

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re:	)	Chapter 11
	)	
OTB HOLDING LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 25-52415 (SMS)
	)	
Debtors.	)	(Jointly Administered)
	)	
	)	Hearing Date: February 25, 2026 at 10:15 a.m. (ET)
	)	Obj. Deadline: February 16, 2026

**NOTICE OF MOTION OF THE LIQUIDATING TRUSTEE FOR ENTRY OF AN ORDER  
LIMITING SERVICE, DEADLINE TO OBJECT AND HEARING**

META Advisors LLC, solely in its capacity as the liquidating trustee (the “Liquidating Trustee”) of the OTB Holding Liquidating Trust (the “Liquidating Trust”), filed the **MOTION OF THE LIQUIDATING TRUSTEE FOR ENTRY OF AN ORDER LIMITING SERVICE** (the “Motion”) on January 23, 2026. Pursuant to Fifth Amended and Restated General Order No. 24-2018, the Court may consider this matter without further notice or a hearing if no party in interest files a response or objection **by no later than February 16, 2026. If you object to the relief requested in this pleading, you must timely file your objection with the Bankruptcy Clerk** at Room 1340, 75 Ted Turner Drive, S.W., Atlanta, GA 30303, and serve a copy on the movant’s attorney, Nathaniel T. DeLoatch, Eversheds Sutherland (US) LLP, 999 Peachtree St., NE, Suite 2300, Atlanta, GA 30309, and any other appropriate persons by the objection deadline. The response or objection must explain your position and be actually received by the Bankruptcy Clerk within the required time.

A hearing on the pleading has been scheduled for **February 25, 2026**. The Court will hold a hearing on the **Motion at 10:15 a.m. (ET) on February 25, 2026 in Courtroom 1201, at the Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303**, which must be attended in person, unless the Court orders otherwise.

If an objection or response is timely filed and served, the hearing will proceed as scheduled. **If you do not file a response or objection within the time permitted, the Court may grant the relief requested without further notice and without holding the scheduled hearing** provided that an order approving the relief requested is entered at least one business day prior to the

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, include: OTB Holding LLC (3213), OTB Acquisition LLC (8500), OTB Acquisition of New Jersey LLC (1506), OTB Acquisition of Howard County LLC (9865), Mt. Laurel Restaurant Operations LLC (5100), OTB Acquisition of Kansas LLC (9014), OTB Acquisition of Baltimore County, LLC (6963). OTB Holding LLC’s service address is One Buckhead Plaza, 3060 Peachtree Road, NW, Atlanta, GA 30305.



scheduled hearing. If no objection is timely filed, but no order is entered granting the relief requested at least one business day prior to the scheduled hearing, the hearing will be held as scheduled.

**Your rights may be affected. 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.**

Dated: January 23, 2026

**EVERSHEDS SUTHERLAND (US) LLP**

*/s/ Todd C. Meyers*

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re:	)	Chapter 11
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OTB HOLDING LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 25-52415 (SMS)
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Debtors.	)	(Jointly Administered)
	)	
	)	<b>Hearing Date: February 25, 2026 at 10:15</b>
	)	<b>a.m. (ET)</b>
	)	<b>Obj. Deadline: February 16, 2026</b>

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**MOTION OF THE LIQUIDATING TRUSTEE FOR ENTRY OF AN ORDER  
LIMITING SERVICE**

META Advisors LLC, solely in its capacity as the liquidating trustee (the “Liquidating Trustee”) of the OTB Holding Liquidating Trust (the “Liquidating Trust”), created pursuant to the *Debtors’ Amended and Joint Chapter 11 Plan as of July 21, 2025* [Docket No. 522] (as amended, supplemented, or modified, the “Plan”),<sup>2</sup> by and through undersigned counsel, files this motion (this “Motion”) for entry of an order substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”) limiting notice and service to a limited service list (the “Limited Service List”) and parties directly affected by a given pleading (the “Affected Parties”), pursuant to section 105(a) of 11 U.S.C. §§ 105-1532 (the “Bankruptcy Code”) and Rules 2002, 9007, and 9008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). In support of this Motion, the Liquidating Trustee respectfully states as follows:

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, include: OTB Holding LLC (3213), OTB Acquisition LLC (8500), OTB Acquisition of New Jersey LLC (1506), OTB Acquisition of Howard County LLC (9865), Mt. Laurel Restaurant Operations LLC (5100), OTB Acquisition of Kansas LLC (9014), OTB Acquisition of Baltimore County, LLC (6963). OTB Holding LLC’s service address is One Buckhead Plaza, 3060 Peachtree Road, NW, Atlanta, GA 30305.

<sup>2</sup> Capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the Plan.

### **PRELIMINARY STATEMENT**

1. With the Plan now effective and a motion to close all but one of the these Chapter 11 Cases (defined below) now pending [Docket No. 702], the Liquidating Trustee's paramount objective is to maximize the funds available for distribution to holders of Allowed Claims. To further this objective, the Liquidating Trustee seeks to streamline the post-confirmation notice and service procedures, thereby minimizing ministerial expenses and preserving the Liquidating Trust's limited resources for the benefit of the Liquidating Trust's beneficiaries.

2. Prior to confirmation, the noticing procedures implemented in these Chapter 11 Cases were appropriate to ensure that all parties in interest received due process and had an opportunity to participate in the reorganization process. Now, the Plan and Confirmation Order (defined below) have established clear and comprehensive procedures for the assertion, reconciliation, and resolution of claims, and all parties in interest have been repeatedly advised of the existence of the publicly accessible case website<sup>3</sup> maintained by Kurtzman Carson Consultants, LLC d/b/a Verita Global ("Verita"), where all significant pleadings and notices are posted free of charge.

3. The Liquidating Trustee respectfully submits that the noticing procedures approved during the pendency of the Chapter 11 Cases are no longer necessary in the post-effective date context, where the universe of parties with a direct interest in any given pleading is substantially narrowed and the Plan provides a defined process for Affected Parties to pursue their rights. Requiring the Liquidating Trustee to continue to serve every pleading, motion, and notice -- as currently required -- would impose unnecessary costs and administrative burdens on the

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<sup>3</sup> OTB Holding LLC, et al., Verita Global, <https://www.veritaglobal.net/ontheborder> (last accessed Dec. 1, 2025) (the "Case Website").

Liquidating Trust, to the detriment of the very creditors the Liquidating Trust is designed to benefit.

4. Accordingly, the Liquidating Trustee requests that the Court enter an order authorizing the Liquidating Trustee and the Wind-Down Officer to limit service of pleadings, motions, notices, and other papers to Affected Parties and the Limited Service List, and to deem the posting of such documents on the Case Website as adequate and sufficient notice to all other parties in interest. This relief is consistent with the efficient administration of the Liquidating Trust and completion of the Wind-Down Tasks, the due process rights of all parties, and the overarching goal of maximizing distributions to beneficiaries of the Liquidating Trust.

#### **JURISDICTION AND VENUE**

5. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Further, the Court has jurisdiction over this matter pursuant to section 11 of the Plan.

6. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

7. The statutory predicates for the relief requested herein are section 105(a) of the Bankruptcy Code and Bankruptcy Rules 2002, 9007, and 9008.

#### **BACKGROUND**

8. On March 4, 2025 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code in the Court (collectively, the “Chapter 11 Cases”).

9. The factual background relating to the Chapter 11 Cases is set forth in the *Declaration of Jonathan M. Tibus in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 18] filed on March 5, 2025 and is incorporated herein by reference.

10. On July 21, 2025, the Debtors filed the Plan. On September 8, 2025, the Court entered its *Findings of Fact, Conclusions of Law, and Order Confirming the Debtors' Amended Joint Chapter 11 Plan as of July 21, 2025* [Docket No. 607] (the "Confirmation Order") confirming the Plan, and, on September 16, 2025, the Plan became effective according to its terms (the "Effective Date") [*see* Docket No. 620].

11. The Plan and Confirmation Order provide for, among other things, the creation of the Liquidating Trust and appointment of the Liquidating Trustee to administer the Liquidating Trust. *See* Plan § 7.04. Accordingly, the Liquidating Trustee is deemed the Estates' representative and has all the rights and powers set forth in the Liquidating Trust Agreement, including, without limitation, to effect all actions necessary to implement the applicable provisions of the Plan and the Liquidating Trust Agreement. *See id.* at § 7.05.

12. As the Liquidating Trustee undertakes, among other things, administration of the Plan, the Liquidating Trust Agreement, and the claims reconciliation process, numerous pleadings, motions, and notices may be filed with the Court. Such filings may include claim objections, motions to estimate claims, motions to subordinate or recharacterize claims, and other related filings.

### **RELIEF REQUESTED**

13. By this Motion, the Liquidating Trustee seeks entry of an order, substantially in the form of the Proposed Order, permitting the Liquidating Trust and the Wind-Down Officer to limit the service in these Chapter 11 Cases to the Affected Parties and the Limited Service List.

### **BASIS FOR RELIEF**

#### **A. The Court Has Discretion to Tailor Notice Procedures**

14. The Court has discretion to tailor the form and manner of notice to the circumstances of the case. Bankruptcy Rule 2002(m) provides that "[e]xcept as these rules provide

otherwise, the court may designate the matters about which, the entity to whom, and the form and manner in which a notice must be sent.” Fed. R. Bankr. P. 2002(m). Moreover, Bankruptcy Rules 9007 and 9008 provide that the court may designate the form, manner, and recipients of notice when not otherwise specified by the Bankruptcy Rules, or the manner of publication when notice must be published under the Bankruptcy Code or Bankruptcy Rules. Fed. R. Bankr. P. 9007-08. Accordingly, similar orders have been entered in other cases. *See, e.g.*, Order Granting Emergency Mot. to Limit Notice and Establish Notice Procedures, *In re CoLiant Inc.*, Case No. 25-51509-PWB (Bankr. N.D. Ga. Feb. 14, 2025), Docket No. 23.

15. Moreover, 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). It is generally recognized that “[s]ection 105(a) authorizes the bankruptcy court, or the district court sitting in bankruptcy, to fashion such orders as are required to further the substantive provisions of the Bankruptcy Code.” COLLIER ON BANKRUPTCY ¶ 105.04 at 105-15, n.5 (15th ed. rev. 1989).

#### **B. Limiting Service Will Preserve Trust Assets for Distribution to Creditors**

16. By nature of these Chapter 11 Cases, there is a substantial universe of Claims and creditors. To provide service as currently required for post-effective date filings would cause the Liquidating Trust and Wind-Down Officer to incur unnecessarily burdensome costs both in human and financial capital. Due to the fixed and limited resources of the Liquidating Trust and Wind-Down Officer, the expenditure of resources in this manner means a material reduction in the resources available for distribution to beneficiaries of the Liquidating Trust.

17. Serving pleadings as currently required, when such pleadings do not directly affect all parties entitled to notice, would provide no relative benefit when such documents are available

on the Case Website. Conversely, the cost of serving pleadings filed on the docket would increase the administrative burden and reduce the amounts available for distribution. Over the life of the Liquidating Trust, such costs could be substantial and would directly reduce recoveries to beneficiaries of the Liquidating Trust.

18. The Liquidating Trustee submits that the procedures requested herein strike an appropriate balance between ensuring adequate notice to parties directly affected by a pleading and preserving the Liquidating Trust's and Wind-Down Officer's limited resources for the benefit of the Liquidating Trust's beneficiaries.

**C. The Proposed Limited Service List and Notice Procedures Are Appropriate**

19. The Liquidating Trustee proposes to limit service of pleadings, motions, notices, and other papers to the Affected Parties, along with only the Limited Service List, as set forth below:

- a. The Wind-Down Officer and the Wind-Down Officer's counsel;
- b. The United States Trustee for the Northern District of Georgia; and
- c. The Liquidating Trustee and the Liquidating Trustee's counsel.

20. All pleadings, motions, notices, and other papers will continue to be filed on the Court's CM/ECF system and will be available on the Case Website, ensuring that all parties in interest have access to such documents. The Liquidating Trustee submits that posting on the CM/ECF system and Case Website constitutes adequate and sufficient notice to all parties not on the Limited Service List or considered Affected Parties.

21. The relief requested will not prejudice those no longer receiving service of court papers because, should a pleading impact a party directly, they will receive notice as an Affected Party. Rather, it will benefit such individuals as it will enhance their recoveries by preserving Liquidating Trust Assets.

22. The Liquidating Trustee submits that implementation of the procedures requested herein are appropriate for these Chapter 11 Cases and well within the Court's equitable powers under section 105(a) of the Bankruptcy Code and the discretion afforded by Bankruptcy Rules 2002(m), 9007, and 9008.

**NO PRIOR REQUEST**

23. No prior request for the relief requested herein has been made by the Liquidating Trustee to this or any other court.

**NOTICE**

24. Notice of this Motion will be provided to (i) the United States Trustee for the Northern District of Georgia; (ii) the Wind-Down Officer and the Wind-Down Officer's counsel; and (iii) the notice list set forth by Verita and available on the Case Website. The Liquidating Trustee submits that no other or further notice is required.

**CONCLUSION**

**WHEREFORE**, the Liquidating Trustee respectfully requests that the Court enter the Proposed Order (a) limiting service of pleadings, motions, notices, and other papers to the Limited Service List and Affected Parties and (b) granting such other and further relief as the Court deems just and proper.

*[Signature on next page]*

Dated: January 23, 2026

**EVERSHEDS SUTHERLAND (US) LLP**

*/s/ Todd C. Meyers*

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Holding Liquidating Trust*

**EXHIBIT A**

**(Proposed Order)**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re:	)	Chapter 11
	)	
OTB HOLDING LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 25-52415 (SMS)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**ORDER GRANTING MOTION OF THE LIQUIDATING TRUSTEE FOR  
ENTRY OF AN ORDER LIMITING SERVICE**

Upon consideration of the *Motion of the Liquidating Trustee for Entry of an Order Limiting Service* (the "Motion"),<sup>2</sup> pursuant to section 105(a) of the Bankruptcy Code, and Bankruptcy Rules 2002, 9007, and 9008, and the authority granted to the Liquidating Trustee pursuant to the Plan and Confirmation Order; and it appearing that the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and section 11 of the Plan; and it appearing that venue of this case and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that the notice of the Motion as set forth therein is sufficient, and that no other or further notice need be provided; and this Court having found that the relief requested in the Motion is in the best interests of the Liquidating Trust, its beneficiaries, the Debtors' Estates, the Wind-Down Officer, and all other parties-in-interest; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as set forth herein.

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, include: OTB Holding LLC (3213), OTB Acquisition LLC (8500), OTB Acquisition of New Jersey LLC (1506), OTB Acquisition of Howard County LLC (9865), Mt. Laurel Restaurant Operations LLC (5100), OTB Acquisition of Kansas LLC (9014), OTB Acquisition of Baltimore County, LLC (6963). OTB Holding LLC's service address is One Buckhead Plaza, 3060 Peachtree Road, NW, Atlanta, GA 30305.

<sup>2</sup> Capitalized terms used but not defined herein shall have the respective meanings ascribed to them in the Motion.

2. Service of pleadings, motions, notices, and other papers by the Liquidating Trustee and Wind-Down Officer is hereby limited to the Limited Service List and Affected Parties, each as defined in the Motion.

3. The Limited Service List shall consist of the following parties, who shall be served by electronic mail, and only first-class U.S. Mail if electronic mail is not available:

- a. The Wind-Down Officer and the Wind-Down Officer's counsel;
- b. The United States Trustee for the Northern District of Georgia; and
- c. The Liquidating Trustee and the Liquidating Trustee's counsel.

4. In addition to service on the Limited Service List, the Liquidating Trustee and the Wind-Down Officer, as applicable, shall serve each pleading, motion, notice, or other paper on the Affected Parties.

5. Posting of pleadings, motions, notices, and other papers on the Court's CM/ECF system and the Case Website is deemed adequate and sufficient notice to all parties in interest not on the Limited Service List or considered Affected Parties.

6. The Liquidating Trustee is authorized to take all steps or actions necessary or appropriate to effectuate the relief granted pursuant to this Order.

7. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules are hereby satisfied by such notice.

8. Notwithstanding any Bankruptcy Rule or Local Rule that might otherwise delay the effectiveness of this Order, the terms and conditions of this Order shall be immediately enforceable upon its entry.

9. The Court shall retain jurisdiction over any and all matters arising from the interpretation, implementation, or enforcement of this Order.

10. Kurtzman Carson Consultants, LLC d/b/a Verita Global (“Verita”) shall, within three (3) days of the entry of this Order, cause a copy of this Order to be served by electronic mail or first-class mail, as applicable, on all parties served with the Motion, and Verita shall file promptly thereafter a certificate of service confirming such service.

**[END OF ORDER]**

Prepared and presented by:

**EVERSHEDS SUTHERLAND (US) LLP**

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