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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

	Proceedings Under Chapter 11
In re	Tax I.D. No. 22-3944059
Singh Lodging, Inc.,	Case No.: 17-11637-CLB
Debtor.	Assigned Judge: Carl L. Bucki

**ORDER CONTINUING THE STATE COURT APPOINTED RECEIVERSHIP ON AN INTERIM BASIS AND AUTHORIZING THE PAYMENT OF CERTAIN EXPENSES OF THE RECEIVERSHIP**

This matter having come before this Court upon the motion of the Debtor-in-Possession, Singh Lodging, Inc. (the "Debtor"), seeking the entry of emergency order, pursuant to Bankruptcy Code Section 363 and Rule 4001(b) of the Federal Rules of Bankruptcy Procedure, authorizing the Debtor to use cash collateral in which ZB, N.A. d/b/a Zions First National Bank (hereinafter, "Zions"), New York Business Development Corporation (hereinafter, "NYBDC"), BBCN Bankcorp, Inc. (hereinafter, "BBCN"), CAN Capital, Inc. (hereinafter, "CanCapital"), and Elm Services LLC (hereinafter, "Elm" and together with Zions, NYBDC, BBCN, & CanCapital, the "Secured Creditors") have or claim a lien or security interest(s) and seeking a determination of this Court that because the Debtor's proposed use of that cash collateral will not otherwise modify the rights of Secured Creditors' current rights, Secured Creditors' collateral is adequately protected (the "Cash Collateral Motion")

Zions, by and through its attorneys, Norris, McLaughlin & Marcus, PA, having filed an Objection by to the Debtor's Emergency Motion for Authority to Use Cash Collateral (the "Objection") and in said Objection requested, among other things to excuse compliance with 11 U.S.C. § 543(a) and (b) pending resolution of the Debtor's anticipated Motion to Remove Receiver.

Upon the Cash Collateral Motion and Objection, parties have agreed to allow M. Neal Eckard (the "Receiver") and Nationwide Asset Management Group with their appointment pursuant to the State Court Order dated May 29, 2017 in an action entitled ZB, N.A. d/b/a ZIONS BANK v. SINGH LODGING INC., et al Index No.: 803394/2017, ) to remain in place as Receiver of the rents and profits stemming from the operation of the hotel located at 50 Freeman Road, Lancaster, New York (the "Premises") pending the anticipated hearing on the Motion to Remove Receiver scheduled for August 24, 2017 at 10:30 a.m. (the "Receivership").

Said matter(s) having come before this Court at a motion term thereof on the 8th day of August, 2017 at 1:00 p.m., and after hearing Michael A. Weishaar, Esq., counsel for the Debtor, and after hearing Melissa A. Pena, Esq., counsel for Zions, and after hearing Jill M. Zubler, Esq., trial attorney for the Office of the United States Trustee, and the Court having duly deliberated, it is hereby

**ORDERED**, that the Receivership created pursuant to the State Court Order Appointing Receiver, is hereby continued *nunc pro tunc* as of August 4, 2017 until August 25, 2017 (the "Adjourned Period") and the provisions of the Orders Appointing Receiver shall govern the Receiver's authority, except as otherwise provided herein, to act subject to the provisions of the United States Bankruptcy Code (the "Bankruptcy Code") and this Order; and it is further

**ORDERED**, that the Receiver is authorized to continue to manage the Premises during the Adjourned Period and is authorized to pay the post-petition expenses necessary to operate the Premises, as set forth in the budget attached hereto as Exhibit A, in the same manner as is customary and usual in the operation of similar hotels in the Western New York area; and it is further

**ORDERED**, that to the extent Zions advances funds to cover any deficiencies set forth in Exhibit A, such amounts shall be added to Zions' secured claim; and it is further

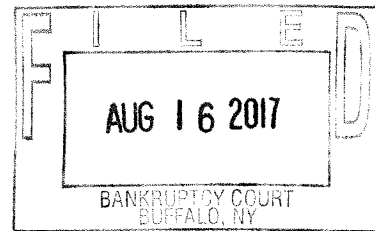
**ORDERED**, that except as provided in Exhibit A, the Receiver shall not conduct any repairs on the Premises exceeding \$2,000 without obtaining permission from the Court.

ENTER:

AUG 16 2017



Hon. Carl L. Bucki  
U.S. Bankruptcy Judge



# **EXHIBIT A**



**One Month Budget  
Singh Lodging Inc  
Williamsville, NY  
August 4 - August 25**

ROOMS AVAILABLE  
ROOMS RENTED  
% OCCUPANCY  
AVERAGE DAILY RATE

**REVENUE**

ROOMS DEPARTMENT	15,750
TELEPHONE DEPARTMENT	
OTHER INCOME	
TOTAL REVENUE	<u>15,750</u>

**ROOMS EXPENSE:**

PAYROLL	12,000
SALES AND HOTEL TAX	2,205
CASUAL LABOR	
LINEN .35 POR	
FOLIOS	
UNIFORMS	
OPERATING SUPPLIES	1,200
TRAVEL AGENT COMMISSION	100
RESERVATION EXPENSE	100
CABLE TV	1,800
CONTINENTAL BREAKFAST	400
EQUIPMENT RENTAL	
PROPERTY MANAGEMENT SYSTEM	250
COURTESY VAN EXPENSE	
TRAINING & SEMINARS	
MISCELLANEOUS EPENSE	
TOTAL ROOMS DEPARTMENT EXPENSE	<u>18,055</u>

**ADMINISTRATIVE AND GENERAL EXPENSE:**

GENERAL INSURANCE	25,500
CLASSIFIED ADS/HELP WANTED	
COPY MACHINE RENTAL	
OFFICE SUPPLIES	100
PRINTING & STATIONERY	
COMPUTER SYSTEMS	
LICENSE, TAXES & FEE	
POSTAGE	15
CREDIT CARD COMMISSION	315
EXPRESS MAIL CHARGES	
DUES & SUBSCRIPTIONS	
TRAVEL & ENTERTAINMENT	
BANK CHARGES	
BAD DEBT EXPENSE	
FRANCHISE FEES	
ACCOUNTING FEES	750
LEGAL FEES	
PROFESSIONAL FEES	
RECEIVER FEES	2,900
INTERNET ACCESS	
MISCELLANEOUS EXPENSE	
<b>TOTAL ADMIN &amp; GENERAL EXP</b>	<b><u>29,580</u></b>

**UTILITIES EXPENSE:**

UTILITY EXPENSE	2,872
FUEL/PROPANE GAS	
WATER/SANITATION	
LIGHT BULBS	
<b>TOTAL UTILITIES DEPT. EXPENSE</b>	<b><u>2,872</u></b>

**MAINTENANCE AND REPAIRS:**

UNIFORMS	
SUPPLIES-GENERAL	
BUILDING	500
GENERAL MAINTENANCE	200
LAUNDRY & OTHER EQUIPMENT	
FURNITURE, FIX & EQUIPMENT	
ELECTRICAL	
HEATING & AIR CONDITIONING	
SNOW PLOW	
TELEVISION	
GROUNDS & PARKING LOT	164
SWIMMING POOLS	
WATER TREATMENT	
PAINTING & DECORATING	
MAINTENANCE CONTRACTS	
PLUMBING	
MAINTENANCE RESERVE	
TRASH & EXTERMINATION	344
FIRE SAFETY	<u>6,238</u>

TOTAL MAINTENANCE DEPT. EXPENSE

7,446

OTHER EXPENSES:

INTEREST

DEPRECIATION

AMORTIZATION

TOTAL OTHER EXPENSES

57,953

TOTAL DEPARTMENT EXPENSES

TOTAL PROFIT/LOSS

(42,203)