

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	§	
	§	
WARRIACH, INC	§	
	§	Case no. 18-33188-11
	§	
	§	
	§	CHAPTER 11
DEBTOR	§	

EMERGENCY MOTION FOR AUTHORITY TO USE OF CASH COLLATERAL

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Warriach 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 September 30, 2018.
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 automobile repair shop in Dallas, Texas.
4. Comerica Bank (“Comerica”) currently asserts lien positions, on among other

things the accounts receivable or inventory sales of the Debtor. This Collateral may constitute the cash collateral of Comerica as that term is defined in the Bankruptcy Code.

5. The Debtor is in immediately need to use the cash collateral of Comerica 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 Comerica to make the payroll and continue operations. Debtor seeks interim use of the 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 Comerica to continue operations of the companies while effectuating a plan of reorganization.

8. The Debtor is willing to provide Comerica 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 Comerica in the amounts set forth in Exhibit "A" and to grant Comerica, 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

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 ECF to the Comerica via Richard Dafoe, 1601 Elm Street, Suite 4100, Dallas, Texas 75201 and the United States Trustee on the 30th day of September 2018.

/s/ Eric Liepins
Eric A. Liepins

WARRIACH INC

Cash Flow Statement And Budget

October 2018

	<u>Oct - 2018</u>
Ordinary Income/Expense	
Income	
4000 · Sales - Bodyshop	14,925.00
4005 · Sales - Autos	129,000.00
5255 · Taxes - Titles, TRF & Others	-5,935.00
Total Income	<u>137,990.00</u>
Cost of Goods Sold	
5410 · Auto Purchases	64,333.00
5400 · Bodyshop Supplies	2,999.00
5400 · Auto Repairs	4,985.00
5400 · Purchases Parts	14,985.00
Total COGS	<u>87,302.00</u>
Gross Profit	50,688.00
Expense	
5005 · Management Salary	5,000.00
5010 · Payroll	29,325.00
5010 · Document, Title Transfer Fees	500.00
5020 · Repossession Fees	1,875.00
5110 · Telephone Expense	925.00
5130 · Utilities	2,100.00
5210 · Other Operating Supplies	600.00
5225 · Advertising and Promotion	850.00
5245 · Insurance Expense	795.00
5250 · Payroll Taxes	450.00
5260 · Accounting Fees	275.00
5265 · Bank Service Charges	200.00
5330 · Membership & Subscription Fees	315.00
5340 · Credit Card Discount	375.00
5375 · Office Supplies	250.00
Total Expense	<u>43,835.00</u>
Net Ordinary Income	<u>6,853.00</u>
Cash Surplus	<u><u>6,853.00</u></u>