

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

In re)
)
KINGDOM MEDICINE, P.A.,) Case No. 17-18482
) (Chapter 11)
Debtor.)

**EMERGENCY MOTION TO PERMIT DEBTOR TO
USE CASH COLLATERAL**

Kingdom Medicine, P.A. (“Kingdom” or the “Debtor”), by its attorney, James C. Olson, moves pursuant to Section 363(c)(2) of the Bankruptcy Code and Rules 2002 and 4001(b) of the Federal Rules of Bankruptcy Procedure for entry of an order permitting the Debtor to use cash collateral of PNC Bank, National Association (“PNC”), Cumberland County Bank (“Cumberland”), ICB Advance (“ICB), Sandy Spring Bank (“Sandy Spring”) and Max Advance, LLC (“Max”) (collectively, “Secured Lenders”) through July 7, 2017. In support of this motion, Kingdom respectfully represents:

1. On June 21, 2017, the Debtor filed a Voluntary Petition in this Court for relief under Chapter 11 of title 11 of the United States Code.
2. The Debtor has continued in possession of its property and the operation of its business pursuant to 11 U.S.C. § 1107.
3. The Debtor is in the business of owning and operating an adult and pediatric medical practice with offices located in Pikesville, Germantown and Rockville, Maryland.
4. The Debtor seeks an order permitting the Debtor use cash collateral of PNC in the approximate amount of \$55,000, to fund Kingdom’s operations through July 7, 2017.

Parties with a Potential Interest in the Debtor’s Cash Collateral

5. A search of the financing statement recorded in the office of the Maryland State

Department of Assessments and Taxation shows that the following parties have active financing statement on file:

Secured party	Date of filing
PNC	May 7, 2014
PNC	May 8, 2014
Cumberland/Bankers Healthcare Group LLC	February 24, 2015
ICB	December 29, 2016

Each of these financing statements covers the Debtor's cash, bank accounts and accounts receivable.

6. Max Advance has served a writ of garnishment on the Debtor's bank account at Wells Fargo Bank, thereby freezing the Debtor's funds and asserting an interest in the cash collateral in that account. Currently, the amount in the Debtor's account is approximately, \$16,733. Additional funds are deposited regularly by insurance carriers and other third-party payors.

7. PNC has the senior security interest in the cash collateral. According to the Debtor's records, PNC is owed approximately \$580,000. As a practical matter, no other creditor has a real interest in the cash collateral.

Need for the Use of Cash Collateral

8. Kingdom actively manages the healthcare of approximately 15,000 patients. Moreover, Kingdom maintains medical records for an additional approximately 30,000 patients. Kingdom needs the use of cash collateral to continue providing medical care to these patients.

9. Kingdom requires use of the funds represented by the deposits in its bank accounts and the receivables to operate its business. During the next two weeks, through July 7,

2017, Kingdom will need to pay, at a minimum, the following expenses:

Expense	Amount
Payroll (including taxes and benefits)	\$22,500
Professional liability insurance	\$5,032.97
Answering service	\$430.22
Purchase of vaccines	\$20,000
Electronic medical records	\$400
Practice management system	\$2,500

10. Kingdom requests permission to use cash collateral in the amount of \$55,000 to provide a small cushion for unexpected emergencies and unanticipated requirements.

11. Based on its prior experience, Kingdom anticipates that it will generate approximately \$70,000 of collectable new accounts receivable during the same period.

12. Without prejudice to the Debtor's ability to avoid any Secured Lender's liens, if any, on Kingdom's inventory, accounts receivable, cash or other collateral, or to assert that any Secured Lender does not possess any lien on Kingdom's inventory, accounts receivable, cash or other property, the Debtor will provide each Secured Lender with adequate protection of such Secured Lender's interest, if any, in the proceeds of the cash collateral used by Kingdom by means of a replacement lien on the post-petition inventory, accounts receivable, cash or other property generated by Kingdom, such post-petition lien to have the same extent and priority as such Secured Lender's pre-petition liens, if any.

Preliminary Hearing

13. Kingdom requests that this Court set a preliminary hearing pursuant to 11 U.S.C. § 363(c)(3) on the Debtor's request for use of case collateral, pending a final hearing on this

Motion.

WHEREFORE, Kingdom respectfully requests that this Court enter an order permitting Kingdom to use cash collateral as set forth in this motion.

Dated: June 21, 2017

/s/ James C. Olson
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Attorney for Kingdom Medicine, P.A.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this June 21, 2017, a copy of the foregoing Emergency Motion to Permit Debtor to Use Cash Collateral and form of proposed order was sent by overnight delivery service to the 20 largest creditors and the creditors that filed financing statements, as shown below and on the attached mailing matrix.

PNC Bank, National Association
249 Fifth Avenue
Pittsburgh, PA 15222
Attn: Legal Department

Cumberland County Bank
225 West Avenue
Crossville, TN 38555
Attn: Legal Department

Max Advance, LLC
4208 18th Avenue
Brooklyn, NY 11218
Attn: Chief Financial Officer

ICB Advance
P.O. Box 520382
Salt Lake City, UT 84152

Wells Fargo Bank
2000 Powell Street
Floor 4
Emeryville, CA 94608-1804

/s/ James C. Olson _____
James C. Olson

Alumni Staffing, LLC
678 US Highway 202/206 Ste 5
Bridgewater, NJ 08807-1749

Bankers Healthcare Group
PO Box 85650
Sioux Falls, SD 57118-5650

Baylinson, Kudysh, Greenberg and Helt, L
303 S Main St Lowr
Mount Airy, MD 21771-5396

Bernstein, Jay A.
13211 Valley Dr
Rockville, MD 20850-3626

Brenner, Arnold
113 Danbury Rd
Reisterstown, MD 21136-3208

Floyd Rothstein Walker Center, LLC
1314 Bedford Ave Ste 106
Baltimore, MD 21208-3737

Max Advance. LLC
4208 18th Ave
Brooklyn, NY 11218-5720

McKesson
9954 Mayland Dr Ste 4000
Richmond, VA 23233-1484

Med Mutual/IPFS
1055 Broadway Blvd Fl 11
Kansas City, MO 64105-1575

Medix
2101 Gaither Rd Ste 310
Rockville, MD 20850-4074

Merck
1 Merck Dr
Whitehouse Station, NJ 08889-3400

Mid Atlantic Billing and Recovery
26 Randolph Dr
New Freedom, PA 17349

Mitnick, Alan
3408 Englemeade Rd
Pikesville, MD 21208-1601

National Business Capital
1 Corporate Dr # 202
Bohemia, NY 11716-2663

Sandy Springs Bank
17801 Georgia Ave
Olney, MD 20832-2233

Sanofi Pasteur, Inc
12458 Collection Center Dr
Chicago, IL 60693-0124

Snap Advances
1182 W 2400 S
West Valley City, UT 84119-8509

USAA
9800 Fredericksburg Rd
San Antonio, TX 78288-0001