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10 Proposed Counsel for Debtor and Debtor in
11 Possession George Boulanger Construction
Incorporated

12
13 UNITED STATES BANKRUPTCY COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 LOS ANGELES DIVISION
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18 In re:

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20 GEORGE BOULANGER CONSTRUCTION
INCORPORATED,

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22 Debtor and Debtor in
23 Possession.
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Case No. 2:17-bk-24897-SK

Chapter 11

**ORDER APPROVING EMERGENCY
MOTION OF DEBTOR FOR ORDER
(1) AUTHORIZING DEBTOR TO USE
CASH COLLATERAL; AND
(2) GRANTING ADEQUATE
PROTECTION TO SECURED
CREDITOR**

Interim Hearing:

Date: December 12, 2017

Time: 8:30 a.m.

Location: 255 E. Temple Street
Courtroom 1575

Los Angeles, CA 90012

FILED & ENTERED

DEC 12 2017

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY may DEPUTY CLERK

Final Hearing:

Date: January 11, 2018
Time: 8:30 a.m.
Location: 255 E. Temple Street
Courtroom 1575
Los Angeles, CA 90012

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5 On December 12, 2017 at 8:30 a.m., the Court heard the “Emergency Motion
6 of Debtor for Order (1) Authorizing Debtor to Use Cash Collateral; and (2) Granting
7 Adequate Protection to Secured Creditor” (the “Motion”) [Dkt. No. 18]. The Motion sought
8 (1) authority to use cash collateral to pay operating expenses in the ordinary course of
9 business and to fund the necessary general and administrative expense of the business
10 operations; and (2) adequate protection to an alleged secured creditor (Kabbage, Inc.). No
11 opposition was filed or made at the hearing. Christopher E. Prince of Lesnick Prince &
12 Pappas LLP appeared for the debtor and debtor-in-possession George Boulanger
13 Construction Incorporated (the “Debtor”).

14 Having considered the Motion, the papers filed in support of the Motion, the
15 record in this case and the arguments made at the hearing, the Court finds that notice was
16 proper and emergency relief is appropriate on an interim basis. For the reasons stated,
17 and based on the findings made, on the record at the hearing, the Motion is granted as
18 follows.

19 IT IS ORDERED that:

- 20 1. The Motion is granted on an interim basis;
- 21 2. The Debtor is authorized, on an interim basis, to use the alleged cash
22 collateral to pay operating expenses of Debtor’s business in the ordinary course of
23 business and to fund the necessary general and administrative expenses of the business
24 operations of the chapter 11 estate as described in the Motion;
- 25 3. To the extent Kabbage has a valid prepetition security interest in the
26 Debtor’s property, Kabbage is granted a replacement lien in postpetition revenue, issue
27 and profit of Kabbage’s collateral to the extent of any diminution in value of Secured
28 Creditor’s interest in prepetition cash collateral;


1 4. Nothing in the Motion or in this Order shall be deemed an admission
2 of the Debtor, or a finding of this Court, that Kabbage has a valid security interest in the
3 Debtor's property.

4 5. A final hearing on the Motion shall be held on January 11, 2018 at
5 8:30 a.m.

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Date: December 12, 2017


Sandra R. Klein
United States Bankruptcy Judge