

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

In re:

Chapter 11 Cases

CONSOLIDATED BURGER HOLDINGS,
LLC,
CONSOLIDATED BURGER A, LLC, and
CONSOLIDATED BURGER B, LLC,

Case No. 25-40162-KKS
Case No. 25-40160-KKS
Case No. 25-40161-KKS

Debtors.

Jointly Administered under
Case No. 25-40162-KKS

**ORDER (1) GRANTING DEBTORS' EXPEDITED OMNIBUS MOTION
FOR ENTRY OF AN ORDER AUTHORIZING (I) REJECTION OF
CERTAIN UNEXPIRED LEASES OF NON-RESIDENTIAL REAL
PROPERTY, (II) ABANDONMENT OF ANY PERSONAL PROPERTY,
(III) REJECTION OF CERTAIN EXECUTORY CONTRACTS AND
(IV) RELATED RELIEF [ECF No. 277]; AND (2) SETTING DEADLINE
FOR FILING PROOFS OF CLAIM FOR REJECTION DAMAGES**

THIS MATTER having come before the Court for a hearing on June 26, 2025 at 10:00 a.m. in Tallahassee, Florida (the “Hearing”) upon the *Debtors’ Expedited Omnibus Motion for Entry of an Order Authorizing (I) Rejection of Certain Unexpired Leases of Non-Residential Real Property (II) Abandonment of Any Personal Property, (III) Rejection of Certain Executory Contracts, and (IV) Related Relief [ECF No. 277]* (the “Motion”)¹ filed by the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”), seeking entry of an order (i)

¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

to reject those certain Leases identified on **Exhibit 1** to this Order, effective as of Turnover Date;² (ii) to abandon the Personal Property, effective as of the Turnover Date, and (iii) to reject those certain Executory Contracts identified on **Exhibit 2** to this Order, effective as of the Turnover Date (as defined in the Motion at ¶ 13). The Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A); (iii) it may enter a final order consistent with Article III of the United States Constitution; (iv) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; (v) notice of the Motion and the Hearing were appropriate under the circumstances and no other notice need be provided; (vi) the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties-in-interest; and (vii) upon review of the record before the Court, including the legal and factual bases set forth in the Motion and the First Day Declaration and the record of the Hearing, all of which are incorporated herein, the Court determines that good and sufficient cause exists to grant the relief requested in the Motion. Accordingly, it is

ORDERED:

1. The Motion is **GRANTED** as provided herein.

² As defined in the Motion at ¶ 13.

2. The Debtors' rejection of the Leases and Executory Contracts, and the abandonment of the Personal Property, will benefit the Debtors' estates and represent decisions by the Debtors made well within the scope of the Debtors' sound business judgment.

3. Pursuant to section 365 of the Bankruptcy Code, the Debtors' rejection of the Leases listed on **Exhibit 1** to this Order are **APPROVED** effective as of the Turnover Date.

4. Pursuant to section 365 of the Bankruptcy Code, the Debtors' rejection of the Executory Contracts listed on **Exhibit 2** to this Order are **APPROVED** effective as of the Turnover Date.

5. The Debtors are authorized to abandon, effective as of the Turnover Date, any Personal Property located at the premises covered by the Leases, and any such Personal Property remaining at the premises covered by such Leases, effective as of the Turnover Date, shall be deemed abandoned. Nothing contained herein or by reason of the Debtors' abandonment of the Personal Property shall be deemed to release the liens of Auxilior on such property. Any and all rights of Auxilior, the landlord or its managing agents with respect to the removal of any Personal Property on and after the Turnover Date shall be governed by applicable non-bankruptcy law.

6. **ANY PROOF OF CLAIM FOR DAMAGES ARISING FROM THE REJECTION OF THE LEASE OR EXECUTORY CONTRACT MUST**

BE FILED WITH THE COURT ON OR BEFORE THE LATEST OF: (I) 30 DAYS AFTER THE ENTRY OF THE ORDER COMPELLING OR APPROVING THE REJECTION OF THE LEASE OR EXECUTORY CONTRACT; OR (II) 30 DAYS AFTER THE EFFECTIVE DATE OF THE REJECTION OF THE LEASE OR EXECUTORY CONTRACT.

7. Nothing contained in the Motion or this Order is intended or should be construed to create an administrative priority claim.

8. The notice of the Motion satisfies the requirements of Bankruptcy Rule 6004(a).

9. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

10. The Debtors are authorized and empowered to take all reasonable actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

11. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

DONE AND ORDERED on June 26, 2025.

A handwritten signature in black ink, appearing to read 'K. Specie', written over a horizontal line.

KAREN K. SPECIE
Chief U.S. Bankruptcy Judge

Order prepared by:

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(Attorney Niles is directed to serve a copy of this order on interested parties and file a certificate of service within 3 business days of entry of the order.)

Exhibit 1

Consolidated Burger Holdings
Exhibit 1
Leases

Your Rest / CC #	Legal Entity Name	Rest / Cost Center "Name" or "Reference"	Counterparty	Type	Address
1830	Consolidated Burger A, LLC	Mary Esther	Burger King Corporation	Lease agreement	5707 Blue Lagoon Drive 4th floor, Miami, FL 33126
6976	Consolidated Burger A, LLC	Marianna, FL - Hwy 90	Clark East Tower Limited Dividend Housing Association	Lease agreement	6400 Farmington Road, Suite 320, West Bloomfield, Michigan 48322
8727	Consolidated Burger A, LLC	Niceville, FL - John Sims Pkwy	ARC CAFEUSA001, LLC	Lease agreement	Dept. 880044 PO Box 29650 Phoenix, AZ 85038
13260	Consolidated Burger A, LLC	Fort Walton Beach, FL - Racetrack Rd	Madison Towers Two Limited Dividend Housing Association	Lease agreement	6400 Farmington Road, Suite 320, West Bloomfield, Michigan 48322
15794	Consolidated Burger A, LLC	Camilla, GA - Hwy 19	BK Georgia, LC	Lease agreement	Attn: Irvine Investments 920 Woodoak Lane, Suite 200, Salt Lake City, UT 84117
15825	Consolidated Burger A, LLC	Havana, FL - Main St	KWANG YOUN WOO	Lease agreement	917 S NEW HAMPSHIRE AVE, Unit 401, Los Angeles, CA 90006
16785	Consolidated Burger A, LLC	Tallahassee, FL - Apalachee Pkwy	CPJ Corp.	Lease agreement	1990 E. Sunrise BLVD., Ft. Lauderdale, FL 33304
21865	Consolidated Burger A, LLC	Tallahassee, FL - Tennessee Walmart	Wal-mart Stores East LP	Lease agreement	2001 SE 10 th Street, Bentonville, AR 72716
21867	Consolidated Burger A, LLC	Tallahassee, FL - Thomasville Walmart	Wal-mart Stores East LP	Lease agreement	2001 SE 10 th Street, Bentonville, AR 72716

Exhibit 2**Consolidated Burger Holdings****Exhibit 2****Executory Contracts**

Your Rest / CC #	Legal Entity Name	Rest / Cost Center "Name" or "Reference"	Counterparty	Type	Address	Contract No.
1830	Consolidated Burger A, LLC	Mary Esther	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 1830
6976	Consolidated Burger A, LLC	Marianna, FL - Hwy 90	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 6976
8727	Consolidated Burger A, LLC	Niceville, FL - John Sims Pkwy	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 8727
13260	Consolidated Burger A, LLC	Fort Walton Beach, FL - Racetrack Rd	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 13260
15794	Consolidated Burger A, LLC	Camilla, GA - Hwy 19	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 15794
15825	Consolidated Burger A, LLC	Havana, FL - Main St	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 15825
16785	Consolidated Burger A, LLC	Tallahassee, FL - Apalachee Pkwy	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 16785
21865	Consolidated Burger A, LLC	Tallahassee, FL - Tennessee Walmart	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 21865
21867	Consolidated Burger A, LLC	Tallahassee, FL - Thomasville Walmart	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 21867
6288	Consolidated Burger A, LLC	Tallahassee, FL - N. Monroe St	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 6288
6289	Consolidated Burger A, LLC	Quincy, FL - Jefferson St	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 6289
5641	Consolidated Burger A, LLC	Tallahassee, FL - Park Ave	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 5641
6678	Consolidated Burger A, LLC	Tallahassee, FL - Mahan Dr	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 6678
17335	Consolidated Burger A, LLC	Crawfordville, FL - Crawfordville Hwy	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 17335
2895	Consolidated Burger A, LLC	Tallahassee, FL - Tennessee St	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 2895
2087	Consolidated Burger A, LLC	Tallahassee, FL - S. Monroe St	Burger King Corporation	Franchisee Agreement	5707 Blue Lagoon Drive 4th floor, Miami, Fl 33126	Resturant No. 2087