



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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-and-

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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: Dec 03, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 05, 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

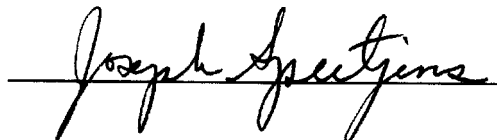
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

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: Dec 05, 2012

Signature:



The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 3, 2012 at the address(es) listed below:

Alicia C Davis on behalf of Creditor Spirit Master Funding LLC alicia.davis@lw.com
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 Benjamin Blaustein on behalf of Creditor Committee Unsecured Creditors Committee
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 Brian M Holland on behalf of Creditor Little Rock Development Company, LLC
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TOTAL: 30