

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

IN RE:

Chapter 11

BRD LAND & INVESTMENT, et al.

Case No. 26-30215

Debtors.¹

(Joint Administration Requested)²

**DEBTORS' EX PARTE MOTION FOR ORDER GRANTING DEBTORS AN
EXTENSION OF TIME TO FILE SCHEDULES AND STATEMENTS**

BRD Land & Investment, a South Carolina partnership, BRDL Warden Station Holding Co, LLC, and BRDL Warden Station, LLC (collectively, the “Debtors”), debtors and debtors-in-possession in the above-captioned case, hereby move (the “Motion”) the Court for entry of an *ex parte* order (the “Order”), pursuant to Sections 105(a) and 1116 of title 11 of the United States Code (the “Bankruptcy Code”) and Rules 1007 and 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) granting the Debtors an extension of time to file their schedules and statements. In support of the Motion, the Debtors respectfully state as follows:

JURISDICTION

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue of these proceedings and the Motion in this Court is proper under 28 U.S.C. §§ 1408 and 1409.

2. The statutory bases for the relief requested herein are Sections 105(a) and 1116 of the Bankruptcy Code and Rules 1007 and 9006 of the Bankruptcy Rules.

¹ The Debtors in these jointly administered cases are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): BRD Land & Investment, a South Carolina partnership (6940), BRDL Warden Station Holding Co LLC (0184), and BRDL Warden Station, LLC (4687). The Debtors’ address is 6433 Bannington Road, Charlotte, NC 28226.

² The Debtors have also filed a motion requesting joint administration of their respective Chapter 11 bankruptcy cases.



BACKGROUND

3. On February 24, 2026 (the “Petition Date”), the Debtors filed their respective voluntary petitions for relief under chapter 11 of the Bankruptcy Code (the “Chapter 11 Cases”).

4. The Debtors continue to operate their businesses and manage their property as debtors-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code. No creditors’ committee, trustee, or examiner has yet been appointed in these Chapter 11 Cases. William A. Barbee has been retained by the Debtors as the Chief Restructuring Officer (the “CRO”).

RELIEF REQUESTED

5. By this Motion, the Debtors seek, pursuant to Sections 105(a) and 1116 of the Bankruptcy Code and Rules 1007 and 9006 of the Bankruptcy Rules, an Order extending the time within which the Debtors are required to file their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and statements of financial affairs (collectively, the “Schedules and Statements”).

6. Due to prepetition events, the Debtors were required to quickly seek protection under the Bankruptcy Code and were unable to sufficiently prepare the Schedules and Statements prior to filing their voluntary petitions, especially considering the complexity of the Debtors’ operations as well as the breadth of the Debtors’ financial affairs. The Debtors are currently working to prepare the Schedules and Statements but do not believe that such Schedules and Statements will be complete and filed within the time limits prescribed under Bankruptcy Rule 1007(c).

7. The Debtors filed a list of the known holders of claims with their voluntary petitions on the Petition Date.

8. Respectfully, the Debtors submit that the accuracy of the Schedules and Statements will be greatly enhanced if the relief requested in this Motion is granted. Recognizing the importance of the Schedules and Statements in these Chapter 11 Cases, the Debtors intend to complete the Schedules and Statements as quickly as possible under the circumstances.

9. The Debtors consulted with the Bankruptcy Administrator for the Western District of North Carolina, who indicated no objection to the relief requested herein so long as extension granted is no later than the Friday before the scheduled 341 creditors' meeting (the "Creditors' Meeting"). The Creditors' Meeting is scheduled for Wednesday, April 8, 2026. With the Friday before the Creditors' Meeting being a holiday, the Debtors propose an extension through and including Thursday, April 2, 2026.

10. Bankruptcy Rule 9006(b)(1) provides that the Court, for cause shown, may, with or without motion or notice, order the extension of a deadline established by the Bankruptcy Rules.

11. Accordingly, the Debtors request that the Court extend the date by which the Schedules and Statements must be filed for an additional twenty-four (24) days (for a total of thirty-eight (38) days from the Petition Date), through and including April 2, 2026, so that the Debtors may recover information from their records and from records maintained by third parties for the Debtors. While the Debtors do not anticipate any requests for further extension, the Debtors request that the Court grant such an extension to file the Schedules and Statements pursuant to Bankruptcy Rule 1007(a) and (b), without prejudice to the Debtors' rights to seek any further extensions from the Court.

NOTICE

12. No creditors' committee, trustee, or examiner have been appointed in these Chapter 11 Cases. The Debtors have provided notice of this Motion to the Bankruptcy Administrator.

Under the circumstances, the Debtors submit no further notice is necessary, and entry of an order granting the Motion on an *ex parte* basis is appropriate. No previous application for the relief requested herein has been made by the Debtors to this Court.

WHEREFORE, the Debtors respectfully request that the Court enter an Order, substantially in the form attached hereto as Exhibit A: (a) granting the Debtors additional time, through and including April 2, 2026, within which to file the Schedules and Statements without prejudice to the rights of the Debtors to seek additional time, and (b) granting such other and further relief as the Court deems appropriate.

This the 4th day of March, 2026.

RAYBURN COOPER & DURHAM, P.A.

By: /s/ Matthew L. Tomsic
Matthew L. Tomsic
N.C. State Bar No. 52431
Natalie E. Kutcher
N.C. State Bar No. 54888
227 West Trade Street, Suite 1200
Charlotte, NC 28202
Telephone: (704) 334-0891
Facsimile: (704)377-1897
Email: mtomsic@rcdlaw.net
Email: nkutcher@rcdlaw.net

Proposed Counsel to the Debtors

EXHIBIT A

PROPOSED ORDER

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division**

IN RE:

BRD LAND & INVESTMENT, et al.

Debtors.¹

Chapter 11

Case No. 26-30215

(Joint Administration Requested)²

**EX PARTE ORDER GRANTING DEBTORS AN EXTENSION OF TIME
TO FILE SCHEDULES AND STATEMENTS**

Upon review of the motion (the Motion”)³ of BRD Land & Investment, a South Carolina partnership, BRDL Warden Station Holding Co LLC, and BRDL Warden Station, LLC (collectively, the “Debtors”), debtors and debtors-in-possession in the above-captioned case, for entry of an order pursuant to Sections 105(a) and 1116 of title 11 of the United States Code (the “Bankruptcy Code”), it appearing to the Court for cause shown that the relief requested should be allowed without prejudice to the rights of the Debtors to seek additional time, and it appearing that proper and adequate notice has been given and that no further notice is necessary,

IT IS HEREBY ORDERED THAT:

¹ The Debtors in these jointly administered cases are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): BRD Land & Investment, a South Carolina partnership (6940), BRDL Warden Station Holding Co LLC (0184), and BRDL Warden Station, LLC (4687). The Debtors’ address is 6433 Bannington Road, Charlotte, NC 28226.

² The Debtors have also filed a contemporaneous motion requesting joint administration of their respective Chapter 11 bankruptcy cases.

³ Capitalized terms used but not otherwise defined shall have the meanings set forth in the Motion.

1. The Motion is GRANTED.
2. The Debtors are hereby granted an additional twenty-four (24) days beyond the time limit prescribed in Bankruptcy Rule 1007(c) through and including April 2, 2026, within which to file the Schedules and Statements.
3. The relief granted in this Order is without prejudice to the rights of the Debtors to request a further extension of time to file the Schedules and Statements.

This Order has been signed electronically. The judge's signature and court's seal appear at the top of the Order.

United States Bankruptcy Court