

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:) **Chapter 11**
)
GULF PACKAGING, INC.,¹) **Case No. 15-15249 (PSH)**
)
Debtor.)

NOTICE OF MOTION

TO: See Attached Service List.

PLEASE TAKE NOTICE that on **Tuesday, August 4, 2015, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, we shall appear before the Honorable Pamela S. Hollis or another judge sitting in her stead, at the United States Bankruptcy Court for the Northern District of Illinois, located at 219 South Dearborn, Courtroom 644, Chicago, Illinois 60604, and then and there present the **MOTION TO AMEND FINAL ORDER AUTHORIZING DEBTOR TO: (A) USE CASH COLLATERAL ON AN EMERGENCY BASIS; AND (B) GRANT ADEQUATE PROTECTION AND PROVIDE SECURITY AND OTHER RELIEF TO FCC, LLC, d/b/a FIRST CAPITAL, AS LENDER**, a copy of which is hereby served upon the attached service list.

Dated: July 30, 2015

FCC, LLC, d/b/a First Capital,

By: /s/ Dimitri G. Karcazes
One of Its Attorneys

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¹ The last four digits of the Debtor's tax identification number are 5030.

-and-

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:) **Chapter 11**
)
GULF PACKAGING, INC.,²) **Case No. 15-15249 (PSH)**
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Debtor.)

**MOTION TO AMEND FINAL ORDER AUTHORIZING DEBTOR TO: (A) USE CASH
COLLATERAL ON AN EMERGENCY BASIS; AND (B) GRANT ADEQUATE
PROTECTION AND PROVIDE SECURITY AND OTHER RELIEF TO FCC, LLC, d/b/a
FIRST CAPITAL, AS LENDER**

FCC, LLC, d/b/a First Capital ("FCC"), by and through its attorneys, hereby moves the Court for entry of an Order granting FCC this motion to amend (this "Motion") the Final Order Authorizing Debtor to (A) Use Cash Collateral on an Emergency Basis; and (B) Grant Adequate Protection and Provide Security and Other Relief to FCC, LLC, d/b/a First Capital, as Lender [**Docket No. 153**] (the "Final Order"). All terms not otherwise defined herein have the meanings ascribed thereto in the Final Order. In support of this Motion, FCC states as follows:

JURISDICTION

1. The Court has jurisdiction over the Case and this proceeding pursuant to 28 U.S.C. § 1334. Determination of the Motion constitutes a core proceeding as defined in 28 U.S.C. § 157(b)(2). Venue over this Motion is proper under 28 U.S.C. § 1409(a).

FACTUAL BACKGROUND

2. On the Filing Date, Debtor filed a voluntary petition for relief under chapter 11 of the Code. Debtor has retained possession of its property and continues to operate its business as a debtor in possession pursuant to Code §§ 1107 and 1108.

² The last four digits of the Debtor's tax identification number are 5030.

3. On May 6, 2015, the Court entered the Order Authorizing Debtor to: (A) Use Cash Collateral on an Emergency Basis Pending a Final Hearing; and (B) Grant Adequate Protection and Provide Security and Other Relief to FCC, LLC, d/b/a First Capital, as Lender [**Docket No. 62**] (the "Interim Order").

(a) On May 11, 2015, the Committee was appointed to represent unsecured creditors in this Case.

4. On June 4, 2015, the Court entered the Final Order.

AMENDMENT TO FINAL ORDER

5. Debtor and FCC desire to amend and restate in its entirety the definition of Termination Date set forth on Exhibit A to the Final Order, as set forth below:

"Termination Date. At Lender's election, the earliest to occur of: (a) the date on which Lender provides, via facsimile or overnight mail, written notice to counsel for Debtor and counsel for the Committee of the occurrence and continuance of an Event of Default; (b) the date on which the Prepetition Debt is indefeasibly paid in full in cash; and (c) August 12, 2015 (or such later date that is agreed to in writing by Lender, Debtor, and the Committee)."

6. Debtor has proposed an updated Budget, in the form attached hereto at Exhibit A. FCC has agreed that the Final Order be amended to reflect the revised Budget.

WHEREFORE, FCC respectfully requests that the Court enter an Order (i) granting this Motion to amend the Final Order, in the form attached hereto, and (ii) granting such other and further relief as this Court may deem just and proper under the circumstances.

Dated: July 30, 2015

Respectfully submitted,

FCC, LLC, d/b/a First Capital

By /s/ Dimitri G. Karcazes

One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned certifies that, on July 30, 2015, a true and correct copy of the foregoing **NOTICE OF MOTION** and **MOTION TO AMEND FINAL ORDER AUTHORIZING DEBTOR TO: (A) USE CASH COLLATERAL ON AN EMERGENCY BASIS; AND (B) GRANT ADEQUATE PROTECTION AND PROVIDE SECURITY AND OTHER RELIEF TO FCC, LLC, d/b/a FIRST CAPITAL, AS LENDER** were filed with the Clerk of the Court using the CM/ECF system and was served upon the following parties via the Court's CM/ECF system, via electronic mail:

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