

Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
March 27, 2026

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Proposed Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

BETTER MOTOR WORKS, INC.,

Debtor.

Case No. 26-11788-nmc
Chapter 11

Interim Hearing: March 26, 2026 at 9:30 a.m.
Final Hearing: May 12, 2026 at 9:30 a.m.

**INTERIM ORDER GRANTING THE DEBTOR'S EMERGENCY MOTION PURSUANT
TO 11 U.S.C. §§ 105, 361, 362, 363, AND 506, AND FED. R. BANKR. P. 4001(b):
(A) (I) AUTHORIZING THE USE OF CASH COLLATERAL, AND (II) GRANTING
ADEQUATE PROTECTION; AND (B) SCHEDULING A FINAL HEARING**

Better Motor Works, Inc., a Nevada corporation, d/b/a/ European Motor Cars, as debtor in possession (the "Debtor"), having filed its *Emergency Motion Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 506, and Fed. R. Bankr. P. 4001(b) for Entry of Interim and Final Orders (A)(I) Authorizing the Use of Cash, Including Cash Collateral, and (II) Granting Adequate Protection; and (B) Scheduling a Final Hearing* (the "Motion") [ECF No. 5]; the Court having reviewed and

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considered the Motion and any documents and evidence submitted in support thereof or in opposition thereto; the Court having held an emergency interim hearing on the matter and having heard and considered the arguments of counsel;¹ the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; notice of the Interim Hearing having been appropriate and sufficient under the circumstances; the Court having found on a preliminary basis that the emergency, interim relief requested by the Motion is necessary and in the best interests of the Debtor, its estate, and its creditors and necessary to avoid immediate and irreparable harm pending the Final Hearing (as hereinafter defined); the Court having placed its preliminary findings of fact and conclusions of law on the record at the hearing, which are incorporated herein pursuant to Fed. R. Civ. P. 52, made applicable pursuant to Fed. R. Bankr. P. 7052 and 9014; and good and sufficient cause appearing therefore;

IT IS HEREBY ORDERED:

1. The Debtor's Motion is GRANTED on an emergency, interim basis pending a final hearing, which final hearing shall be held on May 12, 2026 at 9:30 a.m. (the "Final Hearing"). The rights of any and all creditors and parties in interests, including without limitation, the United States Trustee and the Subchapter V Trustee, to object to the relief request in the Motion on a final basis at the Final Hearing are fully reserved.

2. Subject to the terms and conditions of this Order, the Debtor may use any cash collateral from the Petition Date through and including the date of the Final Hearing only in the ordinary course of business and only in accordance with the Budget attached to the Motion, subject to a ten percent (10%) variance per month in the aggregate.

3. The Debtor is prohibited from granting any mortgages, deeds of trust, security interests or liens senior or equal to the existing pre-petition security interests.

4. The Debtor shall continue making payments to the Nevada Department of Taxation ("NDOT") from and after the Petition Date of \$4,300 per month, and with the initial payment for

¹ Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Motion.

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1 March 2026 to be made within three (3) business days of entry of the Interim Order on this Motion,
2 and with the further monthly payments for April 2026 and thereafter due by the 25th of applicable
3 month.

4 5. NDOT is also granted the following: (a) pursuant to § 364(c)(1) of the Bankruptcy
5 Code, a superpriority claim under § 507(b) against the Debtor and its estate, and (b) pursuant to §
6 361(2), valid and perfected replacement security interests in and liens upon the Debtor's assets and
7 property, and proceeds thereof, but in all events, only to the extent of: (i) any post-petition decrease
8 in the value of its properly perfected security interests resulting from the use of cash collateral, and
9 (ii) to the extent of its pre-petition properly perfected security interest in and to any of Debtor's
10 property.

11 6. This Order is without prejudice to any party challenging any matters at the Final
12 Hearing, and such rights and arguments are reserved. No provision in this Order is intended to or
13 should be construed as a determination as to the validity, priority or enforceability of any pre-
14 petition lien or claim against the Debtor or any property of its bankruptcy estate, the value of any
15 of Debtor's property, or a waiver of the Debtor's rights to dispute any such lien or claim.

16 7. The Court grants relief from any and all stays of the effectiveness of this Order,
17 such that this Order shall be effective and enforceable immediately upon its entry on the docket.

18 8. The Court retains jurisdiction with respect to any matters, claims, rights or disputes
19 arising from or related to the terms or implementation of this Order.

20 **IT IS SO ORDERED.**

21
22 PREPARED AND SUBMITTED BY:

23 By: /s/ Matthew C. Zirzow
24 LARSON & ZIRZOW, LLC
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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Carlos Hernandez-Vivoni (Office of the U.S. Trustee): APPROVED

Brian D. Shapiro (Subchapter V Trustee): APPROVED

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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