

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

RESTAURANTS ACQUISITION I, LLC,¹

Debtor.

Chapter 11

Case No. 15-12406 (KG)

Related to Docket No. *12*

**ORDER AUTHORIZING THE DEBTOR TO
(A) CONTINUE CUSTOMER PROGRAMS IN THE ORDINARY COURSE OF
BUSINESS AND (B) OTHERWISE HONOR PRE-PETITION
OBLIGATIONS RELATED THERETO**

Upon the motion (the "Motion")² of Restaurants Acquisition I, LLC (the "Debtor"), debtor and debtor-in-possession in the above-captioned chapter 11 case (the "Chapter 11 Case"), for entry of an order (this "Order") pursuant to Bankruptcy Code sections 105(a) and 363, authorizing, but not directing, the Debtor to (a) maintain and administer certain Customer Programs and (b) honor all pre-petition obligations earned by and owing to its customers related thereto in the ordinary course of business and in a manner consistent with past practice; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding in accordance with 28 U.S.C. § 157(b)(2); and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion being adequate and appropriate under the particular circumstances; and upon the First Day Declaration and the record of all proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtor's estate,

¹ The Debtor's mailing address is 313 East Main Street, Suite 2, Hendersonville, TN and the last four digits of its tax identification number are 8761.

² Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion or the First Day Declaration, as applicable.

its creditors and other parties-in-interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and any objections to the requested relief having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED:

1. The Motion is granted as set forth herein.
2. The Debtor is authorized, but not directed, pursuant to Bankruptcy Code sections 105(a) and 363 to continue, renew, replace, implement, modify and/or terminate the Customer Programs as it deems appropriate, in the ordinary course of business and without further order of the Court.
3. The Debtor is authorized, but not directed, in its business judgment, to honor all pre-petition obligations relating to the Customer Programs in the ordinary course of business and post-petition obligations relating to the Customer Programs in the ordinary course of business.
4. The banks and financial institutions on which any checks were drawn or electronic payment requests were made in payment of the pre-petition obligations approved herein are authorized and directed to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such banks and financial institutions are authorized to rely on the Debtor's designation of any particular check or electronic payment request as being approved by this Court.
5. Notwithstanding the relief granted herein and any actions taken hereunder, nothing contained in this order shall constitute an admission as to the validity or priority of any claim against the Debtor, the creation of an administrative priority claim on account of the pre-petition obligations sought to be honored, or the assumption or adoption of any contract or agreement under Bankruptcy Code section 365.

6. The requirements set forth in Bankruptcy Rule 6003(b) are satisfied by the contents of the Motion or are otherwise deemed waived.

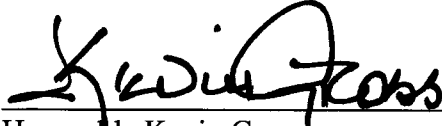
7. Notice of the Motion as provided therein shall be deemed good and sufficient and such notice satisfies the requirements of Bankruptcy Rule 6004(a) and the Local Rules.

8. Notwithstanding the possible applicability of Bankruptcy Rule 6004(h), this order shall be immediately effective and enforceable upon its entry.

9. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this order in accordance with the Motion.

10. The Court retains jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this order.

Dated: December 4, 2015
Wilmington, Delaware



Honorable Kevin Gross
United States Bankruptcy Judge