

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:
CLINICAL PET OF OCALA, LLC,
Debtor

CASE NO.: 16-bk-04646-JAF

MOTION TO ALLOW DEBTOR TO USE CASH COLLATERAL FOR SPECIFIC PURPOSE

COMES NOW the Debtor, CLINICAL PET OF OCALA, LLC, by and through the undersigned attorney, and hereby file this Motion To Allow Debtor To Use Cash Collateral For Specific Purpose in the above-styled case and in support thereof would state as follows:

1. A critical part of the Debtor's business is the therapy provided patients by the Debtor's TomoTherapy machine. This machine is responsible for about 70% of Debtor's business income.

2. The TomoTherapy machine is broken and will require repairs to become operable. The only company who is able to do the repairs is Accuray and the cost of the repairs is \$79,000.

3. Debtor has negotiated with Accuray to accept three (3) installment payments of \$30,000 in July, 2017, \$30,000 in August, 2017 and \$19,000 in September, 2017 for this repair. The parent corporation of Debtor, Atlantis, is willing to pay one-half of the costs of the repair thereby infusing \$39,500 into the business over the next three (3) months. In exchange, Atlantis is requesting to be repaid this money in October, 2017 or at some other reasonable time which the Court deems appropriate.

4. It is in the best interests of 1st Manatee Bank and all other creditors that this be approved. 1st Manatee will benefit as the value of its collateral (the TomoTherapy machine) will be greatly enhanced. Additionally, all creditors will benefit as this repair will significantly increase revenues to Debtor thereby increasing its ability to pay its creditors.

5. Debtor has greatly expanded its network of physicians and currently has eight (8) patients waiting to be treated by the said machine. Medicare reimburses Debtor at the rate of \$650 per patient per day and each patient requires an average of 30-35 days of treatment. Therefore, this repair will yield as much as \$182,500 in revenue based on current circumstances and more as additional patients come into the Debtor's care.

6. The Debtor is therefore seeking an Order from the Court permitting the cash collateral of Debtor to be used to make the needed repair, permitting the cash infusion by Atlantis, permitting the Debtor to repay to Atlantis the money for the repairs and for such other relief as is just and proper.

WHEREFORE the Debtor respectfully requests that this Honorable Court to enter an Order permitting the cash collateral of Debtor to be used to make the needed repair, permitting the cash infusion by Atlantis, permitting the Debtor to repay to Atlantis the money for the repairs and for such other relief as is just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all interested parties on the attached mailing matrix either electronically or by US Mail on this 28th day of June, 2017.

DATED: June 28, 2017

ELROD & ELROD, P.A.

/s/ Robert W. Elrod, Jr.
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