

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

Joint Administration Pending

DEBTORS' MOTION FOR EMERGENCY HEARING ON MOTION FOR ENTRY OF
ORDER DESIGNATING THE DEBTORS' CHAPTER 11 CASES AS COMPLEX
CHAPTER 11 CASES PURSUANT TO LOCAL RULE 2081-2

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"), does hereby move before this Court for an order granting an emergency hearing on Motion for Entry of Order Designating the Debtors' Chapter 11 Cases as Complex Chapter 11 Cases Pursuant to Local Rule 2081-2 (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:

Pursuant to the Motion, the Debtors seek entry of an order designating the Bankruptcy Cases as "Complex Chapter 11 Cases" pursuant to Local Rule 2081-2. Local Rule 2081-2 provides that "[a] debtor filing a chapter 11 bankruptcy petition who believes that the case

¹ The Debtors, followed by the last four digits of their respective taxpayer identification numbers, are as follows: The Cliffs Club & Hospitality Group, Inc. (6338); CCHG Holdings, Inc. (1356); The Cliffs at Mountain Park Golf & Country Club, LLC (2842); The Cliffs at Keowee Vineyards Golf & Country Club, LLC (5319); The Cliffs at Walnut Cove Golf & Country Club, LLC (9879); The Cliffs at Keowee Falls Golf & Country Club, LLC (3230); The Cliffs at Keowee Springs Golf & Country Club, LLC (2898); The Cliffs at High Carolina Golf & Country Club, LLC (4293); The Cliffs at Glassy Golf & Country Club, LLC (6559); The Cliffs Valley Golf & Country Club, LLC (6486); Cliffs Club & Hospitality Service Company, LLC (9665).

should be classified as a complex chapter 11 case shall file with the petition a motion for designation as a complex chapter 11 case.” SC LBR 2081-2(a). In determining whether such designation is warranted, the following factors must be considered:

- (1) The need for hearings or orders on an emergency or expedited basis following the filing of the petition;
- (2) The size of the case, either in number of parties, creditors, or employees, or amount of indebtedness (usually total debt of more than \$10 million), whether claims against the debtor and/or equity interests are publicly traded; and
- (3) The need for simplification of notices or hearing procedures.

Id.

As described in more detail in the Motion, the Debtors respectfully submit that the size and complexity of their businesses, the number of their creditors and other parties in interest and the number of filings anticipated by the Debtors all support the entry of an order designating the Bankruptcy Cases as “Complex Chapter 11 Cases” pursuant to Local Rule 2081-2. The Debtors believe it is an absolute necessity that a hearing on the first day motions being filed concurrently with the filing of their voluntary petitions for relief occur on an expedited or emergency basis. In the absence of such hearing, the Debtors will be unable to, among other things: (a) pay critical prepetition claims of employees, taxing authorities and other essential parties, (b) utilize their existing bank accounts to make such payments, (c) obtain debtor in possession financing, and (d) utilize cash collateral to operate their businesses in the ordinary course. The potential disruption and damage to the Debtors’ businesses as going concerns as a result of any delay in hearing the first day motions cannot be understated. The Debtors’ failure to obtain entry of an order designating the Bankruptcy Cases as “Complex Chapter 11 Cases” pursuant to Local Rule 2081-2 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 certifies 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: February 28, 2012

Respectfully submitted,

/s/ Däna Wilkinson

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-and-

/s/ J. Michael Levensgood

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