

**ORDERED.**

**Dated: July 17, 2024**



Jason A. Burgess  
United States Bankruptcy Judge

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

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

**ORDER GRANTING DEBTORS’  
MOTION FOR APPROVAL OF POSTPETITION  
CREDIT AGREEMENT WITH US FOODS, INC.**

These administratively consolidated Chapter 11 cases came before the Court upon the Debtors’ Motion for Approval of Postpetition Credit Agreement with US Foods, Inc. (the “Motion”) [Docket No. 248]. A preliminary hearing on the Motion was held July 11, 2024. Upon consideration thereof, it is ORDERED:

1. The Motion is granted.
2. US Foods is entitled to a § 503(b)(9) administrative expense claim of \$1,503,691.54 for products delivered to the Debtors within twenty (20) days of the

<sup>1</sup> 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.

Petition Date (“US Foods’ Administrative Expense Claim”).

3. US Foods is further entitled to a “PACA” claim of \$235,588.04 for perishable agricultural products delivered to the Debtors prior to the Petition Date (“US Foods’ PACA Claim”). US Foods’ PACA Claim has priority in payment over all other creditors of the estate pursuant to 7 U.S.C. § 499e(c)(2).

4. US Foods is authorized and directed to apply the \$895,914.28 in postpetition payments which it received from the Debtors via ACH debits towards satisfaction of US Foods’ PACA Claim, with the balance being applied to US Foods’ Administrative Expense Claim.

5. US Foods is authorized and directed to apply the \$15,155.18 Recall Credit to US Foods Administrative Expense Claim.

6. The balance of US Foods’ Administrative Expense Claim shall be paid in twelve (12) monthly installments of \$69,017.51 each until satisfied or sooner paid in connection with the confirmation of a plan of reorganization or assumption of the Distribution Agreement between Debtor and US Foods, with the first installment due September 15, 2024.

7. Upon entry of this Order, US Foods is authorized and directed to release the \$282,569.69 in administrative fees which it is holding to the Debtors.

8. Debtors are authorized to incur indebtedness on 30-day credit terms with US Foods for food and other products routinely purchased by the Debtors. US Foods shall be entitled to a § 503(b)(1) administrative expense claim for all postpetition credit which it provides to the Debtor.

9. This Order is effective immediately upon entry notwithstanding the provisions of Fed. R. Bankr. P. 6004(h).

Stretto, Inc. is directed to serve a copy of this Order on the “Short List” of interested parties who are non-CM/ECF users and file a proof of service within three days of entry of the Order.