Further, section 105(a) of the Bankruptcy Code provides that “[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a). Moreover, “[t]he basic purpose of section 105 is to assure the bankruptcy courts power to take whatever action is appropriate or necessary in aid of the exercise of their jurisdiction.” 2 Collier on Bankruptcy ¶ 105.01 (16th ed. 2025).

12. Under Bankruptcy Rule 9006(c)(1), the Court may order time periods set by the Bankruptcy Rules to be reduced “for cause.” Fed. R. Bank. P. 9006(c)(1). More specifically, “[w]hen a rule, notice given under a rule, or court order requires or allows an act to be done within a specified time, the court may—for cause and with or without a motion or notice—reduce the time.” *Id.* Moreover, Local Rule 9006-2 and Complex Case Procedure E(4) permit shortened notice and hearing with regard to an emergency matter requiring immediate attention or a matter requiring expedited consideration upon written motion and for good cause shown. *See* Local Rule 9006-2; Complex Case Procedure E(4).

13. The Debtors do not believe that any party-in-interest will be unfairly prejudiced by the shortening of the notice period with respect to the Bar Date Motion. To the extent any opposition to the requested relief exists, the Debtors intend to work in good faith with parties-in-

interest to resolve any objections or outstanding issues with respect to the Bar Date Motion in advance of the Hearing.

14. Expediting the Hearing on the Bar Date Motion will allow the Debtors to move this case forward – preserving the Debtors’ going-concern value and maximizing property available to satisfy creditors.

15. Accordingly, for the reasons set forth herein, the Debtors submit that good and sufficient cause exists to shorten the notice period with respect to the Bar Date Motion so that it can be heard, considered, and ruled upon at the Hearing to be scheduled for **September 17, 2025 at 10:15 a.m. (prevailing Eastern Time)**—or such other date and time that works best for this Court—and objections with respect thereto can be filed by no later than **September 15, 2025 at 4:00 p.m. (prevailing Eastern Time)**. A copy of the proposed notice of hearing with respect to the Bar Date Motion is attached to the Proposed Order as Exhibit 1.

NOTICE

16. Notice of this Motion has been given to the following parties or, in lieu thereof, to their counsel, if known: (a) the Office of the U.S. Trustee for the Northern District of Georgia; (b) the Debtors’ prepetition lender and Stalking Horse Bidder; (c) the DIP Lender; (d) counsel for the Committee; (e) the top 30 unsecured creditors; and (f) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

NO PRIOR REQUEST

17. No previous request for the relief sought herein has been made by the Debtors to this Court or any other court.

[Remainder of page intentionally left blank]

CONCLUSION

WHEREFORE, the Debtors respectfully request that this Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as is just and proper.

Dated: September 4, 2025
Atlanta, Georgia

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

John D. Elrod (Ga. Bar. No. 246604)

Allison J. McGregor (Ga. Bar. No. 860865)

Terminus 200

3333 Piedmont Road, NE, Suite 2500

Atlanta, Georgia 30305

Telephone: (678) 553-2100

Email: elrodj@gtlaw.com

Allison.McGregor@gtlaw.com

*Proposed Counsel for the Debtors and
Debtors in Possession*

CERTIFICATE OF SERVICE

I hereby certify that all ECF participants registered in this case were served electronically with the foregoing Motion through the Court's ECF system at their respective email addresses registered with this Court. The Debtors' claims and noticing agent will be filing a supplemental certificate of service on the docket to reflect any additional service of the foregoing document via first-class mail, including the notice parties enumerated in the Motion.

Dated: September 4, 2025
Atlanta, Georgia

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

John D. Elrod (Ga. Bar. No. 246604)
Allison J. McGregor (Ga. Bar. No. 860865)
Terminus 200
3333 Piedmont Road, NE, Suite 2500
Atlanta, Georgia 30305
Telephone: (678) 553-2100
Email: elrodj@gtlaw.com
Allison.McGregor@gtlaw.com

*Proposed Counsel for the Debtors and
Debtors in Possession*

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

**ORDER SHORTENING NOTICE AND SCHEDULING EXPEDITED HEARING ON
DEBTORS' MOTION SEEKING ENTRY OF AN ORDER (I) SETTING A BAR DATE
FOR FILING PROOFS OF CLAIM; (II) SETTING AN AMENDED SCHEDULES BAR
DATE; (III) SETTING A REJECTION DAMAGES BAR DATE; (IV) APPROVING THE
FORM OF AND MANNER FOR FILING PROOFS OF CLAIM; (V) APPROVING
NOTICE OF THE BAR DATES; AND (VI) GRANTING RELATED RELIEF**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Wellmade Industries MFR. N.A LLC (1058) and Wellmade Floor Coverings International, Inc. (8425). The mailing address for the Debtors for purposes of these chapter 11 cases is: 1 Wellmade Drive, Cartersville, GA 30121.

Upon the *Emergency Motion of the Debtors for Entry of an Order Shortening Notice and Scheduling Expedited Hearing on Debtors*” Motion Seeking Entry of an Order (I) Setting a Bar Date for Filing Proofs of Claim; (II) Setting an Amended Schedules Bar Date; (III) Setting a Rejection Damages Bar Date; (IV) Approving the Form of and Manner For Filing Proofs of Claim; (V) Approving Notice of the Bar Dates; and (VI) Granting Related Relief (the “Motion”);² and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue of these Chapter 11 Cases and the motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that due and adequate notice of the Motion has been given under the circumstances; and this Court having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. A hearing (the “Hearing”) shall be held on the Bar Date Motion on **September 17, 2025 at 10:15 a.m. (prevailing Eastern Time)** in the Bankruptcy Court, Richard B. Russell Federal Building and United States Courthouse 75 Ted Turner Drive, SW Atlanta, Georgia, which must be attended in person.
3. Any party objecting to the relief requested in the Bar Date Motion must file an objection with the Court by **4:00 p.m. (prevailing Eastern Time) on September 15, 2025** (the “Objection Deadline”) and serve such objection on counsel to the Debtors and any other requisite parties by the Objection Deadline.

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

4. As soon as reasonably practicable after entry of this Order, the Debtors shall file and serve the Notice of Hearing attached hereto as **Exhibit 1**(the “Notice of Haring”) on (a) the Office of the U.S. Trustee for the Northern District of Georgia; (b) the Debtors’ prepetition lender and Stalking Horse Bidder; (c) the DIP Lender; (d) counsel for the Committee; (e) the top 30 unsecured creditors; and (f) any party that has requested notice pursuant to Bankruptcy Rule 2002.

5. The Debtors’ proposed Notice of Hearing is hereby approved as good and sufficient notice of the hearing on the Bar Date Motion.

6. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.

7. This Court shall retain jurisdiction with respect to all matters arising from or relating to the interpretation or implementation of this Order.

END OF DOCUMENT

Prepared and presented by:

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

John D. Elrod (Ga. Bar. No. 246604)
Allison J. McGregor (Ga. Bar. No. 860865)
Terminus 200
3333 Piedmont Road, NE, Suite 2500
Atlanta, Georgia 30305
Telephone: (678) 553-2100
Email: elrodj@gtlaw.com
Allison.McGregor@gtlaw.com

Proposed Counsel for the Debtors and Debtors in Possession

EXHIBIT 1

Form of Notice

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:

WELLMADE FLOOR COVERINGS
INTERNATIONAL, INC., *et al.*,⁶

Debtors.

Chapter 11

Case No. 25-58764

(Jointly Administered)

Hearing Date: September 17, 2025 at 10:15 a.m. (ET)

Obj. Deadline: September 15, 2025 at 4:00 p.m (ET)

NOTICE OF HEARING

PLEASE TAKE NOTICE that on September 4, 2025, the above-captioned debtors and debtors in possession (collectively, the “Debtors”), filed the (a) *Motion Seeking Entry of an Order (I) Setting a Bar Date for Filing Proofs of Claim; (II) Setting an Amended Schedules Bar Date; (III) Setting a Rejection Damages Bar Date; (IV) Approving the Form of and Manner for Filing Proofs of Claim; (V) Approving Notice of the Bar Dates; and (VI) Granting Related Relief [D.I. [•]]* (the “Motion”) and (b) the *Emergency Motion of the Debtors for Entry of an Order Shortening Notice and Scheduling Expedited Hearing on Debtors” Motion Seeking Entry of an Order (I) Setting a Bar Date for Filing Proofs of Claim; (II) Setting an Amended Schedules Bar Date; (III) Setting a Rejection Damages Bar Date; (IV) Approving the Form of and Manner For Filing Proofs of Claim; (V) Approving Notice of the Bar Dates; and (VI) Granting Related Relief [D.I. [•]]* (the “Motion to Shorten”) with the Court.

PLEASE TAKE FURTHER NOTICE that, on September [•], 2025, the Court entered an order granting the Motion to Shorten and scheduled an expedited hearing for the Bar Date Motion. See D.I. [•].

PLEASE TAKE FURTHER NOTICE that the Court shall hold a hearing (the “Hearing”) on the Motion on **September 17, 2025 at 10:15 a.m. (prevailing Eastern Time) in Courtroom 1201, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW Atlanta, Georgia 30303**, which must be attended in person, unless the Court orders otherwise.

Your rights may be affected by the Court’s ruling on these pleadings. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to

⁶ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Wellmade Industries MFR. N.A LLC (1058) and Wellmade Floor Coverings International, Inc. (8425). The mailing address for the Debtors for purposes of these chapter 11 cases is: 1 Wellmade Drive, Cartersville, GA 30121.

grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must do so by **September 15, 2025 at 4:00 p.m. (prevailing Eastern Time)** and attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk before the hearing. The address of the Clerk's Office is: Clerk, United States Bankruptcy Court, Room 1340, 75 Ted Turner Drive, SW, Atlanta, GA 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: September 4, 2025

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

John D. Elrod (Ga. Bar. No. 246604)
Allison J. McGregor (Ga. Bar. No. 860865)
Terminus 200
3333 Piedmont Road, NE, Suite 2500
Atlanta, Georgia 30305
Telephone: (678) 553-2100
Email: elrodj@gtlaw.com
Allison.McGregor@gtlaw.com

*Proposed Counsel for the Debtors and
Debtors in Possession*