

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In Re: D 5030 WESTMINSTER LLC, Debtor.	§ § § § §	Chapter 11 Case No. 26-42143-btr
---	-----------------------	---

**INTERIM ORDER GRANTING EMERGENCY MOTION
TO USE CASH COLLATERAL PURSUANT TO 11. U.S.C. § 363**

On June 25, 2026, D 5030 Westminster LLC, (the “Debtor” or “Movant”) filed an *Emergency Motion to Use Cash Collateral Pursuant to 11. U.S.C. § 363* (the “Motion”) in the above-referenced bankruptcy case. The Court held an emergency hearing on the Motion on July 1, 2026. The Court has considered the Motion and objection thereto, the pleadings in the case, and the arguments of counsel at the hearing. Therefore, the Court finds that good cause exists for the entry of the following order. IT IS THEREFORE ORDERED that

1. The Motion is hereby **GRANTED** on an interim basis.
2. The Debtor is authorized to use the cash collateral, including but not limited to, revenue collected in the ordinary course of business, through July 31, 2026, in accordance with the provisions in the budget attached to this Order, for any budgeted item that is due and payable before the final hearing. Debtor is authorized to pay up to 110% of each individual expense in the Budget (the “Budget”) attached hereto as **Exhibit A** without further order of this Court.
3. As adequate protection for the use of Cash Collateral, any parties with existing security interests in cash collateral as defined in 11 U.S.C. § 363, are hereby granted replacement liens (“Replacement Liens”) on all post-petition cash collateral and post-petition acquired property to the extent of the diminution in value of those interests, if any. These Replacement Liens maintain

the same validity and priority as they had on the Petition Date. These Replacement Liens will not attach to any Chapter 5 causes of action or their proceeds.

4. The holders of allowed secured claims with a perfected security interest in Cash Collateral, if any, as that term is defined in the Code, shall be entitled to a replacement lien in post-petition accounts receivable, contract rights, and deposit accounts to the same extent allowed and in the same priority as those interests held as of the Petition Date.

5. Nothing in this Order authorizes the retention or payment of professionals under Section 327. No professionals retained under section 327 may be paid without separate court order approving their retention and compensation.

6. Any issues related to a Carve-out of funds (“Carve-out”) for all fees required to be paid to: (i) the Clerk of the Bankruptcy Court, (ii) the Office of the United States Trustee pursuant to Section 1930(a) of Title 28, U.S. Code, if any, (iii) all reasonable fees and expenses incurred by a trustee, if any, under section 726(b) of the Bankruptcy Code in an amount not exceeding \$15,000.00, (iv) all fees and expenses of the Debtor’s Counsel, Offit Kurman, as approved by the Court; and (v) fees and expenses for counsel for an Official Committee of Unsecured Creditors, if any, as approved by the Court, shall be reserved for final hearing on a cash collateral upon notice to all creditors. If no party-in-interest objects to the Carve-out by the objection deadline set forth below, the Court may enter a final order granting the relief requested.

7. Debtor shall cooperate with Bank and allow Bank and its representatives and agents access to the Hotel during normal business hours upon reasonable notice and request.

8. Debtor shall provide Bank with copy of all applicable insurance documents. Debtor shall work with insurance broker to have Bank be named as a loss payee on insurance policies.

9. Upon reasonable request, Debtor shall provide the Bank with such financial

information and documents as required by its Loan Documents, within seven (7) days, of such request.

10. The Bank is requesting cash payments of adequate protection. The Debtor is proposing cash payments of adequate protection to the Bank in the amount of \$45,000.00 per month beginning July 25, 2026 and continuing monthly thereafter. The issue of cash payments of adequate protection to any secured lender is reserved for final hearing on cash collateral, upon proper notice to all creditors. If no party-in-interest objects to the proposed cash payment of adequate protection by the objection deadline set forth below, the Court may enter a final cash collateral order authorizing the Debtor to make the adequate protection payments.

11. A final hearing on the Motion shall be held on **July 21, 2026, at 2:-00 p.m. (CT)** (the “Final Hearing”) before the honorable Brenda T. Rhoades, Chief U.S. Bankruptcy Judge for the Eastern District of Texas, Sherman Division, which Final Hearing shall take place at the US Bankruptcy Court, 660 North Central Expressway, Suite 300B, Plano, Texas 75074.

12. Within two (2) business days after the entry of this Order, Debtor’s counsel shall serve a copy of this Order on the following parties: (a) the Debtor; (b) Lender; (c) the Office of the United States Trustee; (d) all creditors known to the Debtor who have or may assert liens against the Debtor’s assets; and (e) all parties-in-interest who have filed a notice of appearance and file a Certificate of Service regarding same, which shall constitute good and sufficient notice of the Final Hearing.

13. All parties-in-interest shall have until July 15, 2026 at 11:59 p.m. (CT) to file an objection to the Motion.

Signed on 07/09/2026

Brenda T. Rhoades SD
HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE

Order submitted by:

OFFIT KURMAN

By: /s/ Frances A. Smith
Frances A. Smith
State Bar No. 24033084
700 North Pearl Street, Suite 1610
Dallas, Texas 75201
Telephone: 214-377-7879 Facsimile: 214-377-9409
Email: frances.smith@offitkurman.com
PROPOSED COUNSEL TO DEBTOR

D 5030 Westminister
Hampton Inn By Hilton
Westminister
5030 West 88th Place
Westminister,CO 80031

EXHIBIT A

Year	2026	2026	2026	2026	2026	2026	
Month	June	July	August	September	October	November	TOTAL
Days	30	31	31	30	31	30	
No. Of Rooms	106	106	106	106	106	106	
Rooms Available	3180	3286	3286	3180	3286	3180	19398
Rooms Sold	2193	2296	2190	2200	1980	1855	12714

Occupancy	69.0%	69.9%	66.6%	69.2%	60.3%	58.3%	65.5%
ADR	\$113.20	\$103.49	\$102.37	\$99.07	\$96.65	\$95.01	\$101.90
Rev Par	\$78.07	\$72.31	\$68.23	\$68.54	\$58.24	\$55.42	\$66.79
Room Revenue	\$248,248	\$237,613	\$224,190	\$217,954	\$191,367	\$176,244	\$1,295,615
Other Revenue	\$9,930	\$9,505	\$8,968	\$8,718	\$7,655	\$7,050	\$51,825
State/City Tax	\$28,548	\$27,325	\$25,782	\$25,065	\$22,007	\$20,268	\$148,996
Sales Tax	\$1,241	\$1,188	\$1,121	\$1,090	\$957	\$881	\$2,462
Total Revenue	\$287,967	\$275,631	\$260,061	\$252,827	\$221,986	\$204,443	\$1,498,898

Operational Expense							
Bank Charges	\$500	\$500	\$500	\$500	\$500	\$500	\$3,000
Comp Breakfast Food/Supplies	\$4,965	\$4,752	\$4,484	\$4,359	\$3,827	\$3,525	\$25,912
Credit Card Merchant Fees	\$3,103	\$2,970	\$2,802	\$2,724	\$2,392	\$2,203	\$16,195
Hilton Franchise Fees	\$24,825	\$23,761	\$22,419	\$21,795	\$19,137	\$17,624	\$129,562
Travel Agent Commission	\$7,447	\$7,128	\$6,726	\$6,539	\$5,741	\$5,287	\$38,868
Internet and Communication	\$2,482	\$2,376	\$2,242	\$2,180	\$1,914	\$1,762	\$12,956
License and Permits	\$300	\$300	\$300	\$300	\$300	\$300	\$1,800
Owner Representative Fee	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500	\$9,000
Office Supplies	\$1,241	\$1,188	\$1,121	\$1,090	\$957	\$881	\$6,478
Operating Supplies/Guest Supplies	\$4,965	\$4,752	\$4,484	\$4,359	\$3,827	\$3,525	\$25,912
Payroll	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$51,000	\$306,000
Payroll Taxes	\$4,335	\$4,335	\$4,335	\$4,335	\$4,335	\$4,335	\$26,010
Payroll Processing Fees	\$200	\$200	\$200	\$200	\$200	\$200	\$1,200
Pest Control	\$500	\$500	\$500	\$500	\$500	\$500	\$3,000
Hilton Revenue Management Fee	\$2,482	\$2,376	\$2,242	\$2,180	\$1,914	\$1,762	\$12,956
Repair & Maintenance	\$3,724	\$3,564	\$3,363	\$3,269	\$2,871	\$2,644	\$19,434
Swimming Pool	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$6,000
Trash Removal	\$950	\$950	\$950	\$950	\$950	\$950	\$5,702
Training	\$75	\$75	\$75	\$75	\$75	\$75	\$450
Uniforms	\$100	\$100	\$100	\$100	\$100	\$100	\$600
Utilities	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$6,500	\$39,000
Total Operational Expenses	\$122,195	\$119,829	\$116,843	\$115,455	\$109,539	\$106,174	\$690,036
Occupancy Tax	\$28,548	\$27,325	\$25,782	\$25,065	\$22,007	\$20,268	\$148,996
Sales Tax	\$1,241	\$1,188	\$1,121	\$1,090	\$957	\$881	\$6,478
Property Tax Accrual	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$120,000
Insurance	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$27,000
Adequate Protection Payment		\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000
Total Tax Expense	\$54,290	\$98,014	\$96,403	\$95,654	\$92,464	\$90,649	\$527,474
Total Expense	\$176,485	\$217,843	\$213,245	\$211,110	\$202,004	\$196,824	\$1,217,510
Gross Income	\$287,967	\$275,631	\$260,061	\$252,827	\$221,986	\$204,443	\$1,502,914
Net Operating Income	\$111,482	\$57,788	\$46,815	\$41,717	\$19,982	\$7,619	\$285,404