

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
PIKE NURSERY HOLDING LLC,	)	CASE NUMBER: 07-79129-mgd
	)	
Debtor.	)	
	)	

TRUSTEE'S MOTION TO REJECT EXECUTORY CONTRACT WITH
TECHNISOURCE, INC.

COMES NOW Marcus A. Watson, the Interim Chapter 7 Trustee of Pike Nursery Holding LLC, and moves this Court for an Order pursuant to 11 U.S.C. § 365 and Bankruptcy Rule 6006 permitting him to reject the Master Service Agreement with Technisource, Inc. In support of his Motion, the Trustee states as follows:

1. On November 14, 2007 (the "Petition Date"), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.
2. On March 17, 2008, the Court entered an Order Directing the United States Trustee to Appoint Chapter 11 Trustee in this bankruptcy case. On March 19, 2008, the Court approved the United States Trustee's application to appoint Marc A. Watson as the Chapter 11 Trustee for the Debtor.

3. On March 24, 2008, the Court converted the case to Chapter 7 and Marcus A. Watson was subsequently appointed as the Interim Chapter 7 Trustee.

4. On or about March 17, 2007, the Debtor entered into a Master Services Agreement (the "Agreement") with Technisource, Inc. ("Technisource") for the outsourcing of IT services. After filing its bankruptcy petition, the Debtor negotiated a modification to the Agreement and filed a Motion Seeking Entry of an Order Authorizing Debtor to Assume Executory Contract with Technisource, Inc. on December 31, 2007 [Docket No. 177]. Upon entry of the Order Authorizing the Debtor to Assume Executory Contract with Technisource, Inc. on January 31, 2008 [Docket No. 232], the Debtor and Technisource continued to perform their respective obligations under the Agreement.

5. On March 3, 2008, the Court entered a series of orders approving the sale of virtually all of the Debtor's wholesale and retail businesses and related assets. The Debtor thereafter ceased operations.

6. As a result of the cessation of the Debtor's business operations, the Agreement is no longer a benefit to the Estate. Accordingly, the Trustee seeks to reject the Agreement pursuant to 11 U.S.C. § 365 and Bankruptcy Rule 6006.

7. The Trustee has concluded that the rejection of the Agreement is in the best interest of the Estate and will stop the accrual of further administrative

claims. The Trustee requests that the rejection be as of the filing of this Motion with the Court.

WHEREFORE the Trustee requests that the Court enter an Order approving the rejection of the Master Services Agreement with Technisource, Inc. as of the date of this Motion.

This 18th day of June, 2008.

/s/ John A. Christy

John A. Christy, Esq.

Georgia Bar 125518

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PIKE NURSERY HOLDING LLC,	)	CASE NUMBER: 07-79129-mgd
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Debtor.	)	
_____	)	

NOTICE OF HEARING

PLEASE TAKE NOTICE that Marcus A. Watson, Interim Chapter 7 Trustee, has filed Trustee's Motion to Reject Executory Contract with Technisource, Inc. ("Motion") seeking to reject a contract relating to the outsourcing of IT services.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion in Courtroom 1201, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia, at 10:30 a.m. on July 10, 2008.

Your rights may be affected by the Court's ruling on the Motion. You should read the Motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the Motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so

that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Spring Street, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below and if possible also e-mail a copy to the undersigned at the e-mail address noted below.

This 18th day of June, 2008.

/s/ John A. Christy

John A. Christy, Esq.

Georgia Bar 125518

J. Carole Thompson Hord

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within and foregoing Trustee's Motion to Reject and Notice of Hearing was served via the ECF system where indicated or by first class United States mail in properly addressed envelopes with sufficient postage affixed thereon, to insure delivery upon the parties listed below, and upon the parties listed on the Master Service List which is attached hereto as Exhibit "A".

Technisource, Inc.
2500 Northwinds Parkway, Suite 200
Atlanta, Georgia 30004

This 18th day of June, 2008.

/s/ J. Carole Thompson Hord

J. Carole Thompson Hord

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