1 2 3 4 5 6 7 8	Steven M. Olson, Esq. State Bar No. 146120 LAW OFFICE OF STEVEN M. OLSON 100 E Street, Suite 104 Santa Rosa, CA 95404 Telephone: (707) 575-1800 Facsimile: (707) 575-1800 Facsimile: (707) 575-1867 Email: smo@smolsonlaw.com Attorney for Sullivan Vineyards Corporation Michael C. Fallon, Esq. State Bar No. 88313 LAW OFFICES OF MICHAEL C. FALLON 100 E Street, Suite 219 Santa Rosa, CA 95404				
9 10	Telephone: (707) 546-6770 Facsimile: (707) 546-5775 Email: <u>mcfallon@fallonlaw.net</u> Attorney for Sullivan Vineyards Partnership				
11	UNITED STATES BANKRUPTCY COURT				
12	NORTHERN DISTRICT OF CALIFORNIA				
13	SANTA ROSA DIVISION				
14	In Re Case No. 17-10065-RLE-11				
15	(Jointly Administered) SULLIVAN VINEYARDS				
16	CORPORATION,				
17	Debtor.				
18 19	SULLIVAN VINEYARDS PARTNERSHIP,Date of hearing: August 7, 2017 Time: 11:00 a.m. Location: 99 South E Street, Santa Rosa,				
20	CA Debtor.				
21	/				
22	MOTION FOR FURTHER AUTHORITY TO USE CASH COLLATERAL				
23	Sullivan Vineyards Corporation, the Chapter 11 Debtor in Possession (the				
24	"Debtor"), shows as follows:				
25	I.				
26	RELIEF REQUESTED				
27	1. The Debtor requests that the Court authorize its further use of the cash				
28	collateral of Winery Rehabilitation LLC ("WR") and Stephen A. Finn ("Mr. Finn") in the				
Case:	MOTION FOR FURTHER AUTHORITY TO USE CASH COLLATERAL - Page 1 17-10065 Doc# 156 Filed: 07/24/17 Entered: 07/24/17 17:51:09 Page 1 of 6				

1 manner requested herein. 2 II. 3 **MOTION** 2. The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 1334 4 5 and 157. This is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(M). This motion is made pursuant to 11 U.S.C. §§ 105 and 363 and Federal Rule of Bankruptcy Procedure 6 7 4001(b). 8 3. The Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on February 1, 2017. 9 10 4. The Debtor operates a winery. Its assets include inventory and accounts 11 receivable. 12 5. After evidentiary hearing on April 11, 2017, the Court authorized the 13 Debtor to use cash collateral through August 9, 2017. 14 6. The Debtor needs to continue to use its business revenues to preserve the 15 its "cash flow streams," as it continues to pursue plan confirmation. It seeks Court 16 authority to use cash collateral to pay expenses that are necessary to preserve its cash 17 flow stream. At this time, the Debtor requests authority to use cash collateral through the 18 end of 2017. 19 7. The Debtor believes the secured creditors are adequately protected 20 because the requested use of cash collateral will preserve the cash flow stream. 21 Moreover, the Debtor believes that the secured creditors are adequately protected 22 because the aggregate value of the assets securing their claims (including the real 23 property owned by Sullivan Vineyards Partnership, an affiliated entity) substantially 24 exceeds the claims of WR and Mr. Finn, even at the "lowball" values attributed to the 25 collateral by WR and Mr. Finn. The dollar amount of the claim of WR is approximately 26 \$10.5 million, and the dollar amount of the highly disputed claim of Mr. Finn is 27 approximately \$5 million. 28 This Motion is based upon the foregoing, the Notice of Hearing which 8.

1	accompanies this Motion, the Declaration of Ross Sullivan filed herewith, and the			
2	evidence presented to the Court with respect to the Debtor's prior successful motion to			
3	use cash collateral.			
4	WHEREFORE, Sullivan Vineyards Corporation, the Chapter 11 Debtor in			
5	Possession, respectfully requests that the Court:			
6	1. Authorize the above-described use of cash collateral; and			
7	2. Grant the Debtor such other and further relief, at law or in equity, to			
8	which it may be justly entitled.			
9	Dated: July 24, 2017 LAW OFFICE OF STEVEN M. OLSON			
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11	BY:			
12	ATTORNEY FOR DEBTOR			
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1	CERTIFICATE OF SERVICE		
2 3	I reside in the County of Sonoma, State of California. I am over the age of 18 years and not a party to the within action. My business address is Law Office of Steven M. Olson, 100 E Street, Suite 104, Santa Rosa, CA 95404.		
4	On July 24, 2017, I served the		
5	MOTION FOR FURTHER AUTHORITY TO USE CASH COLLATERAL		
6	on the parties listed on the attached Service List. I served such parties in the manner described as follows: / <u>X</u> / (BY MAIL) I placed a copy of the document in sealed envelopes, with postage thereon fully prepaid for First Class Mail, addressed to such parties as have mailing addresses set forth on the attached Service List, for collection and mailing at Santa Rosa, California. /_/ (BY PERSONAL SERVICE) I caused the document to be delivered by hand to the address(es) noted on the attached Service List.		
7 8 9			
10			
11 12	/_/ (BY FACSIMILE) I caused the document to be transmitted by facsimile machine to such parties as have facsimile numbers set forth on the attached Service List.		
13	/_/ (BY EMAIL) I caused the document to be transmitted by Email to such parties as have Email addresses set forth on the attached Service List.		
14 15	I declare under penalty of perjury, under the laws of the United States and of the State of California, that the foregoing is true and correct. Executed at Santa Rosa,		
16	California, on July 24, 2017.		
17	/S/ Steven M. Olson		
18	By: Steven M. Olson		
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Case:	MOTION FOR FURTHER AUTHORITY TO USE CASH COLLATERAL - Page 4 17-10065 Doc# 156 Filed: 07/24/17 Entered: 07/24/17 17:51:09 Page 4 of 6		

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1	SERVICE LIST	
2	United States Trustee	
3	Minnie Loo, Esq. Attorney for U.S. Trustee 450 Golden Gate Avenue, 5 <sup>th</sup> Floor, Suite #05-0153	
4	San Francisco, CA 94102	
5	Secured Creditors	
6	Douglas D. Thaxton Registered Agent for Winery Rehabilitation LLC	
7	7103 S Revere Parkway Centennial, CO 80112	
8		
9	Stephen A. Finn 7103 S Revere Parkway	
10	Centennial, CO 80112	
11	Philip S. Warden, Esq.	
12	Pillsbury Winthrop Shaw Pittman LLP Four Embarcadero Center, 22 <sup>nd</sup> Floor	
13	San Francisco, CA 94111-5998	
14	20 Largest Unsecured Creditors	
15	(See attachment)	
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AFIS Benefits & Insurance Services 5858 Horton Street Suite 350 Emeryville, CA 94608

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Thomas R. Harnett LLC 965 Marina Drive Napa, CA 94559-4744

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Ramondin USA, Inc. 791 Technology Way Napa, CA 94558

Sunshine Foods Partners 1115 Main Street Saint Helena, CA 94574

Trove Professional Services LLC 2081 Center Street Berkeley, CA 94704