

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

Case No. 12-01220

**ORDER APPROVING DEBTOR'S AMENDED OBJECTION TO ALLOWANCE OF
CLAIM NUMBER 1328 FILED BY RICHARD HEADLEY**

The relief set forth on the following pages, for a total of 4 pages including this page, is hereby ORDERED.

**FILED BY THE COURT
06/06/2013**



Entered: 06/07/2013

A handwritten signature in cursive script that reads "John E. Waites". The signature is written in black ink and is positioned above a horizontal line.

US Bankruptcy Judge
District of South Carolina

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

IN RE:

CCHG Liquidation Co.,

Debtor

CCHG Liquidation Co.,

Movant,

v.

Richard Headley, - Claim No. 1328

Respondent

CHAPTER 11

Case No. 12-01220

Substantively Consolidated

Contested Matter

**ORDER APPROVING DEBTOR'S AMENDED OBJECTION TO ALLOWANCE OF
CLAIM NUMBER 1328 FILED BY RICHARD HEADLEY**

Upon the Objection [Docket Entry # 1017] (the "Objection") of CCHG Liquidation Co., the above-captioned substantively consolidated debtor (the "Debtor"), requesting the entry of an order disallowing, as filed, claim number 1328 filed by Richard Headley in the chapter 11 cases of The Cliffs Club & Hospitality Group, Inc. and its affiliated debtors;¹ the Court having jurisdiction to consider the Objection and the relief requested therein; a hearing having been held

¹ The debtors (now substantively consolidated as the single Debtor), followed by the last four digits of their respective taxpayer identification numbers and chapter 11 case numbers, are as follows: The Cliffs Club & Hospitality Group, Inc. n/k/a CCHG Liquidation Co. (6338) (12-01220); CCHG Holdings, Inc. (1356) (12-01223); The Cliffs at Mountain Park Golf & Country Club, LLC n/k/a CCHG Liquidation Co. II, LLC (2842) (12-01225); The Cliffs at Keowee Vineyards Golf & Country Club, LLC n/k/a CCHG Liquidation Co. III, LLC (5319) (12-01226); The Cliffs at Walnut Cove Golf & Country Club, LLC n/k/a CCHG Liquidation Co. IV, LLC (9879) (12-01227); The Cliffs at Keowee Falls Golf & Country Club, LLC n/k/a CCHG Liquidation Co. V, LLC (3230) (12-01229); The Cliffs at Keowee Springs Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VI, LLC (2898) (12-01230); The Cliffs at High Carolina Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VII, LLC (7576) (12-01231); The Cliffs at Glassy Golf & Country Club, LLC n/k/a CCHG Liquidation Co. VIII, LLC (6559) (12-01234); The Cliffs Valley Golf & Country Club, LLC n/k/a CCHG Liquidation Co. IX, LLC (6486) (12-01236); and Cliffs Club & Hospitality Service Company, LLC n/k/a CCHG Liquidation Co. X, LLC (9665) (12-01237).

on June 3, 2013 to consider the Objection; due notice of the Objection and hearing having been given to all parties entitled thereto, as listed in the certificate of service attached to the Objection and filed with the Court; it appearing that no other or further notice need be provided; Mr. Headley having filed an objection [Docket Entry # 790] to the Debtor's original objection to his claim, but Mr. Headley having failed to: (i) file any response to the amended Objection; or (ii) attend the hearing held on the Objection; no other objections having been filed or asserted to the Objection; the Court having determined that the relief sought in the Objection is in the best interests of the Debtor's substantively consolidated bankruptcy estate, its creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED as follows:

1. The Objection is GRANTED.
2. Claim number 1328 filed by Richard Headley is disallowed as filed, and is instead hereby allowed in the total amount of \$100,000.00 as a Class 7 Club Member Claim (as defined in the confirmed First Amended and Restated Joint Chapter 11 Plan filed by the Debtors and the Plan Sponsor dated June 30, 2012, as amended [Docket Entry No. 616, Ex. A] (the "Plan")), because the record before this Court reflects that Mr. Headley is entitled only to a \$100,000.00 Class 7 Club Member Claim, and nothing in the record before this Court reflects that Mr. Headley is entitled to either a secured claim or a priority claim against the debtors. The treatment and satisfaction of Mr. Headley's allowed claim shall be governed by the provisions of the Plan relating to the treatment and satisfaction of Class 7 claims.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

AND IT IS SO ORDERED.

PREPARED AND PRESENTED BY:

/s/ Däna Wilkinson

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