

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

| | | |
|------------------------------------|---|-----------------------|
| In re: |) | |
| |) | |
| JHL INDUSTRIAL SERVICES, LLC d/b/a |) | Case No. 17-14141 JGR |
| PLATT ROGERS CONSTRUCTION, |) | Chapter 11 |
| |) | |
| Debtor. |) | |

**MOTION FOR ENTRY OF STIPULATED ORDER AUTHORIZING DEBTOR’S USE
OF CASH COLLATERAL**

JHL INDUSTRIAL SERVICES, LLC d/b/a Platt Rogers Construction (“Platt Rogers”), debtor-in-possession herein, by and through undersigned counsel, for its Motion for Entry of Stipulated Order Authorizing Debtor’s Use of Cash Collateral, hereby state as follows:

1. Platt Rogers filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on May 5, 2017. Platt Rogers continues to operate its businesses as a debtor-in-possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.

2. Pursuant to 11 U.S.C. § 363(c)(2), a debtor-in-possession “may not use, sell or lease cash collateral [...] unless—each entity that has an interest in such cash collateral consents” or the Court authorizes such use, sale or lease.

3. The Court’s Stipulated Interim Order Authorizing Debtor’s Use of Cash Collateral entered on May 22, 2017 (the “Interim Cash Collateral Order”) (Docket No. 34). The Interim Cash Collateral Order expires on July 31, 2017.

4. The Colorado Department of Revenue and the Debtor have reached an agreement regarding the Debtor’s continued use of the Colorado Department of Revenue’s alleged cash collateral and seek Court approval of their Stipulated Order Authorizing Debtor’s Use of Cash Collateral.

5. A form of order is submitted herewith which provides for Platt Roger’s continued use of cash generated from post-petition construction contracts and post-petition accounts receivable during the pendency of this case in exchange for monthly payments to the Colorado Department of Revenue.

6. Old Republic Surety Company (“Old Republic”) and Wells Fargo Bank, National Association (“Wells Fargo”), also hold pre-petition liens against certain property of the Debtor.

While the Debtor has not yet been able to reach an agreement with Old Republic Surety Company and Wells Fargo Bank regarding the Debtor's use of cash collateral, under the Stipulated Order Authorizing Debtor's Use of Cash Collateral, the Debtor would be obligated to segregate and not use any proceeds from pre-petition accounts receivable and pre-petition construction contracts that might be encumbered by the pre-petition liens of Old Republic and Wells Fargo.

7. The Debtor circulated draft copies of the proposed order submitted herewith to counsel for Old Republic and Wells Fargo but has not yet received a response regarding their position on the proposed order.

WHEREFORE, Platt Rogers prays for entry of an Order authorizing the use of the Colorado Department of Revenue's cash collateral as set forth in the stipulated order submitted herewith.

Dated this 31st day of July, 2017.

Respectfully submitted,

WADSWORTH WARNER CONRARDY, P.C.

/s/ David J. Warner

David J. Warner, #38708
1660 Lincoln St., Suite 2200
Denver, Colorado 80264
(303) 296-1999; (303) 296-7600 (fax)
dwarner@wwc-legal.com
ATTORNEYS FOR THE DEBTOR