

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLORADO


IN RE: )  
BROOKS FURNITURE & DESIGN, INC. ) Case No. 16-20605-MER  
EIN: 20-3056443 )  
Debtor. ) Chapter 11

**ORDER GRANTING STIPULATED MOTION FOR AUTHORITY TO USE  
CASH COLLATERAL**

THIS MATTER comes before the Court on the Motion of Debtor Brooks Furniture & Design, Inc. (“Debtor”) for Authority to Use Cash Collateral subject to security interests in favor of Wells Fargo Bank, N.A. (“Wells Fargo”). The Court, having considered the Motion, notice and an opportunity for a hearing having been provided to creditors and parties-in-interest, and for good cause appearing therein, does hereby ORDER:

1. The Motion is hereby GRANTED;
2. Debtor is authorized to continued use of cash collateral subject to Wells Fargo’s secured lien subject to the following adequate protection:
  - a. Debtor will provide a replacement lien on all post-petition accounts and accounts receivable to the extent that the use of the cash collateral results in a decrease in the value of the collateral pursuant to 11 U.S.C. § 361(2);
  - b. Debtor will maintain adequate insurance coverage on all personal property assets and adequately insure against any potential loss;
  - c. Debtor shall provide Wells Fargo periodic reports and information filed with the Bankruptcy Court, including debtor-in-possession reports;
  - d. Debtor will only expend cash collateral for the purpose of ordinary business expenses, including the purchase of new replacement furniture inventory;
  - e. Debtor will pay all post-petition taxes;
  - f. Debtor will preserve and maintain in good condition all collateral in which Wells Fargo has an interest; and
  - g. Debtor shall make its monthly payment obligations to Wells Fargo beginning in January 2017 and cure post-petition payment arrears in the amount of \$10,655.44 in three (3) equal payments with the first payment due within five (5) days following entry of an order approving Debtor’s continued use of cash collateral. The second and third payments shall be due by the fifth day of each month thereafter.
3. Should Debtor default in the provision of adequate protection, or should Debtor fail to confirm a plan of reorganization within the time allowed under Chapter 11 of the Bankruptcy Code, Debtor’s approved use of cash collateral will cease and Wells Fargo will have the opportunity to obtain further relief from this Court.

Done and entered this 8th day of February, 2017 at Denver, Colorado.

  
Honorable Michael E. Romero  
United States Bankruptcy Judge