

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF KENTUCKY  
LEXINGTON DIVISION

IN RE:

HOPE INDUSTRIES, LLC

CASE NO. 18-60142  
CHAPTER 11

DEBTOR IN POSSESSION

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**FINAL ORDER AUTHORIZING USE OF CASH COLLATERAL**

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This matter comes before the Court on the Debtor's Motion for entry of a Final Order Authorizing Use of Cash Collateral and For Approval of Adequate Protection [ECF No. 49] (the "Motion")<sup>1</sup>, having been continued several times for a final hearing and consideration of the entry of a Final Order. Subsequent to the filing of the Motion, the Debtor entered into interim Agreed Orders with Cash Collateral Creditors Community Trust Bank, Inc. ("CTB") and Citizens Guaranty Bank ("CGB") [ECF Nos. 86 and 87] covering the period May through August 2018. The Debtor filed budgets for proposed interim cash use for the period of May through August 2018 [ECF Nos. 49-1 and 83] for the objecting creditors First National Bank and Trust ("FNB") [ECF Nos. 53 and 61] and Cumberland Valley National Bank & Trust Company ("CVNB") [ECF No. 59], which were partially approved and consented to by agreement, on an interim basis and pending a final hearing. The Court set a final evidentiary hearing for multiple matters in the case, including the final hearing on the Motion, for August 29, 2018 [ECF NO. 136]. In conjunction with Plan confirmation, Debtor requested at the hearing, without opposition, that a Final Order be entered, to approve the previous interim cash use on a final basis.

The Court having reviewed the record, and being otherwise sufficiently advised and having

considered same, **IT IS ORDERED AND ADJUDGED** as follows:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue of the Debtor's case and this Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter constitutes a core proceeding under 28 U.S.C. § 157(b)(2) (A) and (M).

2. At least 14 days' notice of the final hearing on the Motion was given to all parties in interest. Said notice of the hearing and the specific relief requested in the Motion complies with the requirements of 11 U.S.C. § 102(1) and Fed. R. Bankr. P. 2002 and 4001. Under the circumstances, the Debtor has provided adequate notice of the hearing to consider entry of this Order to all persons who are entitled to receive such notice pursuant to Fed. R. Bankr. P. 4001.

3. Good cause has been shown for entry of this Final Order, which is entered to ratify and approve on a final basis the previously used cash collateral approved on an interim basis throughout the case.

4. The interim Agreed Orders with CTB and CGB be and are hereby APPROVED on a final basis.

5. The interim approved cash use of the cash collateral of FNB and CVNB, with interim consent and reservation of rights, and in accordance with the budgets pending a final hearing, be and is hereby APPROVED on a final basis.

6. To the extent any pending objections to the final relief sought in the Motion have not been withdrawn, they are hereby OVERRULED.

7. This is a final order.

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<sup>1</sup> All terms not otherwise defined herein shall have the same meaning given such terms in the Motion.

Tendered by:

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DEBTOR IN POSSESSION

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The affixing of this Court's electronic seal below is proof this document has been signed by the Judge and electronically entered by the Clerk in the official record of this case.



Signed By:  
Gregory R. Schaaf  
Bankruptcy Judge  
Dated: Thursday, September 27, 2018  
(grs)