

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
DETROIT

*In Re:*

IVS COMM, INC.,

Debtor.

Case No. 26-47549

Honorable Mark A.  
RandonChapter 11, Subchapter  
V

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**ORDER AUTHORIZING DEBTOR TO USE CASH  
COLLATERAL, ADEQUATE PROTECTION AND  
SETTING FINAL HEARING**

The Debtor having filed its First Day Motion to Use Cash Collateral and Offer of Adequate Protection (the "Motion"), the Court having conducted an interim hearing, notice being sufficient under the circumstances, and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED:

1. The Motion is GRANTED on an interim basis as provided herein.
2. The Debtor is authorized to use cash collateral generated from its post-petition operations solely in accordance with the Revised Cash Collateral Budget filed at ECF No. 30, subject to a ten percent (10%) variance for each budget category except as provided herein.
3. The authorized expenditures include payroll, payroll taxes, employee benefits, telecommunications services, internet bandwidth, software

licensing, rent, utilities, insurance, taxes, inventory, equipment maintenance, fuel, professional fees as otherwise authorized by the Court, and other ordinary and necessary operating expenses required to preserve the Debtor's business.

4. The Court finds that immediate use of cash collateral is necessary to avoid immediate and irreparable harm to the Debtor's business, preserve customer relationships, maintain ongoing telecommunications services, maximize the value of the estate, and prevent substantial diminution of collateral.
5. As interim adequate protection, the Debtor shall make adequate protection payments directly to KeyBank National Association in the amounts reflected in the Revised Cash Collateral Budget filed at ECF No. 30.
6. The Debtor shall establish a segregated debtor-in-possession escrow account for adequate protection payments attributable to Breakout Capital, Spark Funding, and Daytona Funding, the Merchant Cash Advance creditors asserting interests in the Debtor's cash collateral.
7. As to the Merchant Capital Advance creditors, the Debtor shall deposit into that escrow account the monthly adequate protection payments calculated in accordance with its preliminary allocation under 11 U.S.C. § 506(a), as reflected in Revised Cash Collateral Budget filed at ECF No. 30. In addition, the Debtor may also deposit funds for anticipated professional fees of the

Debtor's attorney and the Sub V Trustee into that account in amounts not to exceed those reflected on the Revised Cash Collateral Budget filed at ECF No. 30. All funds deposited into that account are property of the estate subject to further order of the Court and are not subject to a ten percent (10%) variance.

8. No escrowed funds shall be distributed except by further order of this Court.
9. As additional adequate protection, and only to the extent of any diminution in the value of the collateral, creditors determined to possess a properly perfected pre-petition lien in the Debtor's cash collateral shall receive replacement liens upon post-petition cash collateral, accounts, proceeds, payment intangibles, and other collateral of the same type, validity, extent, and priority as existed immediately prior to the Petition Date. The collateral securing the replacement liens granted herein shall not include claims or causes of action arising under 11 U.S.C. §§ 502(d), 544, 545, 547, 548, 549, 550, 551, or 553; or any proceeds recovered from such claims or causes of action.
10. The Debtor shall serve this Interim Order, together with the Motion and the Revised Cash Collateral Budget filed at ECF No. 30, upon all creditors asserting security interests, the twenty largest unsecured creditors, the Subchapter V Trustee, and the United States Trustee, within one (1) business

day after entry of this Order.

11. Any objection to continuation of this Interim Order shall be filed not later than fourteen (14) days after service.
12. If objections are timely filed, the Court shall conduct a final hearing on **August 10, 2026, at 11 a.m. at Courtroom 1825, 211 W. Fort St.**
13. If no timely objections are filed, this Interim Order may be continued or converted into a Final Order upon further order of the Court.

**Signed on July 17, 2026**



/s/ **Mark A. Randon**

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**Mark A. Randon**  
**United States Bankruptcy Judge**