

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS AT KANSAS CITY**

In re:)	
)	
JOHN Q. HAMMONS FALL 2006, LLC, <i>et al.</i>,¹)	Case No. 16-21142
)	
Debtors.)	
)	

**MOTION FOR EXPEDITED HEARING AND REQUEST TO ESTABLISH OBJECTION
DEADLINE WITH RESPECT TO THE *MOTION TO (A) RECONSIDER, VACATE,
AND/OR MODIFY THE ORDER APPROVING DEBTORS' METHOD OF FURNISHING
ADEQUATE ASSURANCE OF PAYMENT FOR POST-PETITION UTILITY SERVICES;
AND (B) SEEK ADEQUATE ASSURANCE OF POST-PETITION PAYMENT FILED BY
DENTON COUNTY ELECTRIC COOPERATIVE, INC., D/B/A COSERV ELECTRIC
AND COSERV GAS, LTD., D/B/A COSERV GAS***

COME NOW the above-captioned debtors (collectively, the "Debtors"), and file this Motion For Expedited Hearing And Request To Establish Objection Deadline With Respect To The *Motion To (A) Reconsider, Vacate, And/Or Modify The Order Approving Debtors' Method Of Furnishing Adequate Assurance Of Payment For Post-Petition Utility Services; And (B) Seek*

¹ The Debtors in this case are: ACLOST, LLC, Bricktown Residence Catering Co., Inc., Chateau Catering Co., Inc., Chateau Lake, LLC, Civic Center Redevelopment Corp., Concord Golf Catering Co., Inc., Concord Hotel Catering Co., Inc., East Peoria Catering Co., Inc., Fort Smith Catering Co., Inc., Franklin/Crescent Catering Co., Inc., Glendale Coyotes Catering Co., Inc., Glendale Coyotes Hotel Catering Co., Inc., Hammons, Inc., Hammons of Colorado, LLC, Hammons of Franklin, LLC, Hammons of Huntsville, LLC, Hammons of Lincoln, LLC, Hammons of New Mexico, LLC, Hammons of Oklahoma City, LLC, Hammons of Richardson, LLC, Hammons of Rogers, Inc., Hammons of Sioux Falls, LLC, Hammons of South Carolina, LLC, Hammons of Tulsa, LLC, Hampton Catering Co., Inc., Hot Springs Catering Co., Inc., Huntsville Catering, LLC, International Catering Co., Inc., John Q. Hammons 2015 Loan Holdings, LLC, John Q. Hammons Fall 2006, LLC, John Q. Hammons Hotels Development, LLC, John Q. Hammons Hotels Management I Corporation, John Q. Hammons Hotels Management II, LP, John Q. Hammons Hotels Management, LLC, Joplin Residence Catering Co., Inc., JQH – Allen Development, LLC, JQH – Concord Development, LLC, JQH – East Peoria Development, LLC, JQH - Ft. Smith Development, LLC, JQH – Glendale AZ Development, LLC, JQH - Kansas City Development, LLC, JQH - La Vista Conference Center Development, LLC, JQH - La Vista CY Development, LLC, JQH - La Vista III Development, LLC, JQH - Lake of the Ozarks Development, LLC, JQH – Murfreesboro Development, LLC, JQH – Normal Development, LLC, JQH – Norman Development, LLC, JQH – Oklahoma City Bricktown Development, LLC, JQH – Olathe Development, LLC, JQH – Pleasant Grove Development, LLC, JQH – Rogers Convention Center Development, LLC, JQH – San Marcos Development, LLC, Junction City Catering Co., Inc., KC Residence Catering Co., Inc., La Vista CY Catering Co., Inc., La Vista ES Catering Co., Inc., Lincoln P Street Catering Co., Inc., Loveland Catering Co., Inc., Manzano Catering Co., Inc., Murfreesboro Catering Co., Inc., Normal Catering Co., Inc., OKC Courtyard Catering Co., Inc., R-2 Operating Co., Inc., Revocable Trust of John Q. Hammons Dated December 28, 1989 as Amended and Restated, Richardson Hammons, LP, Rogers ES Catering Co., Inc., SGF – Courtyard Catering Co., Inc., Sioux Falls Convention/Arena Catering Co., Inc., St Charles Catering Co., Inc., Tulsa/169 Catering Co., Inc., and U.P. Catering Co., Inc.

Adequate Assurance Of Post-Petition Payment filed by Denton County Electric Cooperative, Inc., d/b/a CoServ Electric and CoServ Gas, Ltd., d/b/a CoServ Gas (collectively the "Providers"), pursuant to Fed. R. Bank. P. 9006 and the Case Management Order at Filing No. 120 (the "CMO") entered by this court, and in support of the same, state and allege as follows:

BACKGROUND

1. On June 26, 2016 (the "Commencement Date"), the Debtors filed voluntary petitions for relief under Chapter 11 of the United States Bankruptcy Code in this Court.

2. On June 26, 2016, the Debtors file their *Motion For Order Approving Debtors' Method Of Furnishing Adequate Assurances Of Payment For Post-Petition Utility Services* (the "Utilities Motion"). Filing No. 11.

3. On June 29, 2016, this Court entered an Order granting the Utilities Motion (the "Utilities Order"). Filing No. 46.

4. On July 13, 2016, the Providers filed their *Motion To (A) Reconsider, Vacate, And/Or Modify The Order Approving Debtors' Method Of Furnishing Adequate Assurance Of Payment For Post-Petition Utility Services; And (B) Seek Adequate Assurance Of Post-Petition Payment* (the "Providers' Motion"). Filing No. 142.

5. On July 13, 2016, the Providers filed their *Notice of Hearing* pursuant to the CMO that noticed up the Providers' Motion for hearing on August 22, 2016. Filing No. 143.

Additional Pleadings

6. On July 8, 2016, a separate group of utility providers filed their own *Motion And Memorandum Of Certain Utility Companies To: (A) Vacate, And/Or Reconsider, And/Or Modify Order Approving Debtors' Method Of Furnishing Adequate Assurance Of Payment For Post-Petition Utility Services; And (B) Seek Adequate Assurance Of Payment*. Filing No. 98.

7. On July 13, 2016, a *Notice of Hearing* was filed with respect to Filing No. 98 that noticed up the hearing on Filing No. 98 for July 25, 2016. Filing No. 138.

8. On July 14, 2016, the Debtors filed a response and request for relief with respect to Filing No. 98. Filing No. 153.

9. On July 14, 2016, the Debtors filed a motion to expedite with respect to the Debtors' response to Filing No. 98 asking this Court to set a hearing on Filing No. 153 for July 25, 2016. Filing No. 154.

Future Pleadings

10. It is very likely that there will be further objections, motions, responses and/or requests for relief with respect to the Utilities Order filed prior to July 25, 2016.

Relief Requested

11. Under the current CMO, and unless otherwise ordered by the Court, a Request for Relief filed and served fewer than 14 days before the next regularly scheduled Omnibus Hearing will be heard at the regularly scheduled Omnibus Hearing following the next regularly scheduled Omnibus Hearing Filing No. 120.

12. Accordingly, the Providers Motion at Filing No. 142, and further objections, motions, responses and/or requests for relief with respect to the Utilities Order filed prior to July 25, 2016, would not be heard until August 22, 2016.

13. The Providers Motion, the motion and Filing No. 98, the response at Filing No. 153, and any further objections, motions, responses and/or requests for relief with respect to the Utilities Order filed prior to July 25, 2016, involve, essentially, the same issues and requests for relief. The Debtors believe that all currently filed, as well as all objections, motions, responses and/or requests for relief to be filed prior to July 25, 2016, with respect to the Utilities Order be

heard at the same time. The alternative is a piecemeal approach that will be an inefficient use of the Courts' and the Debtors' resources.

14. The Debtors therefore submit that good cause therefore exists to grant this Motion.

15. More specifically, the Debtors request that:

(a) Notwithstanding the CMO, the Court enters an order setting the Providers Motion for hearing on July 25, 2016, at the first omnibus hearing to be held in this case;

(b) The Court enters an order, pursuant to Section IX(A)(2) of the CMO, establishing 12:00 noon on the second business day before July 25, 2016, as the Objection Deadline to the Providers' Motion; and

(c) Notwithstanding the CMO, the Court enters an order setting all further objections, motions, responses and/or requests for relief with respect to the Utilities Order filed prior to July 25, 2016, for hearing on July 25, 2016, at the first omnibus hearing to be held in this case;

16. Counsel for the Debtors has spoken with Counsel for the Providers and the Debtors submit that Counsel for the Providers do not object to the relief requested herein.

WHEREFORE, the Debtors request that the Court enter an Order:

- (1) Granting this Motion;
- (2) Modifying, to the extent necessary, the CMO to allow the Providers' Motion to be taken up for hearing on July 25, 2016;
- (3) Establishing 12:00 noon on the second business day before July 25, 2016, as the Objection Deadline to the Providers' Motion;

- (4) Modifying, to the extent necessary, the CMO to allow all further objections, motions, responses and/or requests for relief with respect to the Utilities Order filed prior to July 25, 2016, to be set for hearing on July 25, 2016; and
- (5) Granting such other and further relief as is just and proper.

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