

**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.	)	

**EMERGENCY MOTION FOR EXPEDITED HEARINGS ON CERTAIN MOTIONS**

Dickinson Theatres, Inc., debtor and debtor-in-possession in the above-captioned proceeding (the "Debtor"), through its undersigned counsel, hereby files this Motion requesting expedited hearings on certain motions filed at the on-set of this case. The Debtor's motions include:

**I. Introduction**

1. Emergency Motion for Expedited Hearings on Certain Motions (the "Expedited Hearing Motion")
2. Declaration of Ron Horton, President and CEO of Debtor Dickinson Theatres, Inc., in Support of the Chapter 11 Petition and First Day Pleadings (the "Horton Declaration")

**II. Administrative Motions**

3. Motion for Admission to Appear *Pro Hac Vice* of Robert Rayburn (the "Rayburn Pro Hac Vice Motion")
4. Ex Parte Motion for an Order Establishing Noticing Requirements with Respect to All Proceedings Herein (the "Minimum Notice Motion")
5. Motion of the Debtor for Entry of an Order Establishing Bar Dates for Filing Proofs of Prepetition Secured and Unsecured and § 503(b)(9) Administrative Expense Claims (the "Bar Date Motion")
6. Motion of the Debtor for an Order Establishing Procedures for the Assertion of Section 503(b)(9) Claims Relating to Goods Received Within Twenty Days Prior to the Petition Date (the "503(b)(9) Procedures Motion")

### III. Financing Motions

7. Motion of Debtor for Entry of Interim and Final Orders: (A) Authorizing Debtor to Obtain Post-petition Financing From Peoples Bank; (B) Granting Liens and Superpriority Claims in Favor of Peoples Bank; (C) Authorizing Use of Peoples Bank's Cash Collateral; (D) Granting Adequate Protection to Peoples Bank; and (E) Scheduling a Final Hearing (the "Peoples Post-petition Financing and Cash Collateral Motion")
8. Motion of Debtor for Entry of Interim and Final Orders: (A) Authorizing Debtor to Obtain Post-petition Financing From 6801 West 107th, LLC; (B) Granting Liens and Superpriority Claims in Favor of 6801 West 107th, LLC; and (C) Scheduling a Final Hearing (the "6801 West Post-petition Financing Motion")

### IV. Operational Motions

9. Motion of the Debtor, Pursuant to 11 U.S.C. §§ 105(a) and 363(b) for Authorization to Pay Claims of Critical Trade Vendors (the "Critical Vendors Motion")
10. Motion of the Debtor, Pursuant to 11 U.S.C. § 105(a), For Authorization to Continue Customer Programs (the "Customer Programs Motion")
11. Debtor's Motion for an order: (A) Authorizing, But Not Directing, Dickinson Theatres, Inc., to (1) Pay Certain Accrued Pre-Petition Wages, Salaries and Employee Benefits, (2) Permit Employees to Use Accrued Pre-Petition Vacation Time, (3) Permit Employees' Pre-Petition Reimbursable Business Expenses, (4) Continue Employee Benefit Plans, and (5) Directing All Banks to Honor Pre-Petition Checks for Payment of Pre-Petition Obligations; (B) Authorizing Related Relief; and (C) Authorizing, But Not Directing, The Release of Withholding Taxes and Employee Contributions (the "Wage Motion")
12. Debtor's Motion for Entry of An Order Under 11 U.S.C. §§ 105, 363, 364, 1107 and 1108 Authorizing (i) Maintenance of Existing Bank Accounts, (ii) Continued Use of Existing Business Forms, and (iii) Continued Use of Existing Cash Management Systems (the "Cash Management Motion")
13. Motion for Order Under Sections 105(a) and 365(a) Authorizing the Debtor-in-Possession to Reject Certain Unexpired Leases and Executory Contracts (the "Lease Rejection Motion")
14. Motion for Entry of Interim and Final Orders, Pursuant to Section 366 of the Bankruptcy Code, (I) Prohibiting Utilities From Altering, Refusing or Discontinuing Services on Account of Prepetition Invoices; (II) Determining That The Utilities Are Adequately Assured of Future Payment; (III) Establishing Procedures for Determining Requests For Additional Assurance of Future Payment; (IV) Granting Certain Related Relief; and (V) Scheduling a Final Hearing Date (the "Utilities Motion")

15. Motion of Debtor For an Order: (A) Authorizing, but not Directing, the Debtor to Pay Prepetition Taxes and Regulatory Fees; and (B) Directing Financial Institutions to Honor and Process Checks Related to Prepetition Taxes and Regulatory Fees (the "Prepetition Taxes Motion")
16. Debtor's Motion for Order Assuming in Part, and Rejecting in Part, the Amended and Restated Master Lease Agreement with Spirit Master Funding, LLC (the "Spirit Assumption/Rejection Motion")

(the "First Day Motions").

Each of the Critical Motions request relief critical to the continued and uninterrupted operations of the Debtor. The Debtor is the operator of a chain of movie theaters with theatres in 7 states. If it is unable to use its cash on-hand, to pay its employees, to pay critical vendors who would otherwise cease providing services and goods, or if it were prevented from providing services to its paying customers because of an interruption in its business operations due to the cessation of utility service or otherwise, the creditors of this estate will suffer irreparable damage.

In support of the urgency of the Critical Motions, the undersigned Counsel for the Debtor also filed their Bankruptcy Rule 9011 Certification Regarding Request for an Emergency Hearing, which has attached to it as Exhibit A, a Proposed Agenda for the emergency hearing.

WHEREFORE, Debtor respectfully requests this Court schedule hearings on the above-referenced Critical Motions at its earliest possible convenience.

Dated: September 21, 2012.

STINSON MORRISON HECKER LLP

By: 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*