

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF KANSAS**

In Re:

INTERNATIONAL BRIDGE CORPORATION,  
  
Debtor.

Case Number 15-20951 (RDB)  
Chapter 11

**DEBTOR'S FOURTH MOTION FOR USE OF CASH COLLATERAL  
AND REQUEST FOR RELATED RELIEF DETERMINING ADEQUATE PROTECTION**

COMES NOW the Debtor, International Bridge Corporation (the "**Debtor**"), by and through counsel, Wesley F. Smith of Stevens & Brand, LLP, and files its Fourth Motion for Interim Use of Cash Collateral and Request for Related Relief Determining Adequate Protection (the "**Cash Collateral Motion**"), asking the Court for an Order authorizing the Debtor's use of cash collateral pursuant to 11 U.S.C. § 363(a), and requesting a determination by the Court that the Internal Revenue Service is adequately protected pursuant to 11 U.S.C. §§ 361 and 363.

In support of its Cash Collateral Motion, the Debtor states as follows:

**NATURE OF THE CASE AND JURISDICTION**

1. On May 7, 2015 (the "**Filing Date**"), the Debtor filed a Voluntary Petition for relief under Chapter 11 of the Bankruptcy Code.
2. The Debtor is maintaining its business as a contractor in the South Pacific, particularly Guam, and the Northern Marianas Islands pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code.
3. The Court has jurisdiction over this Motion under 28 U.S.C. §§ 157 and 1334, and venue is proper herein under 28 U.S.C. §§ 1408 and 1409.
4. The Debtor requests authority to use cash collateral generated post-Petition, which is comprised of accounts receivable due from General Pacific Services, LLC ("**GPS**"), and General Pacific Services Marianas, LLC ("**GPSM**"), and a determination by the Court that no

further adequate protection is necessary at this time, other than what is already being paid under previous Court Order.

5. Pursuant to Fed. Bankr. R. 4001(b)(B):

- A. The Debtor, TOA Corporation (“**TOA**”), Leidos, Inc., parent of Leidos Constructors, LLC, f/k/a SAIC Constructors, LLC (“**Leidos**”), the Government of Guam, Department of Revenue and Taxation (“**Guam**”), and the Internal Revenue Service (“**IRS**”) may claim an interest in the cash collateral;
- B. The purpose for the use of the cash collateral is miscellaneous operating costs, the payment of income to the Debtor’s employees, payment of attorneys’ fees, and for payment of the United States Trustee’s assessments and other expenses in this Chapter 11 proceeding;
- C. The cash collateral will be utilized on an interim, but ongoing basis, with extensions to this Motion filed every 180 days, or other period as the Court orders; and
- D. The Debtor will grant a continuing and replacement lien in accounts receivable created post-Petition. However, no further adequate protection will be provided.

6. As the Court is aware, the Debtor is an Ohio corporation previously engaged in the construction business, primarily building government projects in the South Pacific and Guam. It has constructed a high school for CaPFA on the island of Guam, and most recently the Kilo Wharf Extension for the Department of the Navy at the Commander Naval Regional Marianas, main Base, Guam (the “**Wharf Project**”). The Debtor is no longer currently seeking construction projects due to the lien of the IRS. Its main business at the time of filing was fulfilling a service and maintenance contract for the John F. Kennedy High School on the island of Guam (the “**JFK Contract**”). The Debtor managed the contract and subcontracted with GPS

to perform the maintenance. The Debtor collected a 10% fee for facilitating the services. The remainder collected from CaPFA is paid to GPS. By Court Order, the JFK Contract was assigned to GPS on February 9, 2016 (Doc. # 134), with the Debtor continuing to receive the 10% fee.

7. On April 25, 2016, the Debtor entered into an Equipment Lease Agreement with GPSM to lease certain of its equipment located in Guam and the Northern Marianas Islands.

8. On May 4, 2017, the Court entered an Order approving the settlement with TOA on the Wharf Project, whereby the Debtor will receive \$1,472,383.54. The Debtor and TOA have been working since the settlement was signed to get these funds paid over by the Navy. However, they have not been paid as of yet.

9. The Debtor is still considering its options with regard to closing of the case, and will need time to prepare and file pleadings necessary to complete the case.

10. The Debtor has an immediate and critical need to use cash collateral in order to preserve and protect the value of its assets, and requests the use of cash collateral pursuant to § 363 of the Bankruptcy Code. The Debtor has no source of income other than from the operation of its business.

11. The Debtor will require the use of cash collateral in order to conduct its day-to-day operations including, but not limited to, the payment of expenses, payment for the purchase of supplies and other various overhead expenses, payment of income to its employees, payment of attorneys' fees, and for payment of the United States Trustee's assessments and other expenses in the Chapter 11 proceeding. Without the continued use of cash collateral during the pendency of this Chapter 11 proceeding in accordance with the terms of an Interim Order entered by this Court, the Debtor's estate and creditors will suffer immediate and irreparable harm.

12. Therefore, the Debtor seeks Court permission to use cash collateral through September 30, 2017, to continue its business operations pursuant to the itemized budget (the

“**Budget**”) attached hereto, marked as Exhibit A.

13. If allowed to use the cash collateral for its operating needs, the Debtor should not require any additional post-Petition financing, nor should it incur further indebtedness during the pendency of this case.

14. The Debtor proposes to use cash collateral pursuant to this Motion on an interim, but likely ongoing basis, and will file additional motions extending the use of cash collateral every 180 days, or on another term as established by the Court.

15. The Debtor requests a determination that the Debtor is not obligated to provide additional adequate protection at this time, except that which was previously ordered to be paid to the IRS in the amount of \$2,000.00 per month (Doc. 28 and Doc. 133).

16. The relief requested in this Motion is essential for the operation of the Debtor’s business and the management and preservation of the Property.

17. Pursuant to Fed. Bankr. R. 4001(b)(2) and (c)(2), the Debtor respectfully requests that the Court hold a Hearing on this Cash Collateral Motion on **July 27, 2017, at 1:30 p.m.**

WHEREFORE, the Debtor respectfully requests that the Court enter an Order granting the following relief:

- A. That a Hearing be held on this Cash Collateral Motion on **July 27, 2017, at 1:30 p.m.**;
- B. Authorization for the Debtor to use the above-referenced cash collateral for the payment of employees and other expenses that the Debtor incurs in the ordinary course of business and in accordance with the Debtor’s Budget;
- C. A determination that the Debtor is not currently required to provide adequate protection, despite the use of cash collateral, over and above that previously ordered; and
- D. Such other and further relief as the Court deems fair, just, and equitable.

Respectfully Submitted,

**STEVENS & BRAND, LLP**

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**Counsel for Debtor-in-Possession**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of July, 2017, a true and correct copy of the above and foregoing **Debtor's Fourth Motion for Use of Cash Collateral and Request for Related Relief Determining Adequate Protection** was electronically filed with the U.S. Bankruptcy Court, District of Kansas, was sent by electronic mail to all parties receiving notices electronically via the Court's CM/ECF noticing system, and was sent by first-class U.S. Mail, postage prepaid, to all parties listed on the attached matrix who do not receive notices electronically.

s/ Wesley F. Smith  
WESLEY F. SMITH, #18517

Label Matrix for local noticing  
1083-2  
Case 15-20951  
District of Kansas  
Kansas City  
Fri Jul 14 11:46:06 CDT 2017  
International Bridge Corporation  
4626 SE 85th St  
Berryton, KS 66409-9608

Horizon Lines, LLC  
c/o Matson Navigation, Inc.  
600 E. Las Colinas Blvd.  
Suite 600  
Attn: Revenue Recovery  
Irving, TX 75039-5616  
PNC Bank, National Association  
3232 Newmark Drive  
Miamisburg, OH 45342-5421

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
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PHILADELPHIA PA 19101-7346  
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Kansas City, KS 66101-2448

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co Calvo Fisher & Jacob LLP  
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ARC Environmental Services  
PO Box 12331  
Tamuning GU 96931-2331

ATT Teleconference Services  
c/o Bankruptcy  
1801 Valley View Lane  
Farmers Branch Dallas TX 75234-8906

Almix  
13333 US Hwy 24 West  
Ft Wayne IN 46814-7457

Ambyth Shipping and Trading Co  
193 Rojas St  
Tamuning GU 96913-4121

Americas Best Electricmart  
129 W Harmon Ind Park Unit D  
Tamuning GU 96913-4166

Andy Car Rental  
PO Box 7496  
Tamuning GU 96931-7496

Architects Laguana LLC  
446 E Marine Corps Dr Ste 200  
Hagatna GU 96910-7107

Benson Guam Enterprises Inc  
PO Box 6157  
Tamuning GU 96931-6157

Bonarrigo Investment Grp  
220 E Harmon Indst Prk Ste C14  
Tamuning GU 96913-4438

CALPAC  
150 E Harmon Indust Park  
Harmon GU 96913-4407

CAPFA Capital Corp 2010A  
Guam Department of Education  
co Ted Kiser  
331 Stalman Lane  
Kennerdale PA 16374-4719

Calvo Enterprises  
138 Martyr St  
Hagatna GU 96910-5105

Cars Plus LLC  
647 Rte 8  
Maite GU 96910-2016

Civille Tang PLLC  
330 Hernan Cortez Ave Ste 220  
Hagatna GU 96910-5081

Commercial Tire Center  
Napa Commercial Center  
1790 Rte 16  
Dededo GU 96929-6528

Compacific  
1900 Harmon Loop Rd  
Harmon Plaza  
Dededo Guam Guam 96929

Computer Forms Inc  
PO Box 23456  
Portland OR 97281-3456

Construction Power Sources  
PO BOX 20964  
Barrigada GU 96921-0964

Continental Airlines  
co Logistical Recovery Systems  
PO Box 551030  
Jacksonville FL 32255-1030

Copy Express  
PO Box 10138  
Tamuning GU 96931-0138

Cotton-ONeil Clinic  
PO Box 412875  
Kansas City MO 64141-2875

Culligan  
286 Chalan San Antonio 3  
Tamuning GU 96913-3569

CDK Pacific Guam LLC  
CDK Worldwide Holdings Inc  
Attn Robert A Hook  
1 PPG Place, 27th Floor  
Pittsburgh PA 15222-5420

DHL Express Inc  
16592 Collections Center Dr  
Chicago IL 60693-0165

DZSP 21 LLC  
PO Box GH  
Hagatna GU 96932-7686

Delta Marine Consultant  
PO Box 268  
2801 AG Gouda  
The Netherlands

Diamond Auto Parts  
PO Box 20327  
GMF GU 96921-0327

Diesel Solutions Inc  
425 Chalan San Antonio Rd  
PMB 532  
Tamuning GU 96913-3602

Docomo Pacific  
219 S Marine Corps Dr  
Century Plaza Ste 206  
Tamuning GU 96913-3927

Dooley Roberts Fowler LLP  
Orlean Pacific Plaza  
Ste 201  
865 S Marine Corps Dr  
Tamuning GU 96913-3440

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Hagatna GU 96910-5194

East Island Tinting  
490 E Marine Corps Dr  
Hagatna GU 96910-5146

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Wichita KS 67206-4466

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Topeka KS 66604-3742

G4S Security Services Guam  
1851 Army Dr  
Tamuning GU 96913-1254

GCR Truck Tire Center  
1400 SW 41st St  
Topeka KS 66609-1208

General Pacific Services LLC  
PO Box 5187  
Topeka KS 66605-0187

Geo-Engineering Testing Inc  
PO Box 8170  
Tamuning GU 96931-8170

Government of Guam  
Department of Revenue and Taxation  
Attn Tax Enforcement/Collection  
PO Box 23607  
Barrigada Guam 96921-3607

Gresco  
Guam Refinery Environmental  
PO Box 6370  
Tamuning Guam Guam 96931

Guam Airport Hotel  
120 Simon Sanchez St  
Tamuning GU 96913-4141

Guam Dept of Revenue Taxation  
Taxpayer Services Division  
PO Box 23607  
GMF Guam 96921-3607

Guam Enterprises and Marketing Co Corp  
PO Box 4462  
Hagatna Guam GU 96932-8462

Guam Exterminators  
Pest Control PMB 731  
1270 N Marine Corps Dr Ste 101  
Tamuning GU 96913-4331

Guam Hardwood  
1797 Army Drive  
Tamuning GU 96913-1253

Guam Home Center  
282 E Marine Corp Dr  
Dededo GU 96929-5935

Guam Power Authority  
PO Box 21868  
Barrigada GU 96921-1868

Guam Rebar Supply LLC  
c/o Mauriello Officer  
332 N Main St  
Freeport Nassau 11520-1232

Guam Shipyard  
Bldg 20 Sumay Dr  
Sumay Cove  
Santa Rita GU 96915

Guam Waterworks Authority  
578 N Marine Dr  
Tamuning GU 96913-4111

HRC  
11200 Condor Ave  
Fountain Valley CA 92708-6106

Harmon Doctors Clinic  
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Honolulu HI 96815-4009

Hawaiian Rock Products  
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Mangilao GU 96913-5948

Heatec Inc  
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Chattanooga TN 37410-2149

Horizon Lines  
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Horizon Lines, LLC  
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Tamuning GU 96931-2398

ITE  
PO Box 24881  
Barrigada GU 96921-4881

Industrial Hygiene Prof  
PO Box 5086  
Hagatna GU 96932-8658

Internal Revenue Service  
PO Box 7346  
Philadelphia PA 19101-7346

International Bridge Constr  
Marianas Inc  
PO Box 21149  
Barrigada Guam 96921-1149

International Equip of Guam  
PO Box 24667  
GMF GU 96921-4667

Island Business Systems  
Supply  
130 E Marine Corps Dr Ste 101  
Hagatna GU 96910-5112

Island Choice Drinking Water  
190 West Marine Dr 6  
Dededo GU 96929-5952

Island Equipment Co  
Unit A 151 W Harmon Ind Park  
Tamuning GU 96913-4167

Island Home Ins Co  
PO Box CZ  
Hagatna GU 96932-7628

JRC Maritime Services  
PO Box 315273  
Tamuning GU 96931-3173

JS Construction  
PO Box 25461  
GMF GU 96921-5461

Jack Peters Co  
207 Siket St  
Harmon Industrial Park  
Harmon GU 96913

James E Street  
dba Street Construction Consulting  
8919 North 95th Avenue  
Peoria AZ 85345-7725

Joe Franks Auto Shop  
181 Dulce Nombre De Maria Dr  
Hagatna Guam GU 96910-4909

K-M Universal  
Attn Accts Receivable  
156 Tun Joaquin Flores St  
Harmon GU 96913-4100

Kautz Sons Glass Co Inc  
1447 Rt 16  
Barrigada GU 96913-1403

Kings Auto Parts  
724 W Marine Corps Dr  
Anigua GU 96910-4955

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co CSC Lawyers Incorporating Service  
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LEMM Intl Logistics  
136D Kayen Chando  
PMB 646 Ste A10  
Dededo GU 96929-5951

Leidos, Inc. for Leidos Constructors, LLC  
f/k/a SAIC Constructors, LLC  
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4653 Carmel Mountain Road Suite 308  
San Diego CA 92130-6650

MCB Inc  
Law Offices Terrance M Brooks  
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Hagatna GU 96910-7100

MGT Corporation  
DBA Goodyear Tire Cntr  
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Tamuning GU 96931-7840

MM Cartridges  
People's Bazaar 1  
Compradres Mall  
Dededo Guam GU 96912

MW Corporation  
1270 N Marine Dr St 101-532  
Tumon GU 96913-4331



Marks Hardware  
PO Box DV  
Hagatna GU 96932-7534

Matson Navigation Company  
c/o Metro Group Maritime  
61 Broadway Ste 1410  
New York NY 10006-2758

Metro Group Maritime Agent for  
Matson Navigation  
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New York NY 10006-2758

Micronesia Construction Supply  
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Mid-Pac Far East  
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Barrigada GU 96921-0969

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Napa Auto Parts  
1790 Route 16  
Dededo GU 96929-6528

National Office Supply  
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Tamuning GU 96931-6421

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Ste 105 Route 16 PMB 148  
Dededo GU 96912

Pacific Hub Enterprises  
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Tamuning Guam 96931-2428

Pacific LP Gas  
145 Ypao Rd  
Tamuning GU 96913-3972

Pacific Waste Systems  
PO Box 5187  
Topeka KS 66605-0187

Pacific Welding Services  
PO Box 2418  
Hagatna GU 96932-2418

Penn Air Group  
GCIC Bldg Ste 203  
414 W Soledad Ave  
Agana GU 96910-5067

Perez Bros Inc  
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Hagatna GU 96932-7517

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Pine Rental Service  
189 Fairway Dr  
Yona GU 96915-4943

Port Authority of Guam  
1026 Cabras Hwy Ste 201  
Piti GU 96915-5609

Primos Heavy Equip Rental  
PO Box 11427  
Yigo GU 96929-0427

Radiology and Nuclear Med  
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Road Rules Safety Services  
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BARRIGADA GU 96921-6963

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Robert G Nath PLLC  
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McLean VA 22102-1809

Robert Toelkes  
4626 SE 85th St  
Berryton KS 66409-9608

Root Pavement Tech  
10457 E Monument Dr  
Scottsdale AZ 85262-4600

SAIC Constructors LLC  
9400 N Broadway Ste 300  
Oklahoma City OK 73114-7407

SOS Portables  
213 Dulce Numbre De Maria St  
Anigua GU 96910-4908

Safety 1st Systems  
888 N Marine Corps Ste 209  
Tamuning GU 96913-5421

Securesafe Solutions  
522 Chalan Pasaheru  
Tamuning GU 96913-4168

Shimbros  
Anigua Commercial Bldg  
588 W Marine Corps Dr Ste 104  
Hagatna GU 96910-4917

Signmakers  
276 W Harmon Indust Rd Ste 101  
Tamuning GU 96913

South Pacific Petroleum Co  
816 N Marine Dr  
Eva Bldg 2nd Floor  
Barrigada GU 96913-4431

Stormont-Vail Health Care  
1500 SW 10th Ave  
Topeka KS 66604-1353

Street Constr Consulting  
8919 N 95th Ave  
Peoria AZ 85345-7725

Sunleader Guam Home Mart  
co Sunleader Co Ltd.  
1406 North Marine Dr  
Tumuning Guam GU 96913-4310

TAGICIB Services Inc  
2290 Alahao Pl Unit 303  
Honolulu HI 96819-2283

TOA Corporation  
SHINJUKU Park-Tower 31F  
3-7-1 Nishi-ShinjukuShinjuku-ku  
Tokyo 163-1031 JAPAN

TOA Corporation  
co Mark Moedritzer  
Shock Hardy & Bacon LLP  
2555 Grand Blvd  
Kansas City MO 64108-2613

Takecare Insurance Co Inc  
PO Box 6578  
Tamuning GU 96931-6578

Tech-Plus  
PMB 313  
1270 N Marine Dr Ste 101  
Barrigada GU 96913-4331

The Medical Corner Guam  
5537 Bittern Ave  
Ewa Beach Honalulu HI 96706-3226

Todo Mauleg  
Porta Toilet Rental  
PO Box 127  
Hagatna GU 96932-0127

Trane Guam  
PO Box 7749  
Tamuning GU 96931-7749

Triple B Forwarders  
PO Box 9249  
Tamuning GU 96931-5249

Triple J Motors  
157 S Marine Corps Dr  
Tamuning GU 96913-4102

Tsang Brothers Corporation  
PO Box 10198  
Tamuning GU 96931-0198

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301 North Main Suite 1150  
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165 Skyline Ln  
Tamuning GU 96913-4440

University of Guam  
WERI  
UOG Station  
Mangilao GU 96923

Urethane Polymers Intl  
10880 Poplar Ave  
Fontana CA 92337-7336

WJE  
Wiss Janney Elstner Assoc  
330 Pflingsten Rd  
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Western Pacific Consolidated  
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GMF GU 96921-4883

Wesley F. Smith  
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PO Box 189  
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Lawrence, KS 66044-2999

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).

Internal Revenue Service  
271 W 3rd St N Ste 3000  
Stop 5333 WIC  
Wichita, KS 67202

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

(u)General Pacific Services	(u)Leidos, Inc. (f/k/a SAIC Constructors, LLC	(u)Pacific Waste Systems, LLC
(u)TOA Corporation	(d)General Pacific Services LLC PO Box 5187 Topeka KS 66605-0187	(u)Jun Crane Repair Unknown
(u)Martin Craig Unknown	(u)Robert J Steffy 210 Arch E C Flores St Suite 200 Agana96910 GUAM	End of Label Matrix Mailable recipients 145 Bypassed recipients 8 Total 153