



SO ORDERED.

SIGNED this 30th day of November, 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 DEBTOR'S REJECTION OF THAT CERTAIN
EXECUTORY CONTRACT WITH OLATHE CHRISTIAN SCHOOLS, INC.**

Upon consideration of the motion (the "Motion") (Docket No. 16)¹ of Dickinson Theatres, Inc. (the "Debtor"), seeking entry of an order under Sections 105(a), 365(a), and 554 of the Bankruptcy Code authorizing the Debtor to reject that certain executory Real Estate Contract with Olathe Christian School, Inc. ("OCSI"); it appearing that the relief requested in the Motion, with respect to the Real Estate Contract and OCSI 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

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

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)(A), (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, with respect to OCSI and the Real Estate Contract, is granted.
2. The Real Estate Contract with OCSI is hereby rejected effective as of the date of the entry of this Order.
3. The Debtor is authorized and empowered to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
4. The Debtor shall provide prompt written notice to OCSI of the effective date of the rejection of the Real Estate Contract.
5. OCSI shall have **thirty (30) days after the entry of this Order** to submit any claim arising from the rejection of the Real Estate Contract and **if OCSI fails to timely file such claim, it shall be barred from receiving any distribution or dividend from the Debtor's estate.**
6. 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.
7. 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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