

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

In re:

SHARITY MINISTRIES, INC.,<sup>1</sup>

Debtor.

Chapter 11 (Subchapter V)

Case No.: 21-11001 (JTD)

**Ref. Nos. 12 & 103**

**FINAL ORDER (I) AUTHORIZING THE DEBTOR TO (A) PAY PRE-PETITION EMPLOYEES WAGES, SALARIES, BENEFIT, REIMBURSABLE EXPENSES, AND OTHER ASSOCIATED OBLIGATIONS, AND (B) CONTINUE THE POST-PETITION MAINTENANCE OF EMPLOYEE BENEFIT PROGRAMS, POLICIES, AND PROCEDURES; AND (II) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)<sup>2</sup> of the Debtor for entry of an interim order and a final order (the “Final Order”): (i) authorizing, but not directing, the Debtor to (a) pay certain pre-petition amounts related to Employee Compensation and Benefit, and (b) continue Employee Compensation and Benefit in the ordinary course; and (ii) granting related relief, as more fully set forth in the Motion; and upon consideration of the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this case and this proceeding is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and this Court having found that the Debtor’s notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be

---

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number is 0344. The Debtor’s mailing address is 821 Atlanta Street, Suite 124, Roswell, GA 30075.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** on a final basis as set forth herein.
2. The Debtor is authorized, but not directed, in its sole discretion to continue the Employee Compensation and Benefit and to honor and pay, in the ordinary course and in accordance with the Debtor's pre-petition policies and pre-petition practices, any obligations on account of the Employee Compensation and Benefit, irrespective of whether such obligations arose pre-petition or post-petition, including payments due to or on account of, as applicable, on a final basis: (a) the Unpaid Compensation in an amount not to exceed \$9,805.07 in the aggregate, exclusive of Payroll Taxes, (b) the Payroll Taxes in an amount not to exceed \$3,907.66 in the aggregate, and (c) the Reimbursable Expenses in an amount not to exceed \$500.00 in the aggregate; *provided* that no payments on account of Unpaid Compensation or Paid Time Off shall exceed \$13,650 in the aggregate per individual in accordance with sections 507(a)(4) and (a)(5) of the Bankruptcy Code; *provided*, further, that the aggregate payments made on account of pre-petition Employee Compensation and Benefit shall not exceed \$14,212.73 pending entry of the Final Order
3. The Debtor is authorized, but not directed, to submit any unpaid amounts on account of Payroll Taxes to the appropriate taxing authorities in accordance with the Debtor's pre-petition policies and practices. This Final Order does not authorize the payment of any penalties on account of Payroll Taxes.

4. The Debtor is authorized, but not directed, to pay costs and expenses incidental to payment of the Employee Compensation and Benefit obligations, including all administrative and processing costs and payments to outside professionals incurred in the ordinary course of business.

5. The Banks and financial institutions on which checks were drawn or electronic payment requests made in payment of the pre-petition obligations approved herein are authorized 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 approved by this Final Order.

6. Any party receiving payment from the Debtor pursuant to this Final Order is authorized to rely upon the representations of the Debtor as to which payments are authorized by this Final Order.

7. Notwithstanding the relief granted in this Final Order and any actions taken pursuant to such relief, nothing in this Final Order shall be deemed: (a) an admission as to the validity, priority, or character of any claim or other asserted right or obligation, or a waiver or other limitation on Sharity's or any other party-in-interest's ability to contest the same on any ground permitted by bankruptcy or applicable non-bankruptcy law, (b) a promise to pay any claim or other obligation, (c) granting third-party beneficiary status or bestowing any additional rights on any third-party, (d) an implication or admission that any particular claim is of a type specified or defined in this Motion or any order granting the relief requested by this Motion, (e) a request or authorization to assume any agreement, contract or lease pursuant to Bankruptcy Code section 365, (f) a request or authorization to assume any agreement, contract or lease pursuant to Bankruptcy Code section 365, or (g) being otherwise enforceable by any third-party. If the Court grants the relief sought herein, any payment made pursuant to the Court's order is not intended

and should not be construed as an admission as to the validity, priority or amount of any particular claim or a waiver of the Debtor's or any other party-in-interest's rights to subsequently dispute such claim.

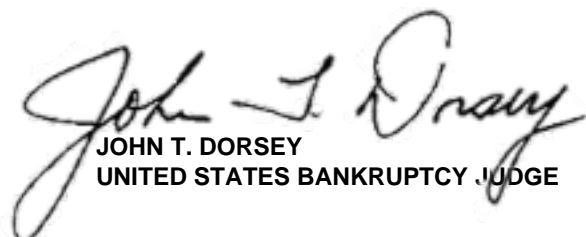
8. The Debtor is authorized to issue post-petition checks, or to effect post-petition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of this chapter 11 case with respect to pre-petition amounts owed in connection with any pre-petition amounts owed to its Employees.

9. Notwithstanding Bankruptcy Rule 6004(h), this Final Order shall be effective and enforceable immediately upon entry hereof and notice of the Motion as provided therein shall be deemed good and sufficient pursuant to the requirements of Bankruptcy Rule 6004(a) and the Local Rules.

10. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Final Order.

11. This Court shall retain exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Final Order.

**Dated: August 10th, 2021  
Wilmington, Delaware**

  
**JOHN T. DORSEY  
UNITED STATES BANKRUPTCY JUDGE**