

ENTERED

April 21, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

CONN'S, INC., *et al.*¹

Debtors.

Chapter 11

Case No. 24-33357 (ARP)

(Jointly Administered)

**STIPULATION AND AGREED ORDER
AUTHORIZING THE REJECTION AND CANCELLATION OF
CERTAIN PREPETITION BONDS
BETWEEN THE DEBTORS AND LIBERTY MUTUAL INSURANCE COMPANY**

This Stipulation and Agreed Order ("Stipulation and Order") is made and entered into by and among, on the one hand, Liberty Mutual Insurance Company ("Surety"), and on the other hand, the above-styled debtors (collectively, "Debtors," and together with Surety, the "Parties").

RECITALS

WHEREAS, the Debtors and Surety are party to certain prepetition utility and other bonds in connection with their various store location, attached hereto as Exhibit 1. (collectively, the "Bonds").

WHEREAS, on July 23, 2024, the Debtors filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of Texas (the "Court").

WHEREAS, on July 26, 2024, the Debtors filed a motion seeking approval of certain procedures for the sale of some or all of the Debtors' assets (the "Bidding Procedures"). The Court entered an order approving the Bidding Procedures on August 20, 2024 [Docket No. 370].

¹ The Debtors in these chapter 11 cases, together with the last four digits of each Debtor's federal tax identification number, are: Conn's, Inc. (2840), Conn Appliances, Inc. (0706), CAI Holding, LLC (2675), Conn Lending, LLC (9857), Conn Credit I, LP (0545), Conn Credit Corporation, Inc. (9273), CAI Credit Insurance Agency, Inc. (5846), New RTO, LLC (6400), W.S. Badcock LLC (2010), W.S. Badcock Credit LLC (5990), and W.S. Badcock Credit I LLC (6422). The Debtors' service address is 10077 Grogan's Mill Road Suite 303, The Woodlands, TX 77380.

WHEREAS, on July 24, 2024, the Debtors filed a motion seeking approval of certain procedures for the future rejection of executory contracts and unexpired leases (the “Rejection Procedures”) [Docket No. 26]. The Court entered an order approving the Rejection Procedures on August 20, 2024 [Docket No. 369].

WHEREAS, pursuant to the Bidding Procedures, on October 17, 2024, the Debtors held an auction (the “Auction”) as to certain lease related transactions, filing notices of successful bidders on October 16, 2024 and October 17, 2024 [Docket Nos. 844 and 853]. Orders approving such sales were entered over the next several weeks. [*see, e.g.*, Docket Nos. 962, 965, 966, 976, 978, 995]

WHEREAS, pursuant to the Rejection Procedures, the Debtors have rejected each of the leases not sold at the Auction and the Court has entered orders approving rejection of the same. [*see, e.g.*, Docket No. 1439, 1462, 1474, 1483, 1580, 1581].

WHEREAS, as a result of the rejection of the Debtors’ leases and the wind-down of the Debtors’ business, the Debtors no longer have a need to maintain any of the Bonds.

WHEREAS, by this Stipulation, the parties agree to stipulate to the Surety’s cancellation of the Bonds.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION, IT IS ORDERED AS FOLLOWS:

1. The foregoing recitals are hereby incorporated by reference into this Stipulation and Order with the same force and effect as if fully set forth hereinafter.
2. The Parties agree to stipulate to Surety’s cancellation of the Bonds.
3. The Court shall lift the automatic stay for the sole purpose of permitting Surety to move forward with the cancellation of the Bonds.

4. Notwithstanding any purported post-petition auto renewal of a Bond, the Parties agree and acknowledge that Debtors are not obligated on account of any premium amount that may have accrued at the auto renewal of any Bond on a post-petition, administrative claim basis.

5. The Surety may file a proof of claim based on rejection damages for a period of thirty (30) days from the date this Stipulation and Order is entered by the Court.

6. The provisions of this Stipulation and Order shall be binding on the Parties and their successors, heirs, and assigns and shall inure to the benefit of the Parties and their successors and assigns.

7. This Stipulation and Order constitutes the entire agreement and understanding between the Parties with respect to the subject matter hereof, and there are no representations, understandings, or agreements relative hereto which are not fully expressed herein.

8. This Stipulation may not be modified, altered, or amended in whole or in part except by a written instrument executed by each Party (email being sufficient).

9. It is acknowledged that each Party has participated in and jointly consented to the drafting of this Stipulation and Order and that any claimed ambiguity shall not be construed for or against either Party on account of such drafting.


10. Each person who executes this Stipulation and Order on behalf of a Party hereto represents that he or she is duly authorized to execute this Stipulation and Order and agrees to the terms set forth herein.

11. This Stipulation and Order shall be effective and enforceable immediately upon entry of this Stipulation and Order, in accordance with its terms.

12. The Bankruptcy Court retains jurisdiction with respect to the implementation of this Stipulation and Order, and the Parties hereby consent to such jurisdiction to resolve any disputes or controversies with respect to this Stipulation and Order.

THE FOREGOING STIPULATION IS HEREBY APPROVED AND SO ORDERED.

Signed: April 21, 2025


Alfredo R Pérez
United States Bankruptcy Judge

Dated: April 18, 2025
Houston, Texas

/s/ Jeri Leigh Miller

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-and-

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Counsel for Liberty Mutual Insurance Company

Certificate of Service

I certify that on April 18, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Jeri Leigh Miller

Jeri Leigh Miller

Exhibit 1

Bonds

Bond #	Principal	Obligee	Description	Surety Paper
018220163	Side By Side Furniture Inc.	Duke Energy Carolinas, LLC	Utility Bond - Account # 1092929529 - Service Location: 3407 W. Gate City Blvd Ste #C, Greensboro, NC 27407	Liberty Mutual Insurance Company
018220162	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Volunteer Electric Cooperative	Utility Bond - Location: 49 Cumberland Plaza, Crossville, TN 38555-4292.	Liberty Mutual Insurance Company
018220161	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Alabama Gas Corporation	Indemnity Bond for Gas Service. Service Address: 4075 Eastern Blvd., Montgomery, AL 36107.	Liberty Mutual Insurance Company
018041936	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Alabama Power Company	Indemnity Bond for Electric Service and/or Steam Heat. Account No: 0123353060. Service Address: 4075 Eastern Blvd., Montgomery, AL 36107.	Liberty Mutual Insurance Company
018041957	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Georgia Power Company	Utility Bond - Service Address: 3318 Mercer University Drive, Macon, GA 31204.	Liberty Mutual Insurance Company
018041956	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Georgia Power Company	Utility Bond - Service Location: 4370 Atlanta Highway, Bogart, GA 30622	Liberty Mutual Insurance Company
018041954	W. S. BADCOCK CORPORATION (MULBERRY, FL)	City of Cookeville Electric and Gas Departments	Utility Bond - Service Location: 1580 Interstate Drive, Cookeville, TN.	Liberty Mutual Insurance Company
018041955	W. S. BADCOCK CORPORATION (MULBERRY, FL)	CITY OF SYLACAUGA UTILITIES	Utility Bond	Liberty Mutual Insurance

	FL)	BOARD		Company
018233373	RS Dean Enterprises (Orangeburg, SC)	The Department of Public Utilities	Utility Service Guarantee Bond -1478 Chestnut St. Orangeburg SC 29115	Liberty Mutual Insurance Company
018220971	W. S. Badcock Corporation	CDE Lightband	Utility Bond - Electric Service - Location: 700 N. Riverside Dr., Suite D-12, Clarksville, TN 37040.	Liberty Mutual Insurance Company
018041961	C&T Stocks, LLC	Duke Energy Progress	Utility Bond - Service Address: 217 S. Poplar St., Elizabethtown, NC 28337.	Liberty Mutual Insurance Company
018041945	W. S. Badcock Corporation (Jefferson, AL)	Athens Utilities Department	Utility Deposit Bond - Service Location: 515 S. Jefferson St. #A, Athens, AL 35611-3541	Liberty Mutual Insurance Company
018041951	W. S. BADCOCK CORPORATION (MULBERRY, FL)	State of Mississippi, State Tax Commission	Contractor's Blanket Sales, Use, Income, Franchise, Withholding, and Special Fuel (Diesel Fuel) Tax Bond	Liberty Mutual Insurance Company
018225941	A&C Finlayson Tullahoma LLC	Tullahoma Utilities Authority	Indemnity Bond for Utility Service	Liberty Mutual Insurance Company
018222706	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Jackson Electric Membership Corporation	Utility Deposit Bond - Service Location: 860 Duluth Highway, Suite 110, Lawrenceville, GA 30043.	Liberty Mutual Insurance Company
018233398	W S Badcock Corporation	Alabama Power Company, Division Account Manager, Birmingham Division	Indemnity Bond for Electric Service and/or Steam Heat - Sign @ Service Location: 2000 Clowdus Dr, Oneonta, AL 35121.	Liberty Mutual Insurance Company

018233397	W S Badcock Corporation	Alabama Power Company, Division Account Manager, Birmingham Division	Indemnity Bond for Electric Service and/or Steam Heat - Service Location: 2000 Clowdus Dr, Oneonta, AL 35121.	Liberty Mutual Insurance Company
018233396	W S Badcock Corporation	Alabama Power Company, Division Account Manager, Birmingham Division	Indemnity Bond for Electric Service and/or Steam Heat - Service Location: 613 Martin St. NE Ste 400, Pell City, AL 35125.	Liberty Mutual Insurance Company
018041944	Valich Ventures, LLC (Bushnell, FL)	City of Bushnell, FL (SECO)	Utility Bond - Service Location: 421 W. Belt Ave., Bushnell, FL 33513-5139	Liberty Mutual Insurance Company
018041942	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Decatur Utilities	Utility Deposit Bond	Liberty Mutual Insurance Company
018041934	WES Furniture, Inc.	City of Wilson	Utility Deposit Bond - Service Location: 3011 NC Hwy 42 West, Wilson, NC 27893.	Liberty Mutual Insurance Company
018041930	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Scottsboro Electric Power Board	Utility Deposit Bond - Service Location: 22991 John T. Reid Pkwy, Ste D., Scottsboro, AL 35768-3075.	Liberty Mutual Insurance Company
018225938	JJT Retail LLC	Withlacoochee River Electric Cooperative, Inc.	Utility Deposit Bond	Liberty Mutual Insurance Company
018220963	A&C Finlayson, LLC	Shelbyville Power System	Utility Bond - Service Location: 761 Madison Street, Shelbyville, TN	Liberty Mutual Insurance

			37160.	Company
018041928	W. S. BADCOCK CORPORATION (MULBERRY, FL)	Georgia Power Company	Utility Bond - Electric Service - Service Address: 966 Big "A" Road South, Toccoa, GA 30577.	Liberty Mutual Insurance Company
018041929	W. S. BADCOCK CORPORATION (MULBERRY, FL)	TAMPA ELECTRIC COMPANY	Utility Deposit Bond - Electric Utility Services	Liberty Mutual Insurance Company
018041926	W. S. Badcock Corporation/Randy K. Taylor	Board of County Commissioners, Polk County State of Florida	Master Electrician Contractor	Liberty Mutual Insurance Company
018225932	Morgan Family Investments	City of Tuscaloosa	Public Infrastructure Improvement Bond-LDP Maintenance - Curb and Gutter; asphalt paving; storm sewer, Skyland Drive Furniture Store	Liberty Mutual Insurance Company
018220956	HAA Dean Enterprises, LLC d/b/a Badcock Home Furniture	Georgia Power Company	Utility Bond	Liberty Mutual Insurance Company