

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS**

In re:)	
)	
JOHN Q. HAMMONS FALL 2006, LLC, et al.)	Case No. 16-21142-11
)	Jointly Administered
Debtors.)	

**MOTION OF MISSOURI STATE UNIVERSITY AND THE MISSOURI STATE
UNIVERSITY FOUNDATION TO CONTINUE HEARING ON MOTION TO REQUIRE
POST-PETITION PERFORMANCE OF OBLIGATION AND COMPEL ASSUMPTION
OR REJECTION OF EXECUTORY CONTRACTS**

COMES NOW Missouri State University (the “**University**”) and the Missouri State University Foundation (the “**Foundation**” and together with the University, “**MSU**”), by and through counsel of record, and respectfully request this Court continue the hearing on MSU’s *Motion to Require Post-Petition Performance of Obligations and Compel Assumption or Rejection of Executory Contracts* (the “**Motion to Compel**”) [Doc. #1546] from its current setting of March 12, 2018 until April 16, 2018 at 1:30 p.m. In support of this motion to continue, MSU states as follows:

1. On December 8, 2017, MSU filed the Motion to Compel [Doc. #1546].
2. On December 8, 2017, MSU noticed the Motion to Compel for a non-evidentiary hearing on January 22, 2018 at 1:30 p.m. [Doc. #1547]
3. On January 15, 2018, Debtors filed their Limited Initial Response to the Motion to Compel [Doc. #1625].
4. JD Holdings filed its Response in Opposition to the Motion to Compel on January 16, 2018 [Doc. #1637].
5. The Debtors’ Limited Initial Response to the Motion to Compel [Doc. #1625] included a request to continue the hearing on the Motion to Compel and MSU consented in its

Reply to Debtors' Limited Initial Response [Doc. #1659] to Debtors' request to continue the hearing on the Motion to Compel [Doc. #1546] until March 12, 2018 and the hearing was continued as agreed by the Court until March 12, 2018 [Doc. # 1695].

6. MSU and JD Holdings are discussing a potential resolution of the issues arising from and relating to the *Agreement for the Making and Accepting of a Charitable Gift* and the *Trademark License Agreement*.

7. MSU is requesting this continuance of the hearing on its Motion to Compel to permit additional time for MSU, JD Holdings and Debtors to resolve the issues relating to the *Agreement for the Making and Accepting of a Charitable Gift* and the *Trademark License Agreement*.

8. MSU has reached out to counsel for JD Holdings and the Debtors to determine if they have any objection to this request for continuance but as of the time of the filing of this motion, MSU's counsel has not received a response from either JD Holdings counsel or Debtors' counsel.

9. MSU requests that the hearing on the Motion to Compel be continued to the April omnibus hearing on April 16, 2018 at 1:30 p.m.

10. No party will be prejudiced by the relief requested herein.

WHEREFORE, Missouri State University and the Missouri State University Foundation respectfully request the entry of an order continuing the hearing on Missouri State University's and Missouri State University Foundation's *Motion to Require Post-Petition Performance of Obligations and Compel Assumption or Rejection of Executory Contracts* to April 16, 2018 at 1:30 p.m. or as soon thereafter as it may be heard and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the forgoing Motion for Continuance was served electronically on those parties having entered their appearance in the Court's Electronic Court Filing (ECF) System and conventionally, via first-class mail, postage prepaid, to those parties who have requested notice but are not participating in the ECF System, pursuant to instructions appearing on the Electronic Filing Receipt received from the U. S. Bankruptcy Court on this 8th day of March, 2018.

s/ Christine L. Schlomann