



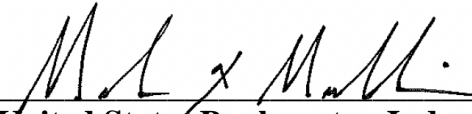
CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 2, 2025

  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

In re:

AMERGENT HOSPITALITY GROUP, INC.;  
et al.,<sup>1</sup>

Debtors.

§  
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§

Case No. 24-42483-MXM-11  
(Jointly Administered)  
Chapter 11

**ORDER (I) APPROVING THE ADEQUACY OF THE DISCLOSURE STATEMENT, (II) APPROVING THE FORMS OF BALLOTS AND NOTICES IN CONNECTION THEREWITH, (III) SCHEDULING CERTAIN DATES WITH RESPECT THERETO, (IV) MODIFYING THE REQUIREMENT TO PROVIDE NOTICE DIRECT TO THE EQUITY SECURITY HOLDERS, AND (V) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”) of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”), pursuant to sections 105, 363, 502, 1123(a), 1124, 1125, 1126, and 1128 of the Bankruptcy Code, Bankruptcy Rules

<sup>1</sup> The jointly administered debtors are Amergent Hospitality Group, Inc. (24-42483); I10/I20 Cuisine LLC ( 24-42482); LBB Acquisition, LLC (24-42484); LBB Acquisition 1 LLC (24-42485); LBB Platform LLC (24-42487); LBB Lake Oswego LLC (24-42489); LBB Progress Ridge LLC (24-42490); Noveno LLC (Alberta) (24-42491); Quinto LLC (Division) (24-42492); Sexto LLC (Waterfront) (24-42493); and Cuarto LLC (Eugene) (24-42494). Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion

2002, 3016, 3017, 3018, 3020, and 9006, and Bankruptcy Local Rules 2002-1 and 3016-1: (a) approving the adequacy of the *Disclosure Statement Relating to the Joint Chapter 11 Plan of Liquidation of Amergent Hospitality Group, Inc. and its Debtor Affiliates*, substantially in the form attached to this Order (the “Disclosure Statement”); (b) approving the Ballots; (c) approving the Cover Letter; (d) approving the Confirmation Hearing Notice; (e) approving the Non-Voting Status Notice; and (f) approving certain dates and deadlines related to the foregoing; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper 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 Debtors’ Estates, their creditors, and other parties in interest; and this Court having found that the Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be 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 as provided herein.
2. *Approval of Disclosure Statement.* The Disclosure Statement, attached hereto as **Exhibit 1**, is approved as containing adequate information within the meaning of section 1125 of the Bankruptcy Code.

3. *Confirmation Deadlines.* The following dates are hereby established (subject to modification as necessary) with respect to the solicitation of votes to accept the Plan, voting on the Plan, and confirming the Plan:

<b>Event</b>	<b>Date</b>
Voting Record Date	Date of Entry of this Order
Solicitation Mailing Deadline	Five (5) business days following the entry of the Order (or as soon as reasonably practicable thereafter)
Voting Deadline	30 calendar days following the Solicitation Mailing Deadline at 11:59 p.m. (prevailing Central Time)
Confirmation Objection Deadline	Five (5) business days prior to the Confirmation Hearing Date at 5:00 p.m. (prevailing Central Time)
Deadline to File Voting Report	Three (3) business days prior to the Confirmation Hearing Date
Confirmation Hearing Date	<b>October 21, 2025 at 1:30 p.m. CT</b> or such other date as may be scheduled by the Court

4. *Share Ledger.* The transfer agent for the Debtors' common stock is directed to provide the Solicitation Agent with lists of the registered holders of the registered holders of the Debtors' common and preferred stock, respectively, reflecting the share amounts held by registered holders of the Debtors' common stock held as of the Voting Record Date as soon as practicable, but no later than one (1) Business Day following the Voting Record Date.

5. *Solicitation Package.* The Solicitation Packages to be transmitted on or before the Solicitation Mailing Deadline, or as soon as reasonably practicable thereafter, to those holders of Claims and Interests entitled to vote on the Plan as of the Voting Record Date, shall include the following, the form of each of which is hereby approved:

- a) this Order (excluding the Exhibits hereto, except as set forth below);
- b) the Disclosure Statement attached hereto as **Exhibit 1**;
- c) the applicable form of Ballot, in substantially the form of the Ballots attached hereto as **Exhibit 2**;

- d) a cover letter, in substantially the form attached hereto as **Exhibit 3** describing the contents of the Solicitation Package and urging the holders of Claims and Interests in each of the Voting Classes to vote to accept the Plan;
- e) the Confirmation Hearing Notice substantially the form attached hereto as **Exhibit 5**; and
- f) a pre-addressed, postage pre-paid reply envelope.

6. *Solicitation.* The Debtors shall distribute Solicitation Packages to all holders of Claims and Interests entitled to vote on the Plan on or before the Solicitation Mailing Deadline, or as soon as reasonably practicable thereafter. Such service shall satisfy the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Bankruptcy Local Rules.

7. *Manner of Distribution.* The Debtors are authorized, but not directed or required, to distribute the Plan, the Disclosure Statement, and this Order to holders of Claims and Interests entitled to vote on the Plan in electronic format (*i.e.*, on a CD-ROM or flash drive) only. Any party that receives materials in electronic format, but would prefer to receive materials in paper format, may contact the Solicitation Agent and request paper copies of the materials previously received in electronic format (to be provided at the Debtors' expense). **Only** the Ballots, the Solicitation Procedures, the Cover Letter, and the Confirmation Hearing Notice will be provided in paper form.

8. *Notice to Shareholders.* The requirement to provide notice to equity security holders of AHGI is hereby modified, and the Debtors are authorized to serve the notices required under Bankruptcy Rule 2002(d) on the registered and nominee holders of AHGI's equity securities with instructions to serve such notices down to the beneficial holders of equity securities. The Debtors shall also publish the Plan Solicitation Materials on the Debtors' case website located at <https://cases.stretto.com/AHGI> and file a Form 8-K with the SEC prior to the Plan Solicitation Deadline, notifying their investors and other parties of the Plan Deadlines.

9. *Solicitation and Tabulation.* The Solicitation Agent is authorized to assist the Debtors in: (a) distributing the Solicitation Packages; (b) responding to inquiries from holders of Claims and Interests and other parties in interest relating to the Disclosure Statement, the Plan, the Solicitation Packages (including the Ballots), and all other related documents and matters related thereto, including the procedures and requirements for voting to accept or reject the Plan and for objecting to the Plan or the adequacy of the Disclosure Statement; and (c) if necessary, contacting creditors or interest holders regarding the Plan and/ or the Disclosure Statement.

10. *Electronic Voting.* The Solicitation Agent is also authorized to accept Ballots via electronic online transmission including electronic mail.

11. *Notice Only.* Except to the extent the Debtors determine otherwise, the Debtors are not required to provide Solicitation Packages to holders of Claims or Interests in Non-Voting Classes, as such holders are not entitled to vote on the Plan. Instead, on or before the Solicitation Mailing Deadline, or as soon as reasonably practicable thereafter, the Solicitation Agent shall mail (first-class postage prepaid) a Non-Voting Status Notice in lieu of Solicitation Packages, the form of each of which is approved, to those parties, outlined below, who are not entitled to vote on the Plan:

Debtor Name	Classes Not Entitled to Vote	Treatment; Deemed Voting; Notice Received
<p><b><u>Parent Company</u></b></p> <ul style="list-style-type: none"> <li>Amergent Hospitality Group, Inc.</li> </ul>	Classes 4-7	<p>Receive no Distribution under the Plan, Deemed to Reject</p> <p>Will receive a notice, substantially in the form attached to the Order as <b><u>Exhibit 4</u></b>, in lieu of a Solicitation Package</p>

<p><b><u>Little Big Burger (LBB)</u></b>  <b><u>Debtors</u></b></p> <ul style="list-style-type: none"> <li>• LBB Acquisition, LLC</li> <li>• LBB Acquisition I, LLC</li> <li>• LBB Platform, LLC</li> <li>• LBB Lake Oswego, LLC</li> <li>• LBB Progress Ridge, LLC</li> <li>• Noveno LLC (Alberta)</li> <li>• Quinto LLC (Division)</li> <li>• Sexto LLC (Waterfront)</li> <li>• Cuarto LLC (Eugene)</li> </ul>	Class 1 (Secured)	Unimpaired; Deemed to Accept  Will receive a Solicitation Package
	Classes 4-7	Receive no Distribution under the Plan, Deemed to Reject  Will receive a notice, substantially in the form attached to the Order as <b><u>Exhibit 4</u></b> , in lieu of a Solicitation Package
<p><b><u>Boudreaux’s Cajun Kitchen (BCK) Debtor</u></b></p> <ul style="list-style-type: none"> <li>• I10/I20 Cuisine LLC</li> </ul>	Class 1 (Secured)	Unimpaired; Deemed to Accept  Will receive a Solicitation Package
	Classes 4-7	Receive no Distribution under the Plan, Deemed to Reject  Will receive a notice, substantially in the form attached to the Order as <b><u>Exhibit 4</u></b> , in lieu of a Solicitation Package

12. *Other Notices.* The Debtors are not required to mail Solicitation Packages, other solicitation materials, or a Non-Voting Status Notice to: (a) holders of Claims that have already been paid in full during the Chapter 11 Cases; (b) any party to whom the notice of this motion was sent but was subsequently returned as undeliverable without a forwarding address; or (c) the holders of Class 4 Intercompany Claims or Class 5 Subordinated Claims and Class 6 Intercompany Interests.

13. *Confirmation Hearing Notice.* The Confirmation Hearing Notice, in the form attached hereto as **Exhibit 5** constitutes adequate and sufficient notice of the hearing to consider approval of the Plan, the manner in which a copy of the Plan and Disclosure Statement can be

obtained, and the time fixed for filing objections thereto, in satisfaction of the requirements of the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, and the Bankruptcy Local Rules.

14. *Confirmation Objections.* Objections to the Plan will not be considered by the Court unless such objections are timely filed and properly served in accordance with this Order. Specifically, all objections to confirmation of the Plan or requests for modifications to the Plan, if any, **must**: (a) be in writing; (b) conform to the Bankruptcy Rules and the Bankruptcy Local Rules; (c) state, with particularity, the legal and factual basis for the objection and, if practicable, a proposed modification to the Plan (or related materials) that would resolve such objection; and (d) be filed with the Court by **October 14, 2025 at 5:00 p.m.** (prevailing Central Time).

15. *Non-Substantive Modifications.* The Debtors are authorized to make non-substantive or immaterial changes to the Disclosure Statement, the Plan, the Solicitation Package, and related documents without further order of the Court, including changes to correct typographical and grammatical errors, and to make conforming changes among the Disclosure Statement, the Plan, and related documents (including the appendices thereto) where, in the Debtors' reasonable discretion, doing so would better facilitate the solicitation process. Subject to the foregoing, the Debtors are authorized to solicit, receive, and tabulate votes to accept or reject the Plan in accordance with this Order, without further order of the Court. The Debtors' rights are reserved to modify the Plan without further order of the Court in accordance with the Plan, including the right to withdraw the Plan as to an individual Debtor at any time before the Confirmation Date.

16. *No Waiver of Claim Objections.* Nothing in this Order shall be construed as a waiver of the right of the Debtors or any other party in interest, as applicable, to object to a proof of claim after the Voting Record Date.

17. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

18. Notice of the Motion as provided therein shall be deemed good and sufficient and the requirements of the Bankruptcy Local Rules are satisfied by such notice.

19. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

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

21. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

### END OF ORDER ###

Submitted by:

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