



SO ORDERED.

SIGNED this 27th day of October, 2012.

Dale L. Somers

Dale L. Somers
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

In re:)	
)	
)	Case No. 12-22602
DICKINSON THEATRES, INC.,)	
a Kansas corporation,)	Chapter 11
)	
Debtor.)	

**ORDER AUTHORIZING THE REJECTION OF THAT CERTAIN
EXECUTORY CONTRACT WITH ALLIED WASTE SERVICES AND ADJOURNING
HEARING WITH RESPECT TO THE REAL ESTATE CONTRACT WITH
OLATHE CHRISTIAN SCHOOLS, INC. TO NOVEMBER 5, 2012**

Upon consideration of the continued motion (the "Motion") (Docket Nos. 16 and 75)¹ of Dickinson Theatres, Inc. (the "Debtor"), seeking entry of an order authorizing the Debtor to reject certain executory contracts and unexpired leases of nonresidential real property (collectively, the "Rejected Contracts"); it appearing that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors and other parties-in-interest; the Court having reviewed the Motion and having considered the statements of counsel and evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"); the Court

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (c) it appearing that venue of this proceeding and this Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409 and (d) due and proper notice of the continued Motion having been provided (*See* Docket No. 75); and it appearing that no other or further notice need be provided; and after due deliberation and sufficient cause appearing therefore, it is hereby **ORDERED**:

1. The Motion, and relief sought therein, with respect to the Trash Collection Contract with Allied Waste Services is granted.

2. The Trash Collection Contract is rejected as of the date of the entry of this Order.

3. The Motion, and the relief sought therein, with respect to the Real Estate Contract with Olathe Christian Schools, Inc., is continued to **November 5, 2012 at 10:00 a.m.**

4. The Debtor is authorized and empowered to take all actions necessary to effectuate all relief granted pursuant to this Order in accordance with the Motion.

5. The Debtor shall provide prompt written notice to Allied Waste Services of the effective date of the rejection of Trash Collection Contract.

6. Allied Waste Services shall have thirty (30) days after the date of entry of this Order on the Court's electronic docket to submit any claim arising from the rejection of the Trash Collection Contract and if Allied Waste Services fails to timely file such claim, it shall be barred from receiving any distribution or dividend from the Debtor's estate.

7. Notwithstanding the possible applicability of Bankruptcy Rules 6004(g), 7062, 9014 or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

8. The Court shall retain jurisdiction with respect to all matters arising from or relating to the implementation of this Order.

###

Order prepared by:

STINSON MORRISON HECKER LLP

s/ Sharon L. Stolte

Sharon L. Stolte, KS #14302
Paul M. Hoffmann, KS Fed. Bar No. 70170
Timothy M. Swanson, KS #24516
1201 Walnut, Ste. 2900
Kansas City, MO 64106
Tel.: (816) 691-2456
Fax: (816) 412-9325
sstolte@stinson.com
phoffmann@stinson.com
tswanson@stinson.com

*Proposed Reorganization Counsel for
the Debtor and Debtor-in-Possession*

-and-

ROBERT J. RAYBURN, III,
ATTORNEY AT LAW
Robert J. Rayburn, III, KS #17102
7400 W. 110th Street, Ste. 600
Overland Park, KS 66210
Tel.: (816) 215-5567
Fax: (888) 685-2224
robert@rayburngrp.com

*Proposed General Corporate and
Conflicts Counsel for the Debtor and
Debtor-in-Possession*