

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

In re:

CASE NO.: 16-10261-KKS
Chapter 11

DON GREEN FARMS, INC.,

Debtor.

**ORDER GRANTING EMERGENCY MOTION TO
USE CASH COLATERAL ON AN INTERIM BASIS
(DOC. 16)**

This case came on for an emergency hearing before the Court on the Debtor's *Emergency Motion to Use Cash Collateral* (Doc. 16) (the "Motion"), pursuant to section 363(b) of the Bankruptcy Code and Bankruptcy Rules 4001(b), as more fully set forth in the Motion. The Court, having reviewed the Motion, having heard the argument and representations of counsel for the parties present at the hearing, and having determined the relief requested in the Motion and as argued by Debtor's counsel at the hearing is in the best interests of the Debtor, the estate, and the creditors, it is

ORDERED:

1. The Motion is **GRANTED** on interim basis, to expire on December 20, 2016.

2. The Debtor is authorized to use cash collateral to pay the following entities in the corresponding amounts in order to prevent irreparable harm to the bankruptcy estate:

Expense	Amount	Due Date
Duke Electricity	\$1,119.96	December 6, 2016
Clay Electric – home	\$212.00	December 12, 2016
Clay Electric – farm	\$389.00	December 12, 2016
Farm Bureau Insurance	\$226.55	December 18, 2016
Wages @ \$750.00/week	\$1,500.00	December 9 & 16, 2016
Total	\$2,967.61	

3. The expense described as “Clay Electric – home” concerns the residential utility bill of the Debtor’s principal, Donald R. Green. The Court will permit the payment of this expense from the use of the Debtor’s cash collateral for the month of December 2016 without prejudice to a future challenge to such payment asserted by the US Trustee, a creditor, or any party in interest.

4. The Debtor is not authorized to use the cash collateral to pay any amounts not expressly authorized by this Order.

5. The Debtor is directed to file an amended motion to use cash collateral setting forth in detail the amounts the Debtor seeks authority to use, the source of the Debtor’s income subject to an asserted lien on such cash collateral, the basis for the assertion that such sources of income are subject to a valid lien, and any adequate protection the Debtor intends to provide to the holder of such lien(s) on the Debtor’s cash collateral (e.g., replacement liens or adequate protection payments). The

Debtor is further directed to serve the amended motion on all interested parties as required under Bankruptcy Rules 4001(b) and 9014(b).

6. The Court will hold an evidentiary hearing on the Debtor's amended motion to use cash collateral on December 20, 2016, at 9:45 AM, provided that the Debtor has timely served all interested parties with the amended motion and notice of the hearing pursuant to Bankruptcy Rule 4001(b) and 9014(b).

7. Notwithstanding the possible applicability of Rules 6003 and 6004(h) of the Federal Rules of Bankruptcy Procedure or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or related to implementation of this Order.

DONE AND ORDERED on 9th day of December, 2016.



KAREN K. SPECIE
United States Bankruptcy Judge

This Order prepared by:
Seldon J. Childers, Esquire

Attorney Seldon J. Childers is directed to serve a copy of this Order on interested parties and file a proof of service within (3) days of entry of this Order.