



SO ORDERED.

SIGNED this 20th day of November, 2017.

Dale L. Somers

Dale L. Somers
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS
AT KANSAS CITY

In Re:)	
)	
KANSAS CITY INTERNAL MEDICINE, P.A.)	Case No. 17-22168-dls
)	Chapter 11
)	
Debtor.)	

**INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL;
AND SCHEDULING A FINAL HEARING PURSUANT TO
BANKRUPTCY RULE 4001(b)
(Related Docket No. 7)**

On November 16, 2017, the Court conducted a hearing on Debtor’s Motion For Approval of Preliminary Order Pursuant to 11 U.S.C. 363 and Fed. R. Bankr. P. 4001 Concerning the Use of Cash Collateral and providing for adequate protection and related matters (“Motion”). Colin N. Gotham of Evans & Mullinix, P.A. appeared on behalf of the Debtor, Kansas City Internal Medicine, P.A. Other appearances noted on the record.

WHEREUPON, having considered the statements of counsel, the file and evidence before it, the Court finds as follows:

1. On November 8, 2017, (“the Petition Date”) Kansas City Internal Medicine, P.A., filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the Bankruptcy Code). Pursuant to §§1107 and 1108 of the Bankruptcy Code, the Debtor remains as Debtor-in-Possession

2. Debtor continues to operate its businesses and manage its property as Debtor-in-Possession.

3. Debtor does not believe that any creditor has a perfected secured claim to its cash, inventory, and accounts receivable, but to the extent a creditor has a claim, such items constitute Cash Collateral as defined in 11 U.S.C. § 363(a).

4. Debtor has no source of income other than from the operation of its businesses and the collection of its accounts. If Debtor is not permitted to use cash collateral in the ordinary course of its business, it will be unable to pay its operating and business expenses, thus effectively precluding its orderly reorganization in these chapter 11 proceedings and causing imminent and irreparable harm to its Bankruptcy Estate.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Debtor shall be and hereby is granted the use of Cash Collateral on an interim basis on the terms and conditions set forth in this Interim Order and only up to the limits set forth in the budget attached to Debtor’s Motion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this Interim Order shall expire unless extended by further order of the Court or upon entry of a final Order approving use of Cash Collateral.

IT IS FURTHER ORDERED that nothing contained in this Interim Order shall act as a waiver, release, or final determination of any parties' claim to or priority of interest in the Cash Collateral.

IT IS FURTHER ORDERED that the provisions of this interim Order shall be binding upon and inure to the benefit of Debtor, and its respective successors and assignees (including without limitation any Chapter 11 or Chapter 7 Trustee, examiner or other fiduciary hereafter appointed for Debtor or with respect to any of Debtor's property).

IT IS FURTHER ORDERED that this Interim Order shall become effective and enforceable upon approval and entry as an Order of the Bankruptcy Court. If any provision of this Interim Order is modified, vacated or stayed by a subsequent Order of the Court, such modification, vacation or stay shall not affect the validity of any obligation or liability incurred pursuant to this Interim Order and prior to the effective date of such modification, vacation or stay.

IT IS FURTHER ORDERED that a final hearing on Debtor's Motion shall be conducted on December 8, 2017 at 1:30 p.m.

IT IS FURTHER ORDERED that Debtor shall, within two (2) business days after entry of this Interim Order, provide notice of entry of this Interim Order and mail copies of this Interim Order to the twenty (20) largest unsecured creditors and any party who has requested notice and does not receive such notice electronically. Any party who has filed an objection but fails to appear at the hearing shall be deemed to have withdrawn its objection.

IT IS SO ORDERED.

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SUBMITTED BY:

EVANS & MULLINIX, P.A.

/s/ Colin N. Gotham

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