

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

In re:

The Cliffs Club & Hospitality Group, Inc., *et al.*,¹ d/b/a The Cliffs Golf & Country Club,

Debtors.

CHAPTER 11

Case No. 12-01220

Jointly Administered

DEBTORS' MOTION FOR EMERGENCY HEARING ON DEBTORS' MOTION FOR ENTRY OF AN ORDER PURSUANT TO 11 U.S.C. §§ 105(A) AND 363(B) AUTHORIZING AND APPROVING DEBTORS' EMPLOYMENT OF TIMOTHY P. CHERRY AS AN INDEPENDENT CONTRACTOR

PLEASE TAKE NOTICE THAT the undersigned, on behalf of The Cliffs Club & Hospitality Group, Inc. and its affiliated debtors in the above-captioned Chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"), do hereby move before this Court for an order granting an emergency hearing on the Debtors' Motion for Entry of an Order Pursuant to §§ 105(a) and 363(b) Authorizing and Approving the Debtors' Employment of Timothy P. Cherry as an Independent Contractor (the "Motion"), filed contemporaneously herewith. In support of this request for an emergency hearing, and pursuant to SC LBR 9013-1(d), the Debtors state as follows:

¹ The Debtors, 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. (6338) (12-01220); CCHG Holdings, Inc. (1356) (12-01223); The Cliffs at Mountain Park Golf & Country Club, LLC (2842) (12-01225); The Cliffs at Keowee Vineyards Golf & Country Club, LLC (5319) (12-01226); The Cliffs at Walnut Cove Golf & Country Club, LLC (9879) (12-01227); The Cliffs at Keowee Falls Golf & Country Club, LLC (3230) (12-01229); The Cliffs at Keowee Springs Golf & Country Club, LLC (2898) (12-01230); The Cliffs at High Carolina Golf & Country Club, LLC (4293) (12-01231); The Cliffs at Glassy Golf & Country Club, LLC (6559) (12-01234); The Cliffs Valley Golf & Country Club, LLC (6486) (12-01236); Cliffs Club & Hospitality Service Company, LLC (9665) (12-01237).

Pursuant to the Motion, the Debtors seek authority to employ Timothy P. Cherry as an independent contractor for the Debtors during the administration of these bankruptcy cases, pursuant to the terms and conditions set forth in the Independent Contractor Agreement (the “Agreement”) attached to the Motion as Exhibit A. As described in more detail in the Motion, Mr. Cherry is the interim President and Chief Executive Officer of the Debtors, and in such capacities is familiar with the operations, business and financial affairs and books and records of the Debtors. Pursuant to the Agreement, Mr. Cherry will resign from his positions as interim President and Chief Executive Officer of the Debtors simultaneously upon the effectiveness of the Agreement, and, as an independent contractor, will assist the Chief Restructuring Officer of the Debtors (the “CRO”) in the provision of the CRO’s services, providing services to the Debtors as requested and directed by the CRO. The Debtors have engaged Mr. Cherry to complete crucial time-sensitive and work-intensive projects in aid of the CRO. Mr. Cherry is providing services currently, and the continued assistance of Mr. Cherry is crucial to the Debtors’ successful reorganization. To provide such services in an effective manner, it has been necessary for Mr. Cherry to take actions immediately upon the filing of these Chapter 11 cases. The Debtors’ failure to immediately retain Mr. Cherry on the terms of the Agreement would result in immediate and irreparable harm to their estates. Thus, the Debtors respectfully request that the Motion be heard on an emergency basis, at the earliest possible time. Finally, counsel for the Debtors certify that representatives of the Debtors have made substantial good faith efforts to resolve these matters with other parties in interest to the Motion, but such efforts have been unsuccessful.

WHEREFORE, the Debtors respectfully request that the Court enter an order granting their request for an emergency hearing on the Motion.

Dated: March 12, 2012

Respectfully submitted,

/s/ Dána Wilkinson

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-and-

/s/ J. Michael Levengood

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