

**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.	)	
	)	

**PROPOSED AGENDA FOR FIRST DAY HEARING TO  
BE HELD BEFORE THE HONORABLE JUDGE SOMERS ON  
SEPTEMBER 27, 2012 AT 10:00 a.m. (CENTRAL STANDARD TIME)**

**I. Introduction**

1. Emergency Motion for Expedited Hearings on Certain Motions (the "Expedited Hearing Motion") (**Docket No. 28**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* *A proposed order has been submitted for the Court's consideration and entry.*

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") (**Docket No. 19**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* *Matter to be heard September 27, 2012, 10:00 a.m.*

**II. Administrative Motions**

3. Motion for Admission to Appear *Pro Hac Vice* of Robert Rayburn (the "Rayburn Pro Hac Vice Motion") (**Docket No. 20**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Notice of Withdrawal of Motion for Admission to Appear Pro Hac Vice filed (**Docket No. 46**)*

4. Ex Parte Motion for an Order Establishing Noticing Requirements with Respect to All Proceedings Herein (the "Minimum Notice Motion") (**Docket No. 17**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

5. Motion of the Debtor for Entry of an Order Establishing Bar Dates for Filing Proofs of Pre-petition Secured and Unsecured and § 503(b)(9) Administrative Expense Claims (the "Bar Date Motion") (**Docket No. 18**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

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") (**Docket No. 21**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

### **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") (**Docket No. 12**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*    *Entry of Appearance by Wesley Smith (Docket No. 34)*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

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") (**Docket No. 13**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

#### **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") (**Docket No. 9**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:*                    *Matter to be heard September 27, 2012, 10:00 a.m.*

10. Motion of the Debtor, Pursuant to 11 U.S.C. § 105(a), For Authorization to Continue Customer Programs (the "Customer Programs Motion") (**Docket No. 10**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* Matter to be heard September 27, 2012, 10:00 a.m.

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") (**Docket No. 6**).

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* Matter to be heard September 27, 2012, 10:00 a.m.

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") (**Docket No. 7**)

Debtor's Amended 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") (**Docket No. 8**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* Matter to be heard September 27, 2012, 10:00 a.m.

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") (**Docket No.16**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* Matter to be heard September 27, 2012, 10:00 a.m.

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") (**Docket No. 14**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* *Matter to be heard September 27, 2012, 10:00 a.m.*

15. Motion of Debtor For an Order: (A) Authorizing, but not Directing, the Debtor to Pay Pre-petition Taxes and Regulatory Fees; and (B) Directing Financial Institutions to Honor and Process Checks Related to Pre-petition Taxes and Regulatory Fees (the "Pre-petition Taxes Motion") (**Docket No. 11**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:* *Entry of Appearance by Susan L Lissant for Missouri Dept. of Revenue (**Docket No. 43**)*

*Status:* *Matter to be heard September 27, 2012, 10:00 a.m.*

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") (**Docket No. 15**)

*Responses Filed:*

*Replies Filed:*

*Related Pleadings:*

*Status:* *Matter continued to hearing scheduled for October 4, 2012, 1:30 p.m. (**Docket No. 40**)*

## **V. Scheduling of Subsequent Hearing Dates**

17. Request for Hearing on Disclosure Statement
18. Request Confirmation Hearing date

Dated: September 26, 2012.

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