

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Body Contour Ventures, LLC,

Debtor.

Chapter 11

Case No. 19-42510-pjs

Hon. Phillip J. Shefferly

**ORDER GRANTING FIRST DAY MOTION FOR ENTRY OF
AN ORDER AUTHORIZING THE CONTINUED USE OF
DEBTORS' PRE-PETITION CASH MANAGEMENT SYSTEMS,
BANK ACCOUNTS, AND BUSINESS FORMS**

This matter having come before the Court by the debtors and
debtors-in-possession identified below (collectively, "Debtors")¹ through

¹ This Order is applicable to Debtors Body Contour Ventures, LLC, Case No. 19-42510, BCA Acquisitions, LLC, Case No. 19-42511, American Aesthetic Equipment, LLC, Case No. 19-42512, Knoxville Laser Spa LLC, Case No. 19-42513, LRX Alexandria, LLC, Case No. 19-42514, LRX Birmingham, LLC, Case No. 19-42515, LRX Charlotte, LLC, Case No. 19-42516, LRX Chicago, LLC, Case No. 19-42517, LRX Colorado Springs, LLC, Case No. 19-42518, LRX Dearborn, LLC, Case No. 19-42519, LRX East Lansing, LLC, Case No. 19-42520, LRX Grand Blanc, LLC, Case No. 19-42833, LRX Hoffman Estates, LLC, Case No. 19-42521, LRX Las Vegas Summerlin, LLC, Case No. 19-42522, LRX Mesa, LLC, Case No. 19-42523, LRX Naperville, LLC, Case No. 19-42524, LRX Novi, LLC, Case No. 19-42525, LRX Orland Park, LLC, Case No. 19-42526, LRX Plymouth-Canton, LLC, Case No. 19-42527, LRX Stone Oak, LLC, Case No. 19-42528, LRX Towson, LLC, Case No. 19-42530, LRX Troy, LLC, Case No. 19-42531, Premier Laser Spa of Greenville LLC, Case No. 19-42532, Premier Laser Spa of Indianapolis LLC, Case No. 19-42533, Premier Laser Spa of Louisville LLC, Case No. 19-42534, Premier Laser Spa of Pittsburgh LLC, Case No. 19-42535, Premier Laser Spa of St. Louis LLC, Case No. 19-42536, and Premier Laser Spa of Virginia LLC, Case No. 19-42537.

their *First Day Motion for Entry of an Order Authorizing the Continued Use of Debtors' Pre-Petition Cash Management Systems, Bank Accounts, and Business Forms* ("Motion")² the Court having found that: (a) jurisdiction to consider the Motion is proper under 28 U.S.C. §§ 157 and 1334; (b) venue is proper before this Court under 28 U.S.C. §§ 1408 and 1409; (c) notice of the Motion was properly provided; and (d) good cause exists to grant the relief requested in the Motion; and the Court being fully advised in the premises and having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein;

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. Debtors are authorized to continue to use their Cash Management System, Bank Accounts, and Business Forms.
3. Debtors must continue to maintain strict records of all transfers of cash so that all transactions can be readily ascertained, recorded, and traced.
4. Debtors are authorized to designate, maintain, and continue to use, with the same account numbers, Debtors' Bank Accounts in existence on the Petition Date and treat the Bank Accounts for all purposes as

² Capitalized terms used but not defined have the meanings given to them in the Motion.

debtors-in-possession bank accounts; provided that Debtor Body Contour Ventures, LLC shall close its pre-petition Bank Account and open a new debtor-in-possession bank account.

5. The bank(s) at which the Bank Accounts are maintained is authorized and directed to continue to service and administer, without interruption, the Bank Accounts as an account of Debtors as debtors-in-possession and in the usual and ordinary course of business, receive, process, and pay any and all checks, drafts, wires, or ACH transfers drawn on the Bank Accounts after the Petition Date. In addition, any checks, drafts, wires, or ACH transfers drawn or issued by Debtors before the Petition Date must be timely honored by any bank(s) to the extent necessary to comply with any order(s) of this Court authorizing payment of pre-petition claims, unless the bank is instructed by Debtors to stop payment on or otherwise dishonor such check, draft, wire, or ACH transfer.

6. Debtors will promptly provide their bank(s) with a list of those checks, drafts, wires, ACH transfers, or other withdrawals made, drawn, or issued in payment of pre-petition claims, the payment of which has been authorized by an order of this Court. Any bank is authorized to accept and honor all representations from Debtors as to which checks, drafts, wires, or ACH transfers should be honored or dishonored consistent with any

order(s) of this Court, whether the checks, drafts, wires, or ACH transfers are dated before, on, or after the Petition Date, and whether or not the bank believes the payment is or is not authorized by any order(s) of this Court.

7. Except for those checks, drafts, wires, or ACH transfers that must be honored or paid in order to comply with any order(s) of this Court authorizing payment of certain pre-petition claims, no checks, drafts, wires, or ACH transfers issued on the Bank Accounts before the Petition Date but presented for payment after the Petition Date will be honored or paid.

8. The banks at which the Bank Accounts are maintained are prohibited from offsetting, freezing, or otherwise impeding the use or transfer of, or access to any funds deposited by Debtors into the Bank Accounts before or after the Petition Date on account of any claim (as defined in 11 U.S.C. § 101(5)) of any such bank against Debtors arising before the Petition Date, and any checks drawn or issued by Debtors on the Bank Accounts after the Petition Date must be timely honored by any bank notwithstanding any claim the bank may hold against Debtors.

9. Debtors are authorized to continue to use their Business Forms, and these Business Forms are not required to include the legend “Debtor-in-Possession” or a debtor-in-possession case number.

10. Subject to providing notice to the Office of the U.S. Trustee of not less than five business days, nothing contained in this Order prohibits Debtors from opening or closing any bank account, as Debtors deem necessary and appropriate. Banks are authorized to honor Debtors' request to open or close any bank account provided that any new account must be with a bank that is insured with the FDIC or Federal Savings and Loan Insurance Corporation that is organized under the laws of the United States or any state, and any checks issued with respect to a new account during the pendency of this Chapter 11 case must contain a "Debtor-in-Possession" designation and the bankruptcy case number printed on them.

11. All accounts used by Debtors on or after the Petition Date at any bank will, for all purposes, be deemed Bank Accounts, as if they had been opened before the Petition Date, and any and all banks at which Bank Accounts are opened are subject to the rights and obligations of this Order.

12. Debtors and their bank(s) are authorized and directed to continue to perform under the terms of any pre-petition agreements between them, except as modified by this Order.

13. The terms and conditions of this Order are immediately effective and enforceable upon its entry.

14. The Court retains jurisdiction over all matters related to the

implementation of this Order.

Signed on March 05, 2019

15.



/s/ Phillip J. Shefferly

Phillip J. Shefferly
United States Bankruptcy Judge