

From: Kelli Holmes kholmes@tcflattorneys.com

Subject: RE: Uncle Nearest, Inc. and Affiliated Cases

Date: March 17, 2026 at 3:02 PM

To: Phillip Young phillip@thompsonburton.com

Cc: tiffany.diiorio@usdoj.gov, Justin Campbell justin@thompsonburton.com, Lynn Tarpy ltarpy@tcflattorneys.com



Philip: Thank you for your email. We are well aware of the District Court's order appointing a receiver in the Uncle Nearest cases. Paragraph 10 q. does authorize the Receiver to commence a bankruptcy. There is nothing in 10 q. that states the receiver has exclusive authorization to file nor excludes anyone else from filing.

The first quarterly report filed by you as Receiver states "that the core of the Company's business can continue with a refinanced debt structure". That is the purpose of the chapter 11 filing – to continue the business and pay its creditors.

Kelli D. Holmes

Tarpy, Cox, Fleishman & Leveille, PLLC

Attorneys at Law

Landmark Center North Tower

1111 N. Northshore Drive

Suite N-290

Knoxville, Tennessee 37919

Tel: (865) 588-1096

Fax: (865) 588-1171

NOTICE: The information contained in this electronic mail transmission ("e-mail") is intended by Tarpy, Cox, Fleishman & Leveille, PLLC for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this e-mail in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply e-mail or by calling Tarpy, Cox, Fleishman & Leveille, PLLC at (865) 588-1096 so that our address record can be corrected.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

Please consider the environment before printing this e-mail.

From: Phillip Young <phillip@thompsonburton.com>

Sent: Tuesday, March 17, 2026 1:59 PM

To: Kelli Holmes <kholmes@tcflattorneys.com>

Cc: tiffany.diiorio@usdoj.gov; Justin Campbell <justin@thompsonburton.com>

Subject: Uncle Nearest, Inc. and Affiliated Cases



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender phillip@thompsonburton.com

Kelli -

I have just been made aware that you filed bankruptcy cases for Uncle Nearest, Inc., Nearest Green Distillery, Inc., and Uncle Nearest Real Estate Holdings, Inc. I trust that you are aware these entities are in a receivership proceeding before the United States District Court for the Eastern District of Tennessee and that I am serving as receiver? If not, please see the attached Order. I would specifically draw your attention to Paragraph 10(q), which grants me the authority to file any bankruptcy petition.

By this email, I'm asking you to dismiss these petitions by 5:00 Central today and send me notice of the dismissals. If not, we will file motions to dismiss them and seek sanctions under 11 USC 105. I have already alerted the US Trustee's office that these are unauthorized filings and will be alerting the US District Court of the same before the end of the day. I trust further action on my part to dismiss these fraudulent filings will be unnecessary.

Thompson Burton PLLC

Redefining the Art of Law.

Phillip Young

One Franklin Park

6100 Tower Circle, Suite 200

Franklin, TN 37067

Direct Dial: [\(615\) 465-6008](tel:(615)465-6008)

phillip@thompsonburton.com

www.thompsonburton.com



*Please refer to our [email disclaimer](#) page for important disclosures regarding this electronic communication.