

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN RE:

PICCADILLY RESTAURANTS,
LLC, *ET AL.*,

DEBTORS

* **CASE NO. 12-51127**
*
* **JOINT**
 ADMINISTRATION¹
*
* **CHAPTER 11**
*
* **JUDGE ROBERT**
 SUMMERHAYS
*

MOTION TO CONTINUE FINAL HEARING ON MOTION AND STIPULATION
(DOCKET ## 15, 83 and 84)

NOW INTO COURT, through undersigned counsel, comes the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”),² who file this Motion to Continue the Final Hearing on Motion and Stipulation, and in support thereof state as follows:

1. On September 11, 2012 (the “Petition Date”), the Debtors filed for relief under chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”). The Debtors are operating their businesses and managing their properties as debtors-in-possession pursuant to Bankruptcy Code §§ 1107 and 1108. No trustee or examiner has been appointed, and no official committee of creditors or equity interest holders has been established in these Chapter 11 cases.

2. On the Petition Date, the Debtors filed an *Emergency Motion for an Order (I) Authorizing the Debtors to Obtain Post-Petition Financing Pursuant to 11 U.S.C. §§ 364(c) and*

¹ Jointly administered with *In re Piccadilly Food Service, LLC*, 12-51128 (Bankr. W.D. La. 2012), and *In re Piccadilly Investments, LLC*, 12-51129 (Bankr. W.D. La. 2012).

² The debtors in these Chapter 11 cases include Piccadilly Restaurants, LLC, Piccadilly Food Service, LLC, and Piccadilly Investments, LLC.

364(d), (II) Authorizing the Debtors' Use of Case Collateral Pursuant to 11 U.S.C. § 363(c); (III) Granting Adequate Protection Pursuant to 11 U.S.C. § 361; and (IV) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(c) (Docket #15) (the "Motion").

3. On September 18, 2012, the Bankruptcy Court entered an *Order* (Docket #84) (the "Interim Order") that granted, on an interim basis, the Motion as modified by the *Stipulation and Order (a) Authorizing Post-Petition Financing, (b) Authorizing Use of Cash Collateral, (c) Granting Superpriority Security Interests and Administrative Claims Pursuant to 11 U.S.C. § 364, (d) Granting Adequate Protection to Pre-Petition Lenders, (e) Granting Limited Relief from the Automatic Stay and (f) Granting Related Relief* (the "Stipulation") (Docket #83).

4. In the Interim Order, the Court scheduled a final hearing on the Motion and Stipulation for October 23, 2012 at 10:00 AM (the "Final Hearing").

5. By this Motion, the Debtors seek to continue the Final Hearing until November 6, 2012 at 10:00 AM.

6. This motion to continue is filed with the knowledge and consent of (a) the Debtors' secured lenders, through counsel of record for its DIP Agent, and (b) counsel of record for The Merchants Company, d/b/a Merchants Foodservice, the Debtors' largest unsecured creditor.

7. Contemporaneously with the filing of this Motion, notice of this Motion to Continue has been given to (a) the secured lenders, through Atalaya Administrative, LLC and its counsel of record, Brent R. McIlwain and David F. Waguespack, (b) the thirty largest unsecured creditors, the identity of which may be amended from time to time, (c) the twenty additional random unsecured creditors, (d) all parties who have requested special notice pursuant to

Bankruptcy Rule 2002, (e) the Unsecured Creditors Committee, if appointed, or its counsel if one has been retained, and (f) the Office of the United States Trustee.

WHEREFORE, the Debtors pray that this Court enter an order continuing the Final Hearing on the Motion and Stipulation, and for all other relief to which they are entitled in law and equity.

Respectfully submitted,

/s/ Mark A. Mintz

R. PATRICK VANCE. (#13008)

ELIZABETH J. FUTRELL. (#05863)

MARK A. MINTZ (#31878)

TYLER J. RENCH (#34049)

Jones, Walker, Waechter, Poitevent,
Carrère & Denègre, L.L.P.

201 St. Charles Avenue, 51st Floor

New Orleans, Louisiana 70170

Telephone: (504) 582-8000/ Direct: (504) 582-8194

Direct Facsimile: (504) 589-8194

Email: pvance@joneswalker.com

Email: efutrell@joneswalker.com

Email: mmintz@joneswalker.com

Email: trench@joneswalker.com

AND

PATRICK L. McCUNE (#31863)

Jones, Walker, Waechter, Poitevent,
Carrère & Denègre, L.L.P.

Four United Plaza

8555 United Plaza Blvd.

Baton Rouge, Louisiana 70809

Telephone: (225) 248-2150

Facsimile: (225) 248-3350

Email: pmccune@joneswalker.com

**Attorneys for Piccadilly Restaurants, LLC,
Piccadilly Food Service, LLC and
Piccadilly Investments, LLC**