

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:) Chapter 11
)
TWG CAPITAL, INC.,) Case No. 12-11019-BHL-11
)
Debtor.)

**MOTION PURSUANT TO FED. R. BANKR. P. 9006(c) FOR ORDER SETTING
EMERGENCY FIRST OMNIBUS MOTION FOR AN ORDER AUTHORIZING THE
REJECTION OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES
FOR EXPEDITED HEARING ON SHORTENED NOTICE**

TWG Capital, Inc., the debtor and debtor-in-possession in the above-captioned chapter 11 case (the "Debtor"), by counsel, hereby requests (this "9006(c) Request") that the Court shorten notice and expedite hearing on the *Emergency First Omnibus Motion For An Order Authorizing The Rejection Of Certain Executory Contracts And Unexpired Leases* [Docket No. 266] (the "Underlying Motion"). This 9006(c) Request is made pursuant to 11 U.S.C. § 105(a), Fed. R. Bankr. P. 9006(c) and 9019 and Rule B-9006-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of Indiana. In support of this 9006(c) Request, the Debtor respectfully states as follows:

1. The Underlying Motion seeks entry of an order authorizing the rejection by the Debtor of certain executory contracts and unexpired leases effective as of June 30, 2013. The nature and support for the relief requested in the Underlying Motion is set forth in the Underlying Motion.
2. The relief requested in the Underlying Motion needs to be considered and granted immediately in order to allow the rejection of the Contracts and Leases to become effective before the July 1, 2013 and subsequent payments become due and thereby reduce the estate's ongoing administrative expenses. As of July 1, 2013, the Debtor will no longer require

the use of the equipment and services provided to the Debtor pursuant to the Contracts and Leases.¹ Immediate rejection of the Contracts and Leases will prevent the estate from incurring unnecessary administrative expenses. The Debtor does not believe that the counterparties to the Contracts and Leases will have any objection to the requested relief.

3. The exigent circumstances set forth herein and in the Underlying Motion justify shortening the notice period for the hearing in connection with the Underlying Motion. The expedited hearing and shortened notice requested by the Debtor is not inconsistent with any other provision of title 11 of the United States Code (the "Bankruptcy Code"). On the contrary, shortening the notice period and expediting hearing will advance the provisions of the Bankruptcy Code by allowing the Debtor to reduce the administrative costs of winding down its operations and closing its Chapter 11 case.

4. The Underlying Motion needs to be set for hearing on or before June 30, 2013, as the Contracts and Leases are unnecessary to the Debtor's limited ongoing operations, and the payments under the Contracts and Leases constitute an unnecessary financial drain on the Debtor's estate.

5. A proposed order granting the relief requested in this 9006(c) Request is attached hereto as Exhibit A.

WHEREFORE, the Debtor respectfully requests that the Court enter an order (1) setting the Underlying Motion for hearing at the first date and time available, (2) shortening notice thereon, and (3) granting the Debtor such other and further relief as is just and proper.

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the Underlying Motion.

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/ Kayla D. Britton

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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2013, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on June 11, 2013, a copy of the foregoing pleading will be mailed by first-class U.S. Mail, postage prepaid and properly addressed, to the following:

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