Case 25-58764-sms Doc 35 Filed 08/07/25 Entered 08/07/25 11:50:34 Desc Main Docket #0035 Date Filed: 08/07/2025

SAME RUPTCY COLLEGE

SORTH THE ROY DISTRICT OF CHORE

IT IS ORDERED as set forth below:

Date: August 7, 2025

Sage M. Sigler
U.S. Bankruptcy Court Judge

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

	)	
In re:	)	
	)	Chapter 11
WELLMADE FLOOR COVERINGS	)	
INTERNATIONAL, INC., et al., 1	)	Case No. 25-58764-sms
	)	
Debtors.	)	(Joint Administration Requested)
	)	
	)	Re: Docket No. 12

# INTERIM ORDER AUTHORIZING (I) THE DEBTORS TO PAY PREPETITION TAXES AND REGULATORY FEES IN THE ORDINARY COURSE OF BUSINESS AND (II) BANKS AND FINANCIAL INSTITUTIONS TO HONOR AND PROCESS CHECKS AND TRANSFERS RELATED THERETO

Upon the Emergency Motion of the Debtors for Entry of an Order Authorizing (I) the Debtors to Pay Prepetition Taxes and Regulatory Fees in the Ordinary Course of Business and (II) Banks and Financial Institutions to Honor and Process Checks and Transfers Related Thereto

<sup>&</sup>lt;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: 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.



(the "Motion");<sup>2</sup> 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 held a hearing (the "Hearing") to consider the relief requested in the Motion; and upon the First Day Declaration and the record of the Hearing, 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 on an interim basis to the extent provided herein.
- 2. The Debtors are authorized, but not directed, to pay all prepetition Taxes and Fees to the applicable Taxing and Regulatory Authorities in the ordinary course of business, whether such Taxes and Fees were incurred, accrued, or otherwise arose prior to the Petition Date.
- 3. The Debtors are authorized to pay any amounts in respect of the Taxes and Fees paid by checks issued prepetition that have not yet cleared on the Petition Date, and to reissue any checks that are otherwise returned by a Taxing and Regulatory Authority.
- 4. All applicable Banks shall be, and hereby are, authorized, when requested by the Debtors, in their sole discretion, to receive, process, honor and pay all checks or electronic transfers drawn on the Debtors' accounts to pay the prepetition Taxes and Fees authorized by this Order, whether those checks were presented prior to or after the Petition Date, provided that sufficient funds are available in the applicable accounts to make the payments.

<sup>&</sup>lt;sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Case 25-58764-sms Doc 35 Filed 08/07/25 Entered 08/07/25 11:50:34 Desc Main Document Page 3 of 6

- 5. Nothing in the Motion or this Order shall be construed as impairing the Debtors' right to contest the validity, priority, or amount of any Taxes or Fees that may be due to any of the Taxing and Regulatory Authorities.
- 6. Notwithstanding anything to the contrary contained in this Order, any payment, deposit, or other transfer made or to be made under this Order, any authorization contained in this Order, or any claim for which payment is authorized hereunder, shall be subject to the terms and provisions of any orders of this Court approving any debtor-in-possession financing for, or any use of cash collateral by, the Debtors and any approved budget (subject to permitted variances thereto) in connection therewith. Nothing herein is intended to modify, alter, or waive, in any way, any terms, provisions, requirements, or restrictions of (a) any such orders approving any debtor-in-possession financing or use of cash collateral or (b) any debtor-in-possession financing agreements and documents related thereto.
- A final hearing to consider the relief requested in the Motion shall be held on August 21, 2025 at 10:00 a.m. (prevailing Eastern Time) and any objections to entry of such order shall be in writing and filed with this Court no later than August 14, 2025 at 4:00 p.m. (prevailing Eastern Time) and served on: (i) the Debtors, c/o Wellmade Floor Coverings International Inc., 1197 Peachtree St. NE, Suite 780, Atlanta, GA 30361, Attn: David Baker (dbaker@auroramp.com); (ii) proposed counsel to the Debtors, Greenberg Traurig, LLP, Terminus 200, 3333 Piedmont Road, NE, Suite 2500, Atlanta, Georgia 30305, Attn: John D. Elrod (elrodj@gtlaw.com) and Allison J. McGregor (Allison.McGregor@gtlaw.com); (iii) counsel for the Prepetition Lenders, King & Spalding LLP, 1180 Peachtree Street, NE, Suite 1600, Atlanta, GA 30309, Attn: Austin Jowers (AJowers@kslaw.com); (iv) counsel for the DIP Lenders, Rountree Leitman Klein & Geer, LLC, Century Plaza I, 2987 Clairmont Road, Suite 350, Atlanta,

GA 30329 Attn: Will B. Geer (WGeer@rlkglaw.com); and (v) the Office of the United States Trustee for Region 21, 362 Richard Russell Building & U.S. Courthouse, 75 Ted Turner Drive, S.W., Atlanta, GA 30303 Attn: Lindsay Kolba (Lindsay.P.Kolba@usdoj.gov).

- 8. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.
  - 9. The requirements of Bankruptcy Rule 6003(b) are satisfied.
- 10. Notwithstanding any applicable Bankruptcy Rule, this Order shall be effective and enforceable immediately upon entry hereof.
- 11. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Order.

END OF DOCUMENT

Prepared and presented by:

# **GREENBERG TRAURIG, LLP**

# /s/ John D. Elrod

John D. Elrod, GA Bar No. 246604 Jake Evans, GA Bar No. 797018 Allison J. McGregor, GA Bar No. 860865 3333 Piedmont Road NE, Suite 2500 Atlanta, GA 30305

Telephone: 678-553-2259 Facsimile: 678-553-2269 Email: elrodj@gtlaw.com Jake.Evans@gtlaw.com

Allison.McGregor@gtlaw.com

Proposed Counsel for the Debtors in Possession

### **Distribution List**

Wellmade Floor Coverings International, Inc. 1197 Peachtree St. NE, Suite 780 Atlanta, GA 30361 Attn: David Baker

Greenberg Traurig, LLP
Terminus 200
3333 Piedmont Road, NE, Suite 2500
Atlanta, Georgia 30305
Attn: John D. Elrod

Kurtzman Carson Consultants LLC d/b/a Verita Global 222 N. Pacific Coast Highway, 3rd Floor El Segundo, CA 90245 Attn: Drake D. Foster

> Office of the United States Trustee 362 Richard Russell Federal Building 75 Ted Turner Drive, SW Atlanta, GA 30303 Attn: Lindsay Kolba

> King & Spalding LLP 1180 Peachtree Street, NE, Suite 1600 Atlanta, GA 30309 Attn: Austin Jowers

> Rountree Leitman Klein & Geer, LLC Century Plaza I 2987 Clairmont Road, Suite 350 Atlanta, GA 30329 Attn: Will B. Geer