

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

IN RE:)	
)	CASE NO. 16-40484-KKS
SLAYTON FAMILY BEEF O'BRADY'S LLC)	CHAPTER 11
)	
Debtor.)	
_____)	

**CONSENT MOTION OF DEBTOR AND QUICK CAPITAL, LLC. FOR INTERIM AND FINAL ORDERS
AUTHORIZING THE USE OF
CASH COLLATERAL AND GRANTING REPLACEMENTS LIENS AND FOR EXPEDITED HEARING**

COMES NOW the Debtor, Slayton Family Beef O'Brady's LLC, by and through the undersigned counsel, and comes Quik Capital LLC and files their Consent Motion for Authorization to Use Cash Collateral and Granting Replacements Liens and for Hearing pursuant to Bankruptcy Rule 4001(b) and 11 USC §§ 361 and 363 and in support, states as follows:

1. Debtor filed a Voluntary Petition under Chapter 11 of Title 11 of the United States Code, (the "Bankruptcy Code"), on November 4, 2016, which generated the related Order for Relief herein, (the "Commencement Date"). Debtor was Debtor-in-Possession in the above-captioned bankruptcy on the date it filed for relief and has continued to operate its business pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. Debtor is engaged in the business of owning and operating a Beef O'Brady's franchised branded restaurant in Crawfordville, Wakulla County, Florida. It has operated continually for a period of eight (8) years.

3. Debtor reported yearly gross income in excess of \$800,000.00 in 2015.

Jurisdiction

4. This court has jurisdiction to consider this matter pursuant to 28 USC §§ 157 and 1334. This is a core proceeding pursuant to 28 USC § 157(b). Venue is proper before this Court pursuant to 28 USC §§ 1408 and 1409.

Relief Requested

5. Debtor requests authorization to obtain post-petition use of cash collateral pursuant to §§ 105, 361, 363 and 507 of the Bankruptcy Code and to allow the replacement of liens relating to Debtor's cash on hand and account receivables and to grant adequate protection, pursuant to such sections for the continued use of a pre-petition lending arrangement provided by Quik Capital LLC (herein after referred to as "Quik"). The essential terms and provision of the lending arrangement are contained in the parties' pre-petition agreement which is a secured cash advance line of credit, with a payment determined by gross sales of product reported and paid through a credit card servicing agreement which was a secured lending agreement and which Quik recorded a UCC-1 Notice with the Florida Secured Transaction Registry on September 22, 2016., including credit card receivable, to secure a current debt of approximately \$37,500.00; and scheduling of a hearing pursuant to Bankruptcy Rule 4001.

Pre-Petition Financing of the Debtor's Operations

6. Prior to the Commencement Date, the Debtor used its retail sales to operate its business.

Post-Petition Financing of the Debtor's Reorganization

7. Debtor has determined that it can reorganize its business operations and that it is in the best interest of all of its creditors to do so. Debtor urgently needs to continue with a credit card servicing network as a majority of its sales are recorded and paid by credit card transactions. Quik has agreed to reduce its credit card processing fee from 16% to 5%. Debtor needs to continue such business operations, and is unable to obtain post-petition financing from any source other than the potential future credit advances from Quik after and interim period of

thirty days from the petition date in which the viability of the debtors business operations will be assessed by Quik for future credit advances. Debtor's failure to meet its post-petition obligations on a timely basis may result in a permanent and irreplaceable loss of value in its assets and result in a diminution in the value of the Debtor to the detriment of its creditors. This agreed Motion allows the Debtor the use of its charge operating servicer agreement, and does not require Quik to advance new sums to the Debtor post-petition.

8. Debtor requests authority to grant a security interest in post-petition credit card receivables to Quik to compensate for its use of credit card processing services and the pay down to Quik of the prepetition debt based upon a reduced service or interest fee of five (5%) percent of gross sales of all credit card transactions per the terms of its pre-petition loan documents.

9. Notice of this Motion has been provided to the U.S. Trustee, to the proposed Lender, and to the parties on the initial Service List herein. Upon notice to all parties in interest, Debtor requests that the court set a hearing for consideration of final implementation of the use of cash collateral.

WHEREFORE, the Debtor, Slayton Family Beef O'Brady's LLC, and Quik respectfully requests the Court for an Order authorizing the continued use of the pre petition credit card servicing and funding agreement, grant security interest in post-petition credit card transactions in favor of Quik for an expedited hearing and for all other relief the Court deems appropriate in the premises.

DATED: November 16, 2016.

/s/ Robert C. Bruner
Robert C. Bruner
Florida Bar No. 0065876
2810 Remington Green Circle
Tallahassee, FL 32308
TEL: (850) 385-0342

/s/Barry Kotzen
Barry Kotzen
Manager Collection and Risk
Quik Capital, LLC
1111 N. Westshore Blvd, Suite 500
Tampa, FL 33607

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of Debtor's Motion to Use Cash Collateral has been furnished to the Office of the U.S. Trustee by electronic filing and all other parties listed to receive notice/service electronically and by first class, U.S. mail, postage prepaid, this 16th day of November, 2016 including: parties listed on the attached Matrix.

/s/ Robert C. Bruner

Robert C. Bruner, Esq.

Label Matrix for local noticing
1129-4
Case 16-40484-KKS
Northern District of Florida
Tallahassee
Tue Nov 15 16:41:55 EST 2016

Florida Dept. of Labor/Employment Security
c/o Florida Dept. of Revenue
P.O. Box 6668
Tallahassee, FL 32314-6668

Florida Dept. of Revenue
Bankruptcy Unit
P.O. Box 6668
Tallahassee, FL 32314-6668

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Main Justice Bldg., Rm. 511
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Washington, DC 20530-0001

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(p)U S SECURITIES AND EXCHANGE COMMISSION
ATLANTA REG OFFICE AND REORG
950 E PACES FERRY RD NE STE 900
ATLANTA GA 30326-1382

*Financial Agent Services d/b/a Ondeck
PO Box 2576
Springfield, IL 62708-2576

*Florida Department of Revenue
5050 W. Tennessee St.
Tallahassee, FL 32399-0120

*Franchise Co. LLC d/b/a Beef OBrady's
5660 West Cypress Street Ste. A
Tampa, FL 33607-1777

*Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

*Leon Propane
4750 Woodville Hwy.
Tallahassee, FL 32305-0902

*McLaughlin Properties LLC.
17 Poquito Road
Shalimar, FL 32579-1115

*Quik Capital LLC.
1111 N. West Shore Blvd Ste 500
Tampa, FL 33607-4713

*Sysco Jacksonville Inc.
1501 Lewis International Drive
Jacksonville, FL 32254

*The Lamar Companies
PO Box 96030
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*WAKU 94.1FM
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Crawfordville, FL 32327-7424

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United States Trustee +
110 E. Park Avenue
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Tallahassee, FL 32301-7728

Secretary of the Treasury +
U.S. Treasury Department
15th & Pennsylvania Ave.
Washington, DC 20220-0001

Jason H. Egan +
Office of the U. S. Trustee
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Tallahassee, FL 32301-7728

Robert C. Bruner +
2810 Remington Green Circle
Tallahassee, FL 32308-1574

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(F) and Fed.R.Bank.P. 2002 (g) (4).

U.S. Securities & Exchange Commission
Branch of Reorganization
3475 Lenox Rd., N.E. Suite 100
Atlanta, GA 30326-1323

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Internal Revenue Service +
P.O. Box 7346
Philadelphia, PA 19101-7346

End of Label Matrix	
Mailable recipients	23
Bypassed recipients	1
Total	24