



SO ORDERED.

SIGNED this 28th day of September, 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: (A) AUTHORIZING, BUT NOT DIRECTING, DICKINSON THEATRES, INC., TO (1) PAY CERTAIN ACCRUED PRE-PETITION WAGES, SALARIES AND EMPLOYEE BENEFITS, (2) PAY EMPLOYEES' PRE-PETITION REIMBURSABLE BUSINESS EXPENSES, (3) CONTINUE EMPLOYEE BENEFIT PLANS, AND (4) DIRECTING ALL BANKS TO HONOR PRE-PETITION CHECKS FOR PAYMENT OF PRE-PETITION OBLIGATIONS; (B) AUTHORIZING RELATED RELIEF; (C) AUTHORIZING, BUT NOT DIRECTING, THE RELEASE OF WITHHOLDING TAXES AND EMPLOYEE CONTRIBUTIONS

Upon the Motion dated September 21, 2012 (the "Motion") (Docket No. 6), of Dickinson Theatres, Inc., (the "Debtor"), for an order: (A) authorizing, but not directing, Debtor to (1) pay certain accrued pre-petition wages, salaries and employee benefits, (2) pay employees' pre-petition reimbursable business expenses, (3) continue employee benefit plans, and (4) directing all banks to honor pre-petition checks for payment of pre-petition obligations; (B) authorizing

related relief; (C) authorizing, but not directing the release of withholding taxes and employee contributions; the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to Sections 105, 363(b), 507(a)(4), 507(a)(5) and 1114(e) of Bankruptcy Code; and notice of the Motion having been provided to the United States Trustee for the District of Kansas, the Debtor's secured creditors and its twenty largest unsecured creditors; and it appearing that no other or further notice need be provided; and the Court having determined that the relief sought in the Motion is in the best interest of the Debtor, its creditors and all parties-in-interest; and after due deliberation and sufficient cause appearing therefore, it is hereby:

ORDERED that Debtor is authorized to, but not directed to, pay both accrued pre-petition and post-petition employee wages, salaries and employee benefits, as more specifically set forth in the Motion, in the same manner and on the same basis as the Debtor paid such obligations prior to the commencement of this Chapter 11 case, and such payments shall not be deemed to constitute post-petition assumption or adoption of any such policy, plan or program so paid; it is further

ORDERED that Debtor is authorized to, but not directed to, pay reimbursable business expenses to its employees, as more specifically set forth in the Motion, in the same manner and on the same basis as the Debtor paid such obligations prior to the commencement of this Chapter 11 case; it is further

ORDERED that Debtor is authorized to, but not directed to, continue its employee benefit and insurance programs, as more specifically set forth in the Motion, in the same manner and on the same basis as the Debtor administered such employee benefit and insurance programs prior to the commencement of this Chapter 11 case; it is further

ORDERED that any bank that receives a check issued by the Debtor to an employee dated prior to September 21, 2012, is required to honor payment of such check, as though no automatic stay were in effect to preclude such payment; it is further

ORDERED that Debtor is authorized to, but not directed to, release withholding taxes and employee deductions, as more specifically set forth in the Motion, in the same manner and on the same basis as the Debtor paid such obligations prior to the commencement of this Chapter 11 case, it is further

ORDERED that cause exists to waive the mandatory 21-day notice required by Fed. R. Bankr. P. 6003 in order to avoid immediate and irreparable harm to the Debtor's estate; and it is further

ORDERED that cause exists to waive the mandatory 14-day stay required by Fed. R. Bankr. P. 6004(h).

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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*