

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

In re:

BELLA ROSE SKIN CARE PLLC,

Debtor.

Chapter 11

Case No. 17-22144

Hon. Daniel S. Opperman

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**INTERIM ORDER AUTHORIZING USE OF CASH  
COLLATERAL AND SETTING FINAL HEARING DATE**

The Debtor in the above-captioned case, having filed a First Day Motion to Approve Interim and Final Order Authorizing the Use of Cash Collateral on an Expedited Basis (the "Motion"); the Court having conducted a hearing and ruled on this matter;

**THE COURT FINDS AS FOLLOWS:**

- A. On October 24, 2017 (the "Petition Date"), the Debtor filed a petition under Chapter 11 of the Bankruptcy Code ("Code"). Since the Petition Date, the Debtor has remained in possession of its assets and continues to operate and manage its business as a debtor in possession pursuant to 11 U.S.C. §§ 1107 and 1108.
- B. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(M).
- C. No committee of creditors holding unsecured claims or any other committee has been appointed for the Debtor as provided by § 1102 of the Code.
- D. To continue the operation of its business, the Debtor represented to the Court that it must use Cash to pay its continuing obligations incurred in the

ordinary course of its business. The Debtor agrees to use only that amount of Cash Collateral as is necessary to pay the necessary expenses of its business to avoid immediate and irreparable harm to the estate, and for the costs of administration of its estate pursuant to this Order.

- E. The Debtor has provided notice of this Motion to all creditors allegedly holding secured claims of record, all other entities known or discoverable after reasonable investigation by the Debtor who claim an interest in Cash Collateral, the creditors included on the list filed pursuant to Bankruptcy Rule 1007(d) and the United States Trustee as set forth in the proof of service filed herein, and such notice, constitutes sufficient "notice and hearing," without the need for notification of any further entities under 11 U.S.C. § 363, 11 U.S.C. § 102, and Bankruptcy Rules 2002, 4001 and 6007.
- F. Good cause has been shown for entry of this Order, among other things, the entry of this Order will minimize disruption of the business of the Debtor as a going concern and preserve the value of the Estate.
- G. This Order may be entered without further notice and this Court expressly finds that the motion was sufficient to afford reasonable notice of the material provisions of the terms of this Order and an opportunity for hearing.
- H. This order is entered on an interim basis and will become a final order automatically unless objections are received within 14 days of the date of this order. Should any objections be filed, the Court will conduct a hearing on November 20, 2017 at 1:30 p.m.

**ACCORDINGLY, IT IS HEREBY ORDERED AS FOLLOWS:**

- (1) The Debtor may use cash collateral pursuant to the terms of this Order only for payment of expenses of the Debtor and in accordance with the Debtor's projections and for payment of all fees due to the Office of the United States Trustee. Any funds not expended by the Debtor shall remain in the DIP account of the Debtor.
- (2) The Expiration Date shall be the date of entry of any further or amending order of the Court regarding the use of Cash Collateral
- (3) All funds received by the Debtor shall be deposited in the debtor-in-possession account of the Debtor ("DIP Account").
- (4) The Debtor will keep all the Lenders' collateral insured against loss or damage resulting from fire, flood or other hazards, casualties and contingencies.
- (5) The Debtor will deposit all cash acquired post-petition into the DIP account.
- (6) The Lenders shall be granted a replacement lien in the inventory in the nature and to the extent of their prepetition liens.
- (7) The Debtor shall keep inventory value at approximately \$10,000.00 during the pendency of this case.
- (8) The Debtor is authorized to use Cash Collateral, subject to the terms and conditions set forth herein. Notwithstanding anything in this Order approving same to the contrary, this Order and its respective Expiration Date may be extended upon the consent of the Debtor and

the Lenders, or the entry of an order of this Court after notice and hearing upon the same or different terms.

- (9) The Debtor must, within 24 hours of the entry of this Order, serve a copy of the Motion with its attachments and the entered Order on all parties who are required to be served under Fed. R. Bankr. P. 4001(d).

**Signed on October 30, 2017**



**/s/ Daniel S. Opperman**

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**Daniel S. Opperman  
United States Bankruptcy Judge**