

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	(	
	(	CASE NO. 07-79129-MGD
PIKE NURSERY HOLDING LLC,	(	
	(	CHAPTER 7
Debtor.	(	

**APPLICATION FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE  
EXPENSE CLAIM**

**NOW COMES**, Wenke Greenhouses, Inc.("Wenke"), a supplier to the above captioned debtor, and pursuant to 11 U.S.C. § 503(b)(9), requests allowance and payment of an administrative expense of the Estate, and respectfully shows the Court as follows:

1. Pike Nursery Holding LLC ("Debtor") filed its voluntary petition pursuant to Chapter 11 of Title 11 of the United State Code ("Bankruptcy Code") on November 14, 2007 (the "Petition Date"). On March 28, 2008, the Chapter 11 case was converted to a case under Chapter 7 of the Bankruptcy Code.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter constitutes a core proceeding pursuant to 27 U.S.C. § 157(b)(2)(A), (B) and (O).

3. Within twenty (20) days prior to the Petition Date, Wenke sold and delivered certain goods to Debtor in the ordinary course of the business of the Debtor. A true and correct copy of a the sales invoices for goods delivered and a summary of the same is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes. The sum of \$56,686.67 is owing to Wenke by Debtor for the sale and delivery of the referenced goods within twenty (20) days prior to the Petition Date.

4. Section 503(b)(9) of the Bankruptcy Code provides the following:

(b) After notice and a hearing, there shall be allowed administrative expenses, other than claims allowed under section 502(f) of this title, including -

- (9) the value of any goods received by the debtor within 20 days before the date of the commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of the debtor's business.

5. Pursuant to Section 503(b)(9) of the Bankruptcy Code, Wenke is entitled to the allowance of a Chapter 11 administrative expense claim in the amount of \$56,686.67. This Application is without prejudice to any and all other claims that Wenke may own or possess.

**WHEREFORE**, Wenke prays the Court:

- (a) allow Wenke an administrative expense claim in the amount of \$56,686.67;
- (b) order payment of said administrative expense claim on the same payment and timing and treatment as the earliest administrative claims to be paid; and
- (c) grant such other and further relief as the Court deems just and proper.

This 29th day of May, 2008.

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