

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	Chapter 11
Potomac Xpress LLC	Case No. 18-10935-AMC
Debtor(s)	Judge: Ashely M. Chan

**DEBTOR’S MOTION FOR AN ORDER TO OBTAIN SECURED CREDIT FROM CRESTMARK BANK,  
AUTHORIZING THE USE OF CASH COLLATERAL, AND REQUEST FOR AN EXPEDITED HEARING**

Debtor, Potomac Xpress LLC (the “Debtor”), by its counsel, Gorski & Knowlton, moves before this Court for an Order authorizing the Debtor to obtain secured credit from Crestmark Bank (the “Bank”), to use cash collateral, (hereinafter “the Motion”), and for the entry of an Order granting expedited consideration on the Motion. In support of the Motion and request for reduction of the notice period, the Debtor respectfully states as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction to hear and decide the Motion pursuant to 28 U.S.C. §1334. The subject matter of the Motion is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is proper in this District pursuant to 28 U.S.C. §1408.

**FACTUAL BACKGROUND**

2. On February 9, 2018, the Debtor filed a voluntary petition for relief (“Petition”) under Chapter 11 of the United States Bankruptcy Code.

3. The Debtor operates a trucking business that transports goods throughout many states.

4. The Debtor previously entered into a financing arrangement with Crestmark Bank (the "Bank"). A copy of the Loan & Security Agreement, dated December 17, 2015, is attached hereto and made a part hereof as Exhibit A. An Amendment to the Schedule to Loan & Security Agreement is attached hereto and made a part hereof as Exhibit B.

5. The Debtor has pledged its receivables under a Loan & Security Agreement and an amendment thereto, which amendment is also dated June 29, 2017.

6. The pre-petition loan documents prohibit the Debtor from using the cash receipts generated in the course of its business without an Order of the Court or the agreement from the Bank.

7. The Debtor represents that it must use this cash collateral and obtain the secured financing from the Bank to continue operating its business and to pay its post-petition obligations incurred in the ordinary course of business.

8. The Debtor urgently requires this financing, pursuant to 11 U.S.C. §364, to fund its daily operations. Accordingly, the Debtor is seeking this relief on an interim basis, through April 13, 2018. The Debtor will seek a final order for this relief prior to that date.

9. The Debtor represents that it is unable to obtain unsecured financing at this time.

10. The Debtor respectfully requests, therefore, that this Court permit use of cash collateral, grant Crestmark Bank a replacement lien on post-petition receivables without the necessity of filing a new UCC or preparing additional documents, and obtain the secured financing offered by the Bank.

11. The Debtor has prepared a typical one-month budget, which is attached hereto and made a part hereof as Exhibit C.

**REQUEST FOR EXPEDITED HEARING**

12. Local Bankruptcy Rule 5070-1(f)(3) allows a motion for expedited consideration to be stated as part of the underlying motion for which expedited consideration is requested.

13. Bankruptcy Rule 9006(c)(1) permits this Court to reduce time periods for notice where cause is shown. *See also* L.B.R. 5070-1(f).

14. In the present case, the Debtor has many expenses that are paid on a weekly basis, including payroll, fuel for its trucks, and on-road repairs. These payments must be made in order to continue operation of the Debtor's business.

15. The Debtor respectfully submits that cause has been shown and requests that the Court schedule a hearing on the Motion on or before February 16, 2018, and further requests approval of a notice period that is shortened as stated herein.

WHEREFORE, Debtor respectfully requests the entry of an Order scheduling an expedited hearing on the Motion, and for such other and further relief as this Court deems just.

Respectfully submitted,

*/s/ Carol L. Knowlton*

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