

FILED & JUDGMENT ENTERED  
Christine F. Ramsey  
March 5 2026  
Clerk, U.S. Bankruptcy Court  
Western District of North Carolina



*Laura T Beyer*  
Laura T. Beyer  
United States Bankruptcy Judge

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

IN RE:  
  
BRD LAND & INVESTMENT, et al.  
  
Debtors.<sup>1</sup>

Chapter 11  
  
Case No. 26-30215  
  
Jointly Administered

**ORDER GRANTING DEBTORS' MOTION FOR ENTRY OF AN ORDER (I) AUTHORIZING THE DEBTORS TO CONTINUE PAYROLL AND PAYROLL RELATED PRACTICES INCLUDING PAYMENT OR REIMBURSEMENT OF CERTAIN PRE-PETITION (A) WAGES, SALARIES, VACATION PAY AND OTHER COMPENSATION AND AMOUNTS WITHHELD FROM SUCH COMPENSATION; (B) EMPLOYEE, HEALTH BENEFITS, AND SIMILAR BENEFITS; (C) REIMBURSEMENT OF EMPLOYEE EXPENSES; AND (D) PAYMENT OF ALL COSTS INCIDENT THERETO AND (II) AUTHORIZING APPLICABLE BANKS AND OTHER FINANCIAL INSTITUTIONS TO RECEIVE, PROCESS, HONOR AND PAY CERTAIN CHECKS AND TRANSFERS**

Upon review of the motion (the "Motion")<sup>2</sup> of BRD Land & Investment, a South Carolina partnership, BRDL Warden Station Holding Co, LLC and BRDL Warden Station, LLC, (collectively, "Debtors"), debtors-in-possession in the above-captioned cases, for entry of an order,

<sup>1</sup> Debtors are the following entities (the last four digits of their taxpayer identification numbers follows 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.  
<sup>2</sup> Capitalized terms used but not otherwise defined shall have the meanings set forth in the Motion.



pursuant to sections 105(a), 363(b), 507(a)(4) and 507(a)(5) of title 11 of the United States Code and Rule 6003 of the Federal Rules of Bankruptcy Procedure, authorizing the (i) Debtors to continue payroll and payroll-related practices, including payment of certain pre-petition (a) wages, salaries, vacation pay and other compensation and amounts withheld from such compensation; (b) employee medical plan and similar benefits; (c) reimbursement of business-related employee expenses; and d) all costs and expenses incident to the foregoing (collectively, the “Employee Obligations”); and (ii) authorizing and directing applicable banks and other financial institutions to receive, process, honor and pay all pre-petition checks and transfers drawn on the Debtors’ account to satisfy payroll obligations; and due and sufficient notice of the Motion having been given; and it appearing that no other or further notice need be provided; and upon the record therein including, without limitation, the Barbee Affidavit; and it appearing that the relief requested by the Motion is in the best interest of the Debtors’ estates, their creditors and other parties in interest, and after due deliberation and sufficient cause appearing therefore;

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The requirements of Rule 6003 of the Bankruptcy Rules are satisfied, and the relief requested is necessary to avoid immediate and irreparable harm.
3. Notwithstanding Rule 6004(h) of the Bankruptcy Rules, this Order shall be effective and enforceable immediately upon entry hereof.
4. As set forth following this paragraph, the Debtors are hereby authorized and empowered, but not directed, (i) to pay, in accordance with the policies and practices established prior to the Petition Date, to or on behalf of the Employees, who remain employed by the Debtors as of the Petition Date, all Employee Obligations, regardless of whether such Employee

Obligations arose before or after the Petition Date, with the exception that any such payment shall not exceed the statutory limit of \$17,150.00 per employee established pursuant to 11 U.S.C. §507(a)(4); (ii) to perform and honor all other obligations, practices and policies in accordance with the foregoing; and (iii) to pay all taxes, tax deposits and processing fees in connection with payments made or other benefits provided pursuant to this Order. The Debtors are authorized, without limitation, to:

- (a) pay, in the ordinary course of the Debtors' business, each Employee his or her accrued but unpaid salary, wages and overtime pay, not to exceed the statutory limit of \$17,150.00 established pursuant to 11 U.S.C. §507(a)(4), as applicable, as of the Petition Date;
- (b) remit all amounts withheld from Employee paychecks pre-petition but not yet remitted in connection with health insurance plans, taxes and withholdings;
- (c) without prior notice and a hearing, change benefits programs that do not materially change the cost to the company of the benefits provided, and such changes would be presumed to not be material so long as the changes are less than a ten percent (10%) increase in cost to Debtors in any calendar year;
- (d) pay any and all pre-petition and post-petition obligations related to the health plan, the short-term disability plan, the long-term disability plan, the Workers' Compensation Plan and any and all other similar employee benefit plans which the Debtor had in place as of the Petition Date;
- (e) continue allowing their Employees to take paid time off, in accordance with the Debtors' pre-petition practices and procedures;
- (f) continue observing paid holidays in the ordinary course of their businesses;
- (g) pay Employees for reimbursement of business-related expenses, travel, meals, and similar charges, regardless of whether charges are related to pre-petition or post-petition periods, in the ordinary course of the Debtors' businesses, provided, however, the Debtors shall provide copies of expense reimbursement requests in excess of \$5,000 per employee to the Bankruptcy Administrator, who shall have two business days to respond and request a hearing before

payment of the same and, if none is raised, the Debtors shall be authorized to proceed with payment; and

(h) pay all costs incident to the payment of the Employee Obligations.

5. All banks are hereby authorized and directed to honor all employee wage and salary checks and all fund transfer requests drawn on the Debtors' account to honor all employee expense reimbursement checks that are presented for payment or fund transfer requests that relate to accrued and unpaid prepetition obligations of the Debtors to Employees regardless of whether or not the checks or transfer requests were issued prior to or after the Petition Date, to the extent that sufficient funds are on deposit or the Debtors arrange to have sufficient funds deposited in the applicable account.

6. All banks are hereby authorized to rely upon the Debtors' representation that a particular payment is authorized under this Order, and no bank shall be liable for honoring any payment based on the Debtors' representation that a payment is authorized under this Order.

7. The Debtors are authorized to reissue checks to cover amounts owing on any checks covered by this Order that have been dishonored and to reimburse Employees for any resulting charges.

8. Nothing in the Motion or this Order, nor the Debtors' payment of claims pursuant to this Order, shall be deemed or construed: (a) as an admission as to the validity of any claim against the Debtors; (b) as a waiver of the Debtors' rights to dispute any claim; (c) to waive or release any right, claim, defense or counterclaim of the Debtors or its estate, or to estop the Debtors or their estates from asserting any right, claim, defense or counterclaim; (d) as an approval or assumption of any agreement, contract or lease, pursuant to section 365 of the Bankruptcy Code;

or (e) as an admission that any obligation is entitled to administrative expense priority or any such contract or agreement is executory or unexpired for purposes of section 365 of the Bankruptcy Code or otherwise. This order is entered subject to the right of any unsecured creditors committee, if formed, to request a hearing on the relief granted within fourteen (14) days of its appointment or as otherwise agreed with the Debtors.

9. The Debtors are authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order.

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

11. Pursuant to Local Rule 9013-1(f), any party shall be entitled to request a hearing or request that the Court reconsider entry of this Order by filing a motion for reconsideration within fourteen (14) days of service of this Order.

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