

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

Case No. 12-01220

**ORDER GRANTING DEBTORS' OBJECTION TO ALLOWANCE OF CLAIM NO. 604
FILED BY HAWKINS NURSERY, INC. AND RECLASSIFYING SAID SECURED
CLAIM AS A GENERAL UNSECURED CLAIM**

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

**FILED BY THE COURT
04/05/2013**



Entered: 04/05/2013

US Bankruptcy Judge
District of South Carolina

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

IN RE:

CCHG Liquidation Co.,

Debtor

CHAPTER 11

Case No. 12-01220

Substantively Consolidated

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

Movant,

v.

Contested Matter

Hawkins Nursery, Inc., claim no. 604

Respondent

**ORDER GRANTING DEBTORS' OBJECTION TO THE ALLOWANCE OF CLAIM
NO. 604 FILED BY HAWKINS NURSERY, INC. AND MOTION TO RECLASSIFY THE
SECURED CLAIM AS AN UNSECURED CLAIM**

Upon the Objection (Docket Entry # 547) (the "Objection") of The Cliffs Club & Hospitality Group, Inc. and its affiliated debtors in the above-captioned Chapter 11 cases, as

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).

debtors and debtors-in-possession (the “Debtors”), requesting the entry of an order: (i) disallowing the secured claim filed by Hawkins Nursery, Inc. (identified as Claim No. 604); and (ii) reclassifying said secured claim as an unsecured claim not entitled to priority; the Court having jurisdiction to consider the Objection and the relief requested therein; due notice of the Objection and opportunity for a hearing thereon having been given to all parties entitled thereto, as listed in the certificates of service filed in connection with the Objection and notice of hearing thereon; it appearing that no other or further notice need be provided; the deadline to respond to the Objection having passed, and no objections having been filed or asserted; the Court having determined that the relief sought in the Objection is in the best interests of the Debtors' now 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 604 filed by Hawkins Nursery, Inc. as a secured claim in the above-styled cases is disallowed as filed, and is instead hereby allowed in the amount of \$40,483.25 as a Class 5 general unsecured claim under the chapter 11 plan confirmed in the debtors' bankruptcy cases, on the basis that claim number 604 filed by Hawkins Nursery, Inc. is not entitled to treatment as a secured claim under the Bankruptcy Code or other applicable law.
3. The 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:

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