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Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
December 27, 2018

LARSON ZIRZOW & KAPLAN, LLC
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Proposed Attorneys for Debtors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
BACHI BURGER, L.L.C.,
Debtor.

Case No.: BK-S-18-16584-abl
Chapter 11
(Jointly Administered)

In re:
GREEN REVOLUTIONS LLC,
Debtor.

Case No.: BK-S-18-16585-abl
Chapter 11
Date: December 20, 2018
Time: 9:30 a.m.

SECOND INTERIM ORDER PURSUANT TO 11 U.S.C. §§ 105, 361, 362, 363, AND 506, AND FED. R. BANKR. P. 4001(b): (A)(I) AUTHORIZING THE USE OF CASH, INCLUDING CASH COLLATERAL, AND (II) GRANTING RELATED RELIEF, AND (B) SCHEDULING A FURTHER HEARING

Bachi Burger, L.L.C., a Nevada limited liability company, and Green Revolutions LLC, a Nevada limited liability company, as debtors and debtors in possession (collectively, the

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1 “Debtors”), having filed their *Amended Motion Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and*
2 *506, and Rule 4001(b) of the Federal Rules of Bankruptcy Procedure for Entry of Interim and*
3 *Final Orders (A)(i) Authorizing the Use of Cash, Including Cash Collateral, and (ii) Granting*
4 *Related Relief, and (B) Scheduling a Final Hearing* (the “Motion”) [ECF No. 22]¹ and as later
5 supplemented by supplements filed by the Debtors [ECF Nos. 47 and 82]; the Court having
6 reviewed and considered the Motion and any documents and evidence submitted in support thereof
7 or in opposition thereto; the Court having held a further interim hearing on the matter on December
8 20, 2018 and having heard and considered the agreement of counsel put on the record at the
9 hearing; and good cause appearing;

10 **IT IS HEREBY ORDERED:**

11 1. The Motion is GRANTED IN PART, subject to the limitations set forth herein, and
12 on a continuing interim basis pending a further hearing on January 28, 2019 at 9:30 a.m. (the
13 “Further Hearing”).

14 2. Subject to the terms and conditions of this Order, on an interim basis only and
15 pending the Further Hearing, Debtors may use any Cash Collateral or alleged Cash Collateral,
16 from the Petition Date through and including the date of the Further Hearing in accordance with
17 the Budgets attached to ECF No. 82, *provided, however*, that pending the further hearing, no cash
18 or alleged cash collateral of the Debtors may be expended for the “manager” line item of the
19 Budgets, and no salary, compensation, reimbursements, or other payments shall be made to any of
20 the Debtors’ “insiders” as that term is defined in section 101(31) of the Bankruptcy Code, but
21 without prejudice to the Debtors’ ability to seek authorization through a separately filed and
22 noticed motion seeking to authorize such payments, and any creditor or party in interest’s ability
23 to object to such relief.

24 3. As and for adequate protection of the State of Nevada Department of Taxation (the
25 “Department”), the Department is granted, pursuant to sections 361 and 363(e) of the Bankruptcy
26 Code, a valid, perfected, and enforceable new priority replacement lien upon all property of the

27 _____
28 ¹ Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Motion.

1 Debtors and their estates, whether now existing or hereafter acquired or arising from any pre-
2 petition collateral, and all proceeds, rents, products, or profits thereof; *provided, however*, that in
3 all events, such replacements liens are granted to the Department only to the extent of any decrease
4 in the value of the collateral securing their alleged security interests (to the extent properly
5 perfected) resulting from the use of cash collateral herein, and only if, to the extent that and with
6 the same priority that the Department held a valid and perfected security interest in such collateral
7 pre-petition.

8 4. This Order is without prejudice to any party challenging any matters at the Further
9 Hearing, and such rights and arguments are reserved. No provision contained herein is intended
10 to or should be construed as a determination as to the validity, priority or enforceability of any pre-
11 petition lien or claim against Debtors or any property of the estates, the value of any of Debtors’
12 property, or a waiver of the Debtors’ rights to dispute any such lien or claim.

13 5. The Court shall retain jurisdiction with respect to any matters, claims, rights or
14 disputes arising from or related to the terms or implementation of this Order.

15 **IT IS SO ORDERED.**

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PREPARED AND SUBMITTED BY:

APPROVED / DISAPPROVED:

By: /s/ Matthew C. Zirzow
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By: /s/ Jason M. Blumberg
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UNITED STATES DEPARTMENT OF
JUSTICE
Office of the United States Trustee
300 Las Vegas Boulevard, So., Suite 4300
Las Vegas, Nevada 89101

Proposed Attorneys for Debtors

APPROVED / DISAPPROVED:

By: /s/ Robert E. Werbicky
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Deputy Attorney General
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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court’s ruling and that (check one):

- The court has waived the requirement set forth in LR 9021(b)(1).
- No party appeared at the hearing or filed an objection to the motion.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.
- I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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