

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**In re:** § Case No. 12-51127  
§  
**Piccadilly Restaurants, LLC, et al.,** § (Joint Administration)<sup>1</sup>  
§  
§ Chapter 11  
**Debtors** §  
§ Judge Robert Summerhays

**MOTION OF ATALAYA ADMINISTRATIVE LLC FOR EXPEDITED HEARING TO  
CONSIDER MOTION FOR ORDER ESTABLISHING A PROCEDURE FOR  
VALUATION OF SECURED CLAIMS PURSUANT TO BANKRUPTCY CODE  
SECTIONS 506 AND 105 AND BANKRUPTCY RULE 3012**

Atalaya Administrative LLC, in its capacity as administrative agent (“Agent”) for Atalaya Special Opportunities Fund IV LP (Tranche B), and all other prepetition secured lenders for which Agent serves as administrative agent, (collectively, the “Lenders”),<sup>2</sup> the prepetition secured lenders to Piccadilly Restaurants, LLC (“Piccadilly”), Piccadilly Food Service, LLC (“PFS”) and Piccadilly Investments, LLC (“Investments” and collectively, the “Debtors”), requests an expedited hearing to consider Atalaya’s *Motion for Order Establishing a Procedure for Valuation of Secured Claims Pursuant to Bankruptcy Code Sections 506 and 105 and Bankruptcy Rule 3012* (the “Valuation Motion”).

**RELIEF REQUESTED**

1. Through this motion, Atalaya respectfully requests that the Court consider the Valuation Motion on an expedited basis, at a hearing to be held on the next available, regularly scheduled, motion day, April 23, 2013 at 10:00 a.m. (such date and time, the “Hearing Date”).

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<sup>1</sup> Jointly administered with *In re Piccadilly Food Service, LLC*, 12-51128 (Bankr. W.D. La. 2010), and *In re Piccadilly Investments, LLC*, 12-51129 (Bankr. W.D. La. 2010).

<sup>2</sup> Agent together with Lenders shall be referred to herein collectively as “Atalaya.”

## **BACKGROUND AND BASIS FOR EXPEDITED HEARING**

2. The Debtors' exclusive rights to propose and confirm a chapter 11 bankruptcy plan governing their emergence from bankruptcy are set to expire on July 8, 2013 and September 9, 2013, respectively. Due to the pending deadline of their plan exclusivity periods, the Debtors will likely devote significant effort in the coming weeks to proposing and seeking confirmation of a joint chapter 11 bankruptcy plan before the expiration of their statutory plan exclusivity periods.

3. The extent of each creditor's recovery under a plan will likely depend upon the value of the secured claims of the Debtors' largest creditor -- Atalaya. The value of Atalaya's secured claims will play a pivotal role in both: (i) any plan proponent's ability to develop a plan for the Debtors' emergence from bankruptcy; and (ii) the ability of all creditors to meaningfully evaluate the merits of such plan(s). Thus, setting forth an orderly procedure for establishing the value of Atalaya's secured claims will simplify the plan confirmation process.

4. If the Valuation Motion is not heard on the Hearing Date, procedures governing the valuation of Atalaya's secured claims could not be considered until mid to late May, which would not provide the Debtors, Atalaya, or other interested parties with a sufficient opportunity to conduct a fair and orderly process for valuing Atalaya's secured claims before the Debtors' impending plan exclusivity deadline.

5. Considering the Valuation Motion on an expedited basis at the April 23, 2013 motion day will not prejudice the Debtors or any other interested parties. Parties would still have sufficient time to respond to the Valuation Motion. Moreover, Atalaya's requested hearing to consider the Valuation Motion would be limited to considering *procedures* for valuing Atalaya's secured claims. If such procedures were approved, the Debtors' estates would benefit from having an orderly claim valuation procedure established as soon as possible.

6. Prior to filing this request for an expedited hearing regarding the Valuation Motion, counsel for Atalaya contacted counsel for the Debtors and Committee regarding the relief requested herein. Counsel for the Debtors and Committee are presently considering that expedited hearing request.

**WHEREFORE**, Atalaya respectfully requests that this Court conduct an expedited hearing on April 23, 2013 to consider the Valuation Motion and grant Atalaya such other and further relief as is just and proper.

Dated: April 10, 2013

Respectfully submitted,

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