

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

In re:

**Serve & Education, LLC**  
Debtors.

Case No. **8:16-bk-05080-KRM**  
Chapter **11**

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**AMENDED MOTION FOR LEAVE TO USE CASH COLLATERAL RE PILOT BANK  
AND REQUEST FOR EXPEDITED HEARING**

COMES NOW Debtor, by and through his undersigned counsel, to request that the Court permit debtor to use lease proceeds securing the debt to Rosier Joint Trust (hereinafter 'Rosier') on the debtor's home and ranch, and as grounds for such motion would allege:

1. This bankruptcy was filed under chapter 11 on 14 June 2016.

2. On 17 August 2016 Judge May entered an order lifting stay authorizing Rosier to proceed to foreclosure sale but not sell the property without further relief from the Court.

3. Debtor has filed to convert to chapter 12 with new counsel, and has proposed a plan providing for payment in full of the mortgage to Rosier consistent with the provisions of chapter 12.

4. Rosier appears to have a lien on lease or rental income on the property. Debtor is paid lease payments by Black Saddle Ranch, Inc. for horse stables.

5. Debtor has been filing monthly reports showing income and expenses on the business. Debtor will commence adequate protection payments commencing December 1 of \$4,120/month in December based on the proposed amortization of the full amount of their claim in the chapter 12 plan.

WHEREFORE Debtors requests leave to use the cash collateral of Rosier in accordance with the attached monthly budget, and for such and further relief as is just.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail, First Class Postage prepaid or by electronic transmittal to The Office of US Trustee @ [USTPRegion21.TP.ECF@USDOJ.gov](mailto:USTPRegion21.TP.ECF@USDOJ.gov)\*, **Ronald B. Cohn, Esq.**, Attorney for Rosier Joint Trust, at [rcohn@burr.com](mailto:rcohn@burr.com)\*, this 14<sup>th</sup> day of November, 2016. \* Served via Electronic Delivery by Court upon the filing of the motion.

*Michael Barnett, P.A.*

by     /s/ Michael Barnett      
Michael Barnett  
Fl. Bar. #500150  
506 N. Armenia Ave.  
Tampa, Florida 33609-1703  
tel. (813) 870-3100  
facs. (813) 879-4039  
ecf@tampabankruptcy.com  
Attorney for Debtor