

SO ORDERED.

Dated: June 25, 2026



Madeleine C. Wanslee
Madeleine C. Wanslee, Chief Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

RAY'S PIZZA 88 LLC,

Debtor.

In Proceedings Under Chapter 11, Subchapter V

Case No. 2:26-bk-02881-MCW

**THIRD INTERIM ORDER (1) AUTHORIZING
THE DEBTOR'S USE OF CASH COLLATERAL;
(2) GRANTING REPLACEMENT LIENS; and (3)
SETTING FINAL HEARING**

This matter came before the Court pursuant to the *Motion for Entry of Interim and Final Orders: (1) Authorizing the Debtor's Interim Use of Cash Collateral; and (2) Granting Replacement Liens* (the "Motion"), filed by the Debtor-in-Possession, Ray's Pizza 88 LLC ("Debtor"), in which the Debtor requests the Court enter an order authorizing its use of cash, including Cash Collateral. Having reviewed the Motion, the statements made by interested parties at the hearings held before this Court regarding such Motion, and the entire record in this Case, the Court finds and concludes that: (i) it has jurisdiction over the matters raised in the Motion under 28 U.S.C. §§ 157 and 1334; (ii) venue is proper under 28 U.S.C. §§ 1408 and 1409; (iii) this matter is a core proceeding under 28 U.S.C. § 157(b)(2); (iv) the relief requested in the Motion is in the best interests of the Debtor, its estate, its creditors, and other interested parties; (v) adequate and proper notice of the Motion has been given under the circumstances; and (v) good and sufficient cause exists for granting the relief requested in the Motion. In light of the foregoing,

IT IS ORDERED THAT:

1. The Motion is GRANTED on an immediate interim basis.

1 2. The Debtor is authorized to use cash, including Cash Collateral, for the expenses
2 identified in the Monthly Budget, attached hereto as **Exhibit A**, subject to a 10% variance and
3 through August 25, 2026.
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5 3. American Momentum Bank shall receive replacement liens in the Debtor's post-
6 petition assets, including cash and receivables, to the same extent, validity, and priority up to the
7 value of any depreciation in the value of such creditor's security interest on the Petition Date arising
8 from the Debtor's use of Cash Collateral during the pendency of the Case. Notwithstanding the
9 foregoing, all parties reserve all rights regarding the extent, validity, and priority of the Creditors'
10 interests in Estate property, including Cash Collateral.
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12 4. Highland Hill Capital LLC shall be granted a replacement lien in the Cash Collateral,
13 of the same amount, scope, and validity as any pre-petition lien it may have therein, if any, until a
14 determination is made as to the value and validity of Highland Hill Capital LLC's pre-petition lien
15 under the bankruptcy code. This Order is entered without prejudice to: (i) the claims, rights, and
16 actions that Debtor may have to seek to avoid the lien of any lien holder under applicable law or to
17 challenge the nature, validity, or extent of the lien; and (ii) any and all claims, rights, and defenses
18 that any lien holder may assert in any action by Debtor to challenge the nature, validity, or extent
19 of the liens it may assert. Each party's rights are specifically reserved.
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21 5. Approving monthly adequate protection payments to the following secured
22 creditors to be paid no later than the third business day of each month:

American Momentum Bank	\$ 2,000.00
Roger's Aire Mechanical LLC	\$ 200.00

23 6. The authority of the Debtor to use Cash Collateral under this Order shall terminate
24 upon the earlier of: (i) conversion of this case to a Chapter 7, (ii) the dismissal of this case (iii) June
25 August 26, 2026; (iv) the entry of an order terminating the use of Cash Collateral.
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1 7. The Court retains jurisdiction with respect to all matters arising from or relating to
2 the implementation of this Order.
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4 8. A continued hearing considering the relief requested in the Motion on a final basis,
5 including approval of the Monthly Budget attached hereto as **Exhibit A** is set for August 20, 2026,
6 at 1:30pm. Any objections to granting the Motion on a final basis must be filed on or before five
7 business days before the final hearing.

8 **DATED AND SIGNED ABOVE.**
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Exhibit A

	<u>Projected</u>	
	July	August
INCOME		
Sales	\$98,000.00	\$98,000.00
TOTAL BUSINESS INCOME	\$98,000.00	\$98,000.00
EXPENSES		
Overhead		
Rent	\$5,257.53	\$5,257.53
Payroll (owner salaries)		
(no insiders to be paid for pre-petition wages)	\$11,666.67	\$11,666.67
Payroll (employees, insurance & tax)	\$27,000.00	\$27,000.00
Utilities		
Electricity	\$1,130.00	\$1,130.00
Gas	\$830.83	\$830.83
Water & Trash	\$571.23	\$571.23
Information Technology (telephone, internet, subscriptions)	\$562.92	\$562.92
Pest Control	\$92.00	\$92.00
Repairs & Maintenance	\$150.00	\$150.00
Cost of Goods Sold		
Beverages	\$1,367.17	\$1,367.17
Food	\$28,551.58	\$28,551.58
Restaurant Supplies	\$576.17	\$576.17
Other		
Insurance	\$527.00	\$527.00
Uniforms	\$550.00	\$550.00
AZ Sales Tax	\$9,600.00	\$9,600.00
Merchant Fees	\$1,644.75	\$1,644.75
Marketing & Advertising	\$200.00	\$200.00
Office Supplies	\$100.00	\$100.00
Administrative Expenses		
Ellett Law Offices, PC	\$3,000.00	\$3,000.00
Chapter 11 Subchapter V Trustee	\$1,000.00	\$1,000.00
Accountants	\$1,000.00	\$1,000.00
Adequate Protection		
American Momentum Bank	\$2,000.00	\$2,000.00
Rogers Aire Mechanical LLC	\$200.00	\$200.00
TOTAL BUSINESS EXPENSES	\$97,577.85	\$97,577.85
TOTAL BUSINESS INCOME	\$98,000.00	\$98,000.00
TOTAL BUSINESS EXPENSES	\$97,577.85	\$97,577.85
	\$422.15	\$422.15