



**SO ORDERED.**

**SIGNED this 2nd 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 CERTAIN EXECUTORY  
CONTRACTS AND UNEXPIRED LEASES**

Upon consideration of the motion (the "Motion") (Docket No. 16)<sup>1</sup> 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 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

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

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 this Motion having been provided; 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 is granted in part.
2. 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.
3. The Blue Springs Lease is rejected effective as of October 12, 2012.
4. The Northrock Lease is rejected as of the date of the entry of this Order.
5. The Leavenworth Lease is rejected as of September 30, 2012.
6. The Penn Square Lease is rejected as of the date of the entry of this Order.
7. The Motion, and the relief sought therein, with respect to the Trash Collection Contract with Allied Waste Services is continued to **October 25, 2012 at 1:30 p.m.** (See Docket No. 75.)
8. The Motion, and the relief sought therein, with respect to the Real Estate Contract with Olathe Christian Schools, Inc., is continued to **October 25, 2012 at 1:30 p.m.** (See Docket No. 75.)
9. The Debtor shall provide prompt written notice to each counterparty of the Rejected Contracts of the effective date of the rejection of its Rejected Contract(s) arising in accordance with Paragraphs 3 through 6 of this Order.
10. Each counterparty to the Rejected Contracts shall have thirty (30) days after the date of entry of this Order on the Court's electronic docket to submit any claims arising from the

rejection of the Rejected Contracts and if such counterparties fail to timely file such claims, they shall be barred from receiving any distribution or dividend from the Debtor's estate.

11. 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.

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

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**Order prepared by:**

STINSON MORRISON HECKER LLP

s/ Sharon L. Stolte

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*-and-*

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