

ORDERED.

Dated: November 04, 2024



Jason A. Burgess
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re)	
TIJUANA FLATS RESTAURANTS, LLC, <i>et al</i> , ¹)	Case Nos. 3:24-bk-1122-BAJ and 3:24-bk-1128-BAJ
)	
Debtors.)	Chapter 11
)	
_____)	Jointly Administered Under Case No. 3:24-bk-1128-BAJ

**ORDER GRANTING EMERGENCY MOTION FOR
AUTHORITY TO INCUR DEBT WITH ADMINISTRATIVE
EXPENSE PRIORITY UNDER § 364(b) OF THE BANKRUPTCY CODE**

This Chapter 11 case came before the Court on October 30, 2024, upon the debtors, Tijuana Flats #176, LLC and Tijuana Flats Restaurants, LLC (“Debtors”), Emergency Motion for Authority to Incur Debt with Administrative Expense Priority Under § 364(b) of the Bankruptcy Code (the “Motion”) [Docket No. 441]. Upon consideration of the Motion and any responses or

¹ The Federal Employer Identification Number of Tijuana Flats Restaurants, LLC is 47-4472442. The principal address of the Debtor is 2300 Maitland Center Parkway, Suite 306, Maitland, Florida 32751.

opposition thereto, and the findings made at the hearing held on October 30, 2024, it is ORDERED:

1. The Motion is granted.
2. Debtors are authorized to borrow \$1,200,000 from Flatheads, LLC as described in the Motion.
3. All sums advanced made by Flatheads, LLC pursuant to this Order shall be entitled to Chapter 11 administrative expense priority as an actual and necessary cost of preserving the estates, whether such sums were advanced prior to or subsequent to the entry of this Order.
4. Debtors are hereby authorized, without the need of further Order of this Court, to repay the advances from the proceeds of any insurance proceeds received on account of the business interruption occasioned by Hurricanes Helene and Milton.
5. This Order shall be binding upon and inure to the benefit of the Debtors and their respective successors and assigns, including without limitation, any Chapter 11 or Chapter 7 trustee hereinafter appointed.
6. The terms and conditions of this Order shall be immediately effective and enforceable notwithstanding the provisions of Fed. R. Bankr. Proc. 6004 to the extent applicable.
7. Flatheads, LLC is an “entity that is extending credit in good faith,” as that phrase is used in § 364(e) of the Bankruptcy Code, and Flatheads, LLC is entitled to the protections afforded under § 364(e) of the Bankruptcy Code.