

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)

Related to Docket No. 8

NOTICE OF FILING OF MODIFIED PROPOSED FINAL ORDER
(I) AUTHORIZING THE DEBTORS TO PAY PREPETITION WAGES, PAYROLL
TAXES, CERTAIN EMPLOYEE BENEFITS, AND RELATED EXPENSES, AND
(II) DIRECTING BANKS TO HONOR RELATED TRANSFERS

PLEASE TAKE NOTICE that, on August 4, 2025, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the *Emergency Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Prepetition Wages, Payroll Taxes, Certain Employee Benefits, and Related Expenses and (II) Directing Banks to Honor Related Transfers* [Docket No. 8] (the “Motion”). A proposed form of final order was attached to the Motion as Exhibit B (the “Initial Proposed Final Order”).

PLEASE TAKE FURTHER NOTICE that on August 7, 2025, the United States Bankruptcy Court for the Northern District of Georgia (the “Court”) entered the *Interim Order (I) Authorizing the Debtors to Pay Prepetition Wages, Payroll Taxes, Certain Employee Benefits, and Related Expenses and (II) Directing Banks to Honor Related Transfers* [Docket No. 31] (the “Interim Order”).

PLEASE TAKE FURTHER NOTICE that pursuant to the Interim Order, objections to approval of the Motion on a final basis were due by August 14, 2025, at 4:00 p.m. (prevailing Eastern Time). No objections or responses were received by the Debtors.

PLEASE TAKE FURTHER NOTICE that attached hereto as **Exhibit A** is a revised proposed final order granting the Motion (the “Modified Proposed Final Order”), which includes certain clarifying edits and modifications consistent with the Interim Order.

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.



PLEASE TAKE FURTHER NOTICE that attached hereto as **Exhibit B** is a blackline reflecting the modifications between the Initial Proposed Final Order and the Modified Proposed Final Order.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Interim Order, a final hearing to consider the relief requested in the Motion will be held before the Honorable Sage M. Sigler, United States Bankruptcy Judge, **Courtroom 1202 in the Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia, 30303 on August 21, 2025 at 10:00 a.m. (prevailing Eastern Time).**

PLEASE TAKE FURTHER NOTICE that copies of all documents filed in the above captioned chapter 11 cases are available free of charge by visiting the case website maintained by the Debtors' notice and claims agent, Kurtzman Carson Consultants, LLC dba Verita Global, at <https://www.veritaglobal.net/Wellmade> or by calling (866) 927-7076. You may also obtain copies of any pleadings by visiting the Office of the Clerk, U.S. Bankruptcy Court for the Northern District of Georgia (Atlanta Division) between 8:00 a.m. and 4:00 p.m. or online by visiting the Court's website at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users). Further information may be obtained by using the "Submit an Inquiry" function at <https://www.veritaglobal.net/Wellmade/inquiry>.

Dated: August 20, 2025
Atlanta, Georgia

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

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*Proposed Counsel for the Debtors and
Debtors in Possession*

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2025, all ECF participants registered in these Chapter 11 Cases were served electronically with the foregoing notice through the Court's ECF system at their respective email addresses registered with this Court.

By: /s/ John D. Elrod
John D. Elrod

Exhibit A

(Modified Proposed Final Order)

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

In re:)	
)	
)	Chapter 11
WELLMADE FLOOR COVERINGS)	
INTERNATIONAL, INC., <i>et al.</i> , ¹)	Case No. 25-58764-sms
)	
Debtors.)	(Jointly Administered)
)	
)	Re: Docket No. 8

**FINAL ORDER (I) AUTHORIZING THE DEBTORS TO PAY PREPETITION WAGES,
PAYROLL TAXES, CERTAIN EMPLOYEE BENEFITS, AND RELATED EXPENSES
AND (II) DIRECTING BANKS TO HONOR RELATED TRANSFERS**

Upon the *Emergency Motion of the Debtors for Entry of Interim and Final Orders*
(I) Authorizing the Debtors to Pay Prepetition Wages, Payroll Taxes, Certain Employee Benefits,

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and Related Expenses, and (II) Directing Banks to Honor Related Transfers (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 proper and adequate notice of the Motion has been given and that no other or further notice is necessary; 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; and the Court having entered an interim order granting the relief requested in the Motion [Docket No. 31] (the “Interim Order”); and good and sufficient cause appearing for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED to the extent provided herein.
2. The Debtors are authorized, but not directed, to pay all Employee Obligations that have accrued by virtue of the services rendered by the Employees prior to the Petition Date. The Employee Obligations that the Debtors are authorized to pay are described in the Motion and include, without limitation, (a) Wages and Commissions; (b) Independent Contractor Obligations; (c) Payroll Taxes; (d) Medical, Benefit and Retirement Plans, (e) PTO and Reimbursement Programs, and (f) Workers Compensation Programs.
3. The Debtors shall not honor any prepetition claims or obligations on account of the Employee Obligations to any individual that exceeds the priority amounts set forth in sections 507(a)(4) and 507(a)(5) of the Bankruptcy Code.
4. The Debtors are authorized, but not directed, to continue to honor and pay their

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

PTO and Reimbursable Expenses in the ordinary course of business and consistent with the Debtors' prepetition practices and modify, change, and discontinue any of the PTO and Reimbursable Expenses Programs and to implement new programs, policies, and benefits in the ordinary course of business during these chapter 11 cases.

5. Notwithstanding any other provision of this Order, nothing in this Order shall authorize the Debtors to cash out unpaid PTO, unless applicable non-bankruptcy law requires such payment.

6. The Debtors are authorized to continue the Workers' Compensation Programs and pay all prepetition amounts relating thereto in the ordinary course.

7. The Debtors are authorized to continue to honor and pay amounts related to the Medical Plans, Benefits Plans, and Retirement Plans in the ordinary course of business, including any such prepetition obligations.

8. The Debtors are authorized, but not directed, to make payments to applicable third parties in connection with the Employee Obligations, including, without limitation, all Payroll Taxes, in accordance with the Debtors' ordinary course of business and stated policies, as set forth in the Motion.

9. The Debtors are authorized to make postpetition payments with respect to the foregoing in the ordinary course of business.

10. All of the Debtors' banks are authorized and directed to receive, process, honor, and pay any and all checks or electronic transfers drawn on the Debtors' payroll and disbursement accounts related to Employee Obligations authorized by the Final Order, whether presented before or after the Petition Date, provided that sufficient funds are on deposit in the applicable accounts to cover such payments.

11. To the extent that any employment or related agreements may be deemed executory contracts within the meaning of section 365 of the Bankruptcy Code, the Debtors have not sought authority to assume such contracts, and no relief is granted in respect thereof.

12. Nothing in the Motion, the Interim Order, or the Final Order, nor as a result of any payment made pursuant to the Final Order, shall be deemed or construed as an admission as to the validity or priority of any claim against the Debtors, an approval or assumption of any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code, or a waiver of the rights of the Debtors, or shall impair the ability of the Debtors, or any other party in interest, to the extent applicable, to contest the validity and amount of any payment made pursuant to the Final Order.

13. Notwithstanding anything to the contrary contained in this Final Order, any payment, deposit, or other transfer made or to be made under this Final Order, any authorization contained in this Final 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.

14. Nothing herein shall be deemed to authorize (i) the payment of any amounts in satisfaction of bonus or severance obligations to an insider of the Debtors, which are subject to section 503(c) of the Bankruptcy Code, or (ii) the payment of any amounts owing to any retired or former employees under any supplemental executive retirement plan or otherwise.

15. The Debtors are authorized to take all actions necessary to effectuate the relief

granted in this Order.

16. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

17. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or 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

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Proposed Counsel for the Debtors in Possession

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Attn: Gus H. Small

Exhibit B

(Blackline)

UNITED STATES ~~DS~~ BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	
)	
)	Chapter 11
WELLMADE FLOOR COVERINGS)	
INTERNATIONAL, INC., <i>et al.</i> , ¹)	Case No. 25-58764-sms
)	
Debtors.)	(Joint Administration Requested)
)	
)	Re: Docket No. 8

**FINAL ORDER (I) AUTHORIZING THE DEBTORS TO PAY PREPETITION WAGES,
PAYROLL TAXES, CERTAIN EMPLOYEE BENEFITS, AND RELATED EXPENSES
AND (II) DIRECTING BANKS TO HONOR RELATED TRANSFERS**

Upon the *Emergency Motion of the Debtors for Entry of Interim and Final Orders*

(I) Authorizing the Debtors to Pay ~~(A) All~~ Prepetition Wages, Payroll Taxes, Certain Employee
~~Obligations and (B) Prepetition Withholding Obligations~~ Benefits, and Related Expenses, and

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.

(II) *Directing Banks to Honor Related Transfers* (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 proper and adequate notice of the Motion has been given and that no other or further notice is necessary; 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; and the Court having entered an interim order granting the relief requested in the Motion [\[Docket No. 31\]](#) (the “Interim Order”); and good and sufficient cause appearing for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED to the extent provided herein.
2. The Debtors are authorized, but not directed, to pay all Employee Obligations that have accrued by virtue of the services rendered by the Employees prior to the Petition Date. The Employee Obligations that the Debtors are authorized to pay are described in the Motion and include, without limitation, (a) Wages and Commissions; (b) Independent Contractor Obligations; (c) Payroll Taxes; (d) Medical, Benefit and Retirement Plans, (e) PTO and Reimbursement Programs, and (f) Workers Compensation Programs.
3. The Debtors shall not honor any prepetition claims or obligations on account of the Employee Obligations to any individual that exceeds the priority amounts set forth in sections 507(a)(4) and 507(a)(5) of the Bankruptcy Code.
4. The Debtors are authorized, but not directed, to continue to honor and pay their

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

PTO and Reimbursable Expenses in the ordinary course of business and consistent with the Debtors' prepetition practices and modify, change, and discontinue any of the PTO and Reimbursable Expenses Programs and to implement new programs, policies, and benefits in the ordinary course of business during these chapter 11 cases.

5. Notwithstanding any other provision of this Order, nothing in this Order shall authorize the Debtors to cash out unpaid PTO, unless applicable non-bankruptcy law requires such payment.

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7. The Debtors are authorized to continue to honor and pay amounts related to the Medical Plans, Benefits Plans, and Retirement Plans in the ordinary course of business, including any such prepetition obligations.

8. The Debtors are authorized, but not directed, to make payments to applicable third parties in connection with the Employee Obligations, including, without limitation, all Payroll Taxes, in accordance with the Debtors' ordinary course of business and stated policies, as set forth in the Motion.

9. The Debtors are authorized to make postpetition payments with respect to the foregoing in the ordinary course of business.

10. All of the Debtors' banks are authorized and directed to receive, process, honor, and pay any and all checks or electronic transfers drawn on the Debtors' payroll and disbursement accounts related to Employee Obligations authorized by the Final Order, whether presented before or after the Petition Date, provided that sufficient funds are on deposit in the applicable accounts to cover such payments.

11. To the extent that any employment or related agreements may be deemed executory contracts within the meaning of section 365 of the Bankruptcy Code, the Debtors have not sought authority to assume such contracts, and no relief is granted in respect thereof.

12. Nothing in the Motion, the Interim Order, or the Final Order, nor as a result of any payment made pursuant to the Final Order, shall be deemed or construed as an admission as to the validity or priority of any claim against the Debtors, an approval or assumption of any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code, or a waiver of the rights of the Debtors, or shall impair the ability of the Debtors, or any other party in interest, to the extent applicable, to contest the validity and amount of any payment made pursuant to the Final Order.

13. Notwithstanding anything to the contrary contained in this Final Order, any payment, deposit, or other transfer made or to be made under this Final Order, any authorization contained in this Final 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.

14. Nothing herein shall be deemed to authorize (i) the payment of any amounts in satisfaction of bonus or severance obligations to an insider of the Debtors, which are subject to section 503(c) of the Bankruptcy Code, or (ii) the payment of any amounts owing to any retired or former employees under any supplemental executive retirement plan or otherwise.

15. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order.

16. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

17. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretation of this Order.

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Prepared and presented by:

GREENBERG TRAURIG, LLP

/s/ John D. Elrod

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Jake Evans, GA Bar No. 797018

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Summary report: Litera Compare for Word 11.11.0.158 Document comparison done on 8/20/2025 4:34:34 PM	
Style name: GT-1 - No headers and footers, no moves, no comments	
Intelligent Table Comparison: Active	
Original DMS: iw://dmsamericas.gtlaw.com/active/713687001/1 - Wellmade - proposed Final Order re Employee and Wages Motion.docx	
Modified DMS: iw://dmsamericas.gtlaw.com/active/713687001/2 - Wellmade - proposed Final Order re Employee and Wages Motion.docx	
Changes:	
<u>Add</u>	12
Delete	3
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	15