



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*

United States Bankruptcy Court
District of Kansas

In re:
Dickinson Theatres, Inc.
Debtor

Case No. 12-22602-DLS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 1083-2

User: knicole
Form ID: pdf020

Page 1 of 2
Total Noticed: 1

Date Rcvd: Oct 29, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2012.

db +Dickinson Theatres, Inc., 6801 W 107th Street, Overland Park, KS 66212-1825

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

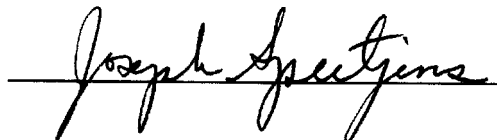
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 31, 2012

Signature:



The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2012 at the address(es) listed below:

- Benjamin Blaustein on behalf of Creditor Committee Unsecured Creditors Committee
bblaustein@kelleydrye.com
- Brian M Holland on behalf of Creditor Little Rock Development Company, LLC
bholland@lathropgage.com, stimper@lathropgage.com;mdscott@lathropgage.com
- Brian T. Fenimore on behalf of Creditor John W. Hartley, Jr. bfenimore@lathropgage.com,
stimper@lathropgage.com;mdscott@lathropgage.com
- Bruce E. Strauss on behalf of Creditor First Community Bank bruce@merrickbakerstrauss.com,
bestrauss@mbslaw.psemail.com
- Cynthia F Grimes on behalf of Creditor Committee Unsecured Creditors Committee
grimreb@gmail.com, cafrogley@aol.com
- Douglas Bacon on behalf of Creditor Spirit Master Funding LLC douglas.bacon@lw.com
- Eric R Wilson on behalf of Creditor Committee Unsecured Creditors Committee
ewilson@kelleydrye.com
- Jennifer D Raviele on behalf of Creditor Committee Unsecured Creditors Committee
jrvaviele@kelleydrye.com
- Joseph A DiPietro on behalf of U.S. Trustee U.S. Trustee joseph.a.dipietro@usdoj.gov
- Lisa R. Wetzler on behalf of Creditor Board of County Commissioners of Johnson County Kansas
Lisa.Wetzler@jocogov.org
- Michael D. Fielding on behalf of Creditor Hawthorn Bank michael.fielding@huschblackwell.com,
karen.shackelford@huschblackwell.com;Tricie.Loudon@huschblackwell.com;susan.williams@huschblackwe
ll.com
- Paul M. Hoffmann on behalf of Debtor Dickinson Theatres, Inc. phoffmann@stinson.com
- Robert D. Maher on behalf of Creditor Hartley's Executive Cleaners, Inc.
rmaher@mcdowellrice.com, jcummings@mcdowellrice.com
- Ronald M Tucker on behalf of Creditor Simon Property Group, Inc. rtucker@simon.com,
cmartin@simon.com;psummers@simon.com;Bankruptcy@simon.com
- Scott B Haines on behalf of Creditor Arrowhead Mall 2005, LLC sbhaines@martinpringle-kc.com
- Scott M. Brinkman on behalf of Creditor Spirit Master Funding LLC sbrinkman@bscr-law.com
- Sharon L. Stolte on behalf of Debtor Dickinson Theatres, Inc. sstolte@stinson.com
- Susan L Lissant on behalf of Creditor Missouri Department of Revenue ks@dor.mo.gov
- Susan P DeCoursey on behalf of Creditor Marks Nelson Vohland Campbell Radetic, LLC
sdecoursey@cmplaw.net, gpappas@cmplaw.net;jdavis@cmplaw.net
- Thomas M. Mullinix on behalf of Creditor Jack Waters TMM@evans-mullinix.com,
jeff@evans-mullinix.com;denise@evans-mullinix.com
- Timothy M Swanson on behalf of Debtor Dickinson Theatres, Inc. tswanson@stinson.com
- U.S. Trustee ustpregion20.wi.ecf@usdoj.gov
- W. Rick Griffin on behalf of Creditor NR 14 LLC wrgriffin@martinpringle.com,
mmcortez@martinpringle.com;angoupil@martinpringle.com
- Wesley F. Smith on behalf of Creditor Peoples Bank wsmith@stevensbrand.com,
jackerman@stevensbrand.com;sdatumtate@stevensbrand.com;mcarroll@stevensbrand.com

TOTAL: 24