UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:	)	
	)	
GRAND DAKOTA PARTNERS, LLC,	)	Bankruptcy No. 17-30535
	)	Chapter 11
Debtor.	)	(Jointly Administered)
	)	
In re:	)	
	)	
GRAND DAKOTA HOSPITALITY, LLC,	)	Bankruptcy No. 17-30539
	)	Chapter 11
Debtor.	)	(Jointly Administered)
	)	

NINTH INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL

Debtors Grand Dakota Partners, LLC and Grand Dakota Hospitality, LLC moved for an order authorizing use of cash collateral. Debtors and American Bank Center believe that American is the only entity that may have a security interest in or lien on or against cash that may constitute cash collateral under 11 U.S.C. § 363(a). Neither party admitted the perfection, priority or validity of this potential security interest, and the Court makes no finding regarding these issues.

American consented to Debtors' use of cash collateral from petition through April 30, 2018, on the terms provided in interim orders authorizing the use of cash collateral entered by this Court and the United States Bankruptcy Court for the Western District of North Carolina. Debtors sought authorization to use cash collateral through December 2018. American did not consent to use of cash collateral beyond April 30, 2018.

The Court held a hearing on Debtors' motion to use cash collateral from April 30, 2018 to June 29, 2018, and found cause for authorizing Debtors to use cash collateral during this time period. It entered an interim order accordingly.

On June 25, 2018, Debtors filed a Joint Stipulation in which American Bank Center consented to the use of cash collateral from June 29, 2018 through the conclusion on the hearing on confirmation of Debtors' Chapter 11 Plan (currently scheduled for July 25, 2018).

After the Joint Stipulation and other pleadings filed in this case, the Court finds cause for authorizing Debtors to use cash collateral from June 29, 2018 to July 25, 2018, to fund day-to-day operations at the Grand Dakota Lodge and Conference Center as limited by the terms and conditions outlined in the Joint Stipulation [Doc. 207].

As adequate protection for the use of cash collateral, American shall have replacement liens on Debtors' post-petition assets to the extent that American had liens before the commencement of these cases, including but not limited to cash and any receivables generated by post-petition operations of Debtors' operating assets. If, however, the Court subsequently determines that there is a defect in the perfection or priority of American's pre-petition liens and interests, the replacement liens granted in this paragraph shall remain subject to challenge by Debtors or any other party in interest.

Therefore, IT IS ORDERED that Debtors' Motion for Use of Cash Collateral [Doc. 9] is GRANTED on an interim basis as limited by the terms and conditions noted above and outlined in the Joint Stipulation [Doc. 207] and proposed budgets [Doc. 172, Exs. 6, 7].

Dated: June 25, 2018.

Shon Hastings, Judge
United States Bankruptcy Court