

Eric A. Liepins
ERIC A. LIEPINS, P.C.
12770 Coit Road
Suite 1100
Dallas, Texas 75251
Ph. (972) 991-5591
Fax (972) 991-5788

PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE	§	
	§	
CHILDRESS GATEWAY ENTERPRISE, INC.	§	
	§	Case no.19-40006 -11
	§	
	§	
	§	CHAPTER 11
DEBTOR	§	

EMERGENCY MOTION FOR AUTHORITY TO USE OF CASH COLLATERAL

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Childress Gateway Enterprise, Inc. (“Debtor”) and moves the Court under 11 U.S.C. §363 for Emergency Approval of Interim Use of Cash Collateral and would show the Court the following:

1. The Debtor filed a voluntary Chapter 11 Petition on January 1, 2019.
2. The Debtor must have cash to make payroll and to pay other immediate expenses to keep its doors open.
3. The Debtors business consists of the ownership and operation of a 46 room hotel in Childress Texas.
4. Wellington State Bank (“Wellington”) asserts a lien on the hotel. Wellington

asserts a lien on among other things, the room revenue generated by the Debtor (“Collateral”). This Collateral may constitute the cash collateral of Wellington as that term is defined in the Bankruptcy Code.

5. The Debtor is in immediately need to use the cash collateral of Wellington to maintain operations of the business. The continued operations of the Debtor will necessitate the use of the cash collateral.

6. The Debtor seeks to use the cash collateral of Wellington to make the payroll and continue operations. Debtor seeks interim use of the cash collateral for the uses set forth on Exhibit “A”.

7. The Debtor had previously filed a Chapter 11 proceeding in this Court and confirmed a Plan of Reorganization, however, the Debtor has since lost its “flag” with Choice Hotels which caused the Debtor to fall behind on its payments to the secured lender.

8. An emergency exists in that the entire chance of the Debtor’s reorganizing depends on the Debtor’s ability to immediately obtain use the alleged Collateral of Wellington to continue operations of the companies while effectuating a plan of reorganization.

9. The Debtor is willing to provide Wellington with replacement liens pursuant to 11U.S.C. section 552.

WHEREFORE, PREMISES CONSIDERED, the Debtor would request this matter be set down for an Emergency Hearing and that upon hearing, this Court enter and Order authorizing the Debtor’s use of the Cash Collateral of Wellington in the amounts set forth in Exhibit “A” and to grant Wellington adequate protection in the form of replacement liens under 11 U.S.C. section 552, and for such other and further relief as the Debtor may show itself justly entitled.

Respectfully submitted,

Eric A. Liepins
Eric A. Liepins, P.C.
12770 Coit Road
Suite 1100
Dallas, Texas 75251
(972) 991-5591
(972) 991-5788 - telecopier

By: /s/ Eric Liepins
Eric A. Liepins, SBN 12338110

PROPOSED ATTORNEY FOR DEBTOR

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion was sent via telecopy or mail to the Wellington State Bank by and through its counsel of record, Nolan Greak, at 806-783-0045 and ngreak@greaklaw.com and the United States Trustee on the 1st day of January 2019.

/s/ Eric Liepins
Eric A. Liepins