

Eric A. Liepins
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PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE	§	
	§	
C-N-T REDI MIX, LLC	§	Case no.17-34580-11
	§	
	§	
	§	CHAPTER 11
DEBTOR	§	

EMERGENCY MOTION FOR AUTHORITY TO USE OF CASH COLLATERAL

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, C-N-T REDI MIX, LLC (“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 December 5, 2017.
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 company providing concrete to commercial and residential customers.
4. The Internal Revenue Service (“IRS”) and ML Factors (“ML”) assert liens on the

accounts receivable and inventory of the company (“Collateral”). The alleged liens were perfected by the filing of a UCC-1 Financing Statements less than 90 days prior to the filing of the petition. This Collateral may constitute the cash collateral of the IRS and/or ML as that term is defined in the Bankruptcy Code.

5. The Debtor is in immediately need to use the alleged cash collateral of the IRS and ML 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 alleged cash collateral of the IRS and ML to make the payroll and continue operations. Debtor seeks interim use of the alleged cash collateral for the uses set forth on Exhibit “A”.

7. 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 the IRS and/or ML to continue operations of the company while effectuating a plan of reorganization.

8. The Debtor is willing to provide the IRS and ML with replacement liens pursuant to 11U.S.C. section 552 if so required by the Court.

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 the IRS and/or ML in the amounts set forth in Exhibit “A” and to grant the IRS and ML 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,

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

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion was sent via telecopy or mail to ML Factors 332-255-2111 and the IRS at Leo.V.Carey@irs.gov and the United States Trustee on the 5th day of December 2017.

/s/ Eric Liepins
Eric A. Liepins

budget for CNT December 2017

Expenses	
Payroll w/tax	85,000
Insurance	13,800
cost of goods	150,000
utilities	5,000
rent	2,000
repairs	12,000
fuel	1,000
misc	1,000
 INCOME	 430,0000