

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

IN RE:)	
)	Case No. 17-23736
COPIA PARTNERS, LLC,)	Chapter 11 Proceeding
)	Jennie D. Latta, Judge
Debtor-in-possession)	

AMENDED
EXPEDITED MOTION FOR USE OF CASH COLLATERAL OF
PINNACLE BANK AND DNV INVESTMENT PARTNERSHIP

Comes the Debtor, through counsel, and moves this Honorable Court to be permitted to use the cash collateral pledged to Pinnacle Bank as 1st Lien Holder and DNV Investment Partnership as 2nd Lien Holder on an interim basis pending a final hearing. In support of its Motion, the following shall be shown unto the Court:

- 1) Pinnacle Bank and DNV Investment Partnership are secured creditors and parties in interest holding secured claims in the above referenced case.
- 2) The Debtor has pledged to Pinnacle Bank and DNV Investment Partnership, a secured interest in all accounts receivable and inventory.
- 3) Debtor wishes to utilize revenue from the accounts receivable and from the sale of inventory to replenish the inventory supply and continue to operate the business by paying regular ordinary and necessary business expenses.
- 4) Pending confirmation of the Debtor's Chapter 11 plan, the Debtor requests that they be permitted to use the cash collateral, including accounts receivable and the proceeds from the sale of inventory, and all assets and other property pledged to Pinnacle Bank and DNV Investment Partnership pursuant to 11 U.S.C. § 363.
- 5) The Debtor needs to effectively reorganize in this Chapter 11 proceeding and without the use of cash collateral they will not be able to operate the business, thereby eliminating any potential income to be used to repay creditors.

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully moves this Court for an Order granting the above-sought relief.

Respectfully submitted,

LEFKOVITZ & LEFKOVITZ

/s/ Steven L. Lefkovitz, No. 5953

Steven L. Lefkovitz

Proposed Attorney for Debtor-in-possession

618 Church Street, Suite 410

Nashville, Tennessee 37219

(615)256-8300 fax (615) 255-4516

Email: slefkovitz@lefkovitz.com

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and exact copy of the foregoing to Sean Hayes, Assistant United States Trustee, Carrie Ann Rohrscheib, Trial Attorney, Office of the U.S. Trustee, and all other parties of record to receive notice electronically via the United States Bankruptcy Court's CM/ECF system, this 27th day of April, 2017.

I further certify that I have sent a true and exact copy of the foregoing to Pinnacle Bank, P.O. Box 292487, Nashville, TN 37229-2487; DNV Investment Partnership, 7200 Goodlett Farms Parkway, Cordova TN 38016; the Debtor-in-possession and all creditors and parties-in-interest in the above-referenced Chapter 11 case, by U.S. Mail, postage prepaid, this 27th day of April 2017.

/S/ STEVEN L. LEFKOVITZ

Steven L. Lefkovitz

**United States Bankruptcy Court
Western District of Tennessee**

In re COPIA PARTNERS LLC

Debtor(s)

Case No.

Chapter 11

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:

1. Gross Income For 12 Months Prior to Filing: \$ 4,047,472.00

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

2. Gross Monthly Income \$ 337,289.00

PART C - ESTIMATED FUTURE MONTHLY EXPENSES:

3. Net Employee Payroll (Other Than Debtor) \$ 0.00

4. Payroll Taxes 0.00

5. Unemployment Taxes 0.00

6. Worker's Compensation 0.00

7. Other Taxes 1,068.00

8. Inventory Purchases (Including raw materials) 273,076.00

9. Purchase of Feed/Fertilizer/Seed/Spray 0.00

10. Rent (Other than debtor's principal residence) 4,093.00

11. Utilities 2,489.00

12. Office Expenses and Supplies 8,811.00

13. Repairs and Maintenance 4,416.00

14. Vehicle Expenses 0.00

15. Travel and Entertainment 3,345.00

16. Equipment Rental and Leases 2,345.00

17. Legal/Accounting/Other Professional Fees 1,952.00

18. Insurance 6,759.00

19. Employee Benefits (e.g., pension, medical, etc.) 21,446.00

20. Payments to Be Made Directly By Debtor to Secured Creditors For Pre-Petition Business Debts (Specify):

DESCRIPTION	TOTAL
-------------	-------

21. Other (Specify):

DESCRIPTION	TOTAL
-------------	-------

22. Total Monthly Expenses (Add items 3-21) \$ 329,800.00

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:

23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from item 2) \$ 7,489.00