

So Ordered.

Signed this 3 day of October, 2016.



Robert E. Littlefield, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

RELIABLE RACING SUPPLY, INC.

Case No. 16-10619
Chapter 11

Debtor.

NINTH INTERIM ORDER (A) AUTHORIZING THE DEBTOR’S USE OF CASH COLLATERAL, (B) GRANTING ADEQUATE PROTECTION PURSUANT TO §§ 105, 361 AND 363 OF THE BANKRUPTCY CODE, AND (C) SCHEDULING FURTHER PROCEEDINGS FOR APPROVAL OF THE DEBTOR'S CONTINUED USE OF CASH COLLATERAL

Upon consideration of the motion, dated April 7, 2016 (D.N. 5, the “Motion”) of Reliable Racing Supply, Inc., the debtor and debtor in possession in the above-captioned case (“Debtor”) by and through counsel, for entry of an emergency order (a) authorizing the Debtors’ use of Cash Collateral (defined in the Motion) on an emergency basis, (b) granting adequate protection pursuant to §§ 105, 361 and 363 of title 11 of the United States Code (11 U.S.C. §§ 101 et seq., the “Bankruptcy Code”), and (c) scheduling further proceedings for approval of the Debtor’s continued use of Cash Collateral; and an emergency hearing having been held by this Court on April 12, 2016; and upon entry of an Order on April 27, 2016 (D.N. 28) (the “First Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on April

29, 2016; and upon entry of a second interim order regarding use of Cash Collateral on May 4, 2016 (D.N. 35) (the “Second Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on May 24, 2016; and upon entry of a third interim order regarding use of Cash Collateral on June 2, 2016 (D.N. 39) (the “Third Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on June 13, 2016; and upon entry of a forth interim order regarding use of Cash Collateral on June 24, 2016 (D.N. 44) (the “Fourth Interim Order”); and upon subsequent hearings on the Motion having been held by this Court on July 13, 2016 and July 15, 2016; and upon entry of a fifth interim order regarding use of Cash Collateral on July 22, 2016 (D.N. 54) (the “Fifth Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on August 11, 2016; and upon entry of a sixth interim order regarding use of Cash Collateral on August 16, 2016 (D.N. 70) (the “Sixth Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on August 29, 2016; and upon entry of a seventh interim order regarding use of Cash Collateral on September 2, 2016 (D.N. 76) (the “Seventh Interim Order”); and upon the hearing on the Motion scheduled for September 19, 2016 having been adjourned by consent of the parties; and upon entry of an eighth interim order regarding use of Cash Collateral on September 22, 2016 (D.N. 80) (the “Eighth Interim Order”); and upon a subsequent hearing on the Motion having been held by this Court on September 30, 2016;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. **First Interim Order Governs.** Unless otherwise set forth herein, the terms of the First Interim Order shall remain in full force and effect. The purpose of this Ninth Interim Order is solely to permit the Debtor to continue to use Cash Collateral under the terms of the First Interim Order until the Court holds another interim hearing or final hearing on the Motion.

2. **Use of Cash Collateral.** The Debtor is authorized, pursuant to section 363(c)(2)(B) of the Bankruptcy Code and under the terms of the First Interim Order, to continue its use of Cash Collateral through and including **October 4, 2016**.

3. **Additional Reporting.** In addition to the reporting required under the First Interim Order, the Debtor shall provide weekly reports with regard to expenditures for the budget line item “Cost of Goods” and such reporting shall contain all information as TD Bank may reasonably require.

4. **DIP Account and Payment to TD Bank.** Should the Debtor’s Debtor in Possession Account (“DIP Account”) exceed a balance of \$40,000.00 (“DIP Balance”) at any time during the term of this Ninth Interim Order, TD Bank is authorized to transfer from the DIP Account such funds that exceed the DIP Balance to Debtor’s account at TD Bank, bearing Account No. xxxxx4808 (“Excess Cash Account”), and TD Bank is further authorized to freeze and block withdrawals from the Excess Cash Account, and upon expiration of this Ninth Interim Order, apply the funds in the Excess Cash Account to the amount due pursuant to the TD Bank Loan Documents (defined in the First Interim Order).

5. **Further Interim Hearing.** A further interim hearing on the Motion shall be held by this Court on October 4, 2016 at 2:00 p.m. Any objections or responses to the Motion or to entry of a further or final order granting the relief requested in the Motion shall be heard at the hearing.

6. **Service.** This Ninth Interim Order shall be served upon all parties requesting ECF notice.

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