



SO ORDERED.

SIGNED this 15th day of January, 2013.

Dale L. Somers

Dale L. Somers
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

In re:)
)
)
DICKINSON THEATRES, INC.,) Case No. 12-22602
a Kansas corporation,)
) Chapter 11
)
Debtor.)

**AGREED ORDER
ORDER AUTHORIZING THE REJECTION OF UNEXPIRED
NON-RESIDENTIAL REAL PROPERTY LEASE**

This matter coming before the Court seeking entry of an order authorizing the Debtor to reject and approving such rejection, *nunc pro tunc* to September 21, 2012 (the "Petition Date"), that certain Lease Agreement by and between WEP Land Holdings, LLC, as predecessor-in-interest to Cole DI Yukon OK, LLC ("Cole"), as landlord, and Dickinson Theatres, Inc. (the "Debtor"), as tenant, dated August 29, 2006, as assigned and assumed by Yukon Cinemas LLC ("Yukon") pursuant to that certain Assignment and Assumption of Lease dated August 30, 2007 by and between Cole, the Debtor and Yukon and further assigned and assumed by Showplex Cinemas, Inc. ("Showplex") pursuant to that certain Assignment, Assumption and Consent

Agreement dated as of November 15, 2011 by and among Cole, the Debtor and Showplex (as assigned and assumed, the "Lease Agreement") and finding that the Debtor has no interest in the Lease Agreement; it appearing that the relief agreed to by the Debtor and Cole is in the best interests of the Debtor's estate, its creditors and other parties-in-interest, and pursuant to the agreement between the parties, after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED that the Debtor is authorized to reject, *nunc pro tunc* to the Petition Date the Lease Agreement and that the Debtor has no interest in the Lease Agreement; and it is further

ORDERED that such rejection is hereby approved; and it is further

ORDERED that Cole shall not file any further claims against the Debtor on account of this Order and has no rejection damages as a result of this Order permitting Debtor to reject the Lease Agreement, *nunc pro tunc*;

IT IS SO ORDERED.

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Order Submitted by:

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*Reorganization Counsel for
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-and-

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Approved:

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Attorney for Cole DI Yukon OK, LLC

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: susan
Form ID: pdf020

Page 1 of 2
Total Noticed: 1

Date Rcvd: Jan 15, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2013.

sp +Robert J Rayburn, III, 7400 W 110th Street, Suite 600, Overland Park, KS 66210-2360

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: Jan 17, 2013

Signature:



The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2013 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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Brian M Holland on behalf of Creditor Little Rock Development Company, LLC
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