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12 Attorneys for VSS ENTERPRISES, LLC

13 **IN THE UNITED STATES BANKRUPTCY COURT**
14 **FOR THE DISTRICT OF NEVADA**

15 In re: Case No: BK-S-03-17939-LBR
16 Chapter 11

17 VSS ENTERPRISES, LLC,
18 a Nevada limited liability company, d/b/a
19 Castaways Hotel, Casino and Bowling Center,

20 Debtor.

21 Date: July 16, 2003
22 Time: 1:30 p.m.

23 **NOTICE OF ENTRY OF INTERIM ORDER GRANTING DEBTOR'S MOTION**
24 **PURSUANT TO 11 U.S.C. §§ 105(a) AND 366 DETERMINING THAT ADEQUATE**
25 **ASSURANCE HAS BEEN PROVIDED TO UTILITY COMPANIES**

26 PLEASE TAKE NOTICE that the Interim Order Granting Debtor's Motion
27 Pursuant to 11 U.S.C. §§ 105(a) and 366 Determining that Adequate Assurance Has Been
28 Provided to Utility Companies ("Order"), a copy of which is attached hereto, was entered in the
above-captioned matter on the 23rd day of July, 2003.

Pursuant to order of the Bankruptcy Court, any objection to said Order must be filed with
the Clerk of the United States Bankruptcy Court for the District of Nevada, 333 Las Vegas
Boulevard So., Las Vegas, Nevada 89101, and served upon counsel whose name appears below,
within thirty (30) days after the mailing of this notice. If no objection is timely filed and served

1 as required by this notice and the attached Order, the Order will become final. In the event an
2 objection is filed, the objecting party must set a hearing on no less than five day's notice to:

3 Thomas H. Fell, Esq.
4 Nevada Bar No. 3717
5 3960 Howard Hughes Parkway, 9th Floor
6 Las Vegas, NV 89109

7 DATED this 23rd day of July, 2003.

8 GORDON & SILVER, LTD.

9 By 

10 GERALD M. GORDON, ESQ.

11 Nevada Bar No. 229

12 THOMAS H. FELL, ESQ.

13 Nevada Bar No. 3717

14 3960 Howard Hughes Parkway, Ninth Floor

15 Las Vegas, Nevada 89109

16 Attorneys for Debtor
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FILED AND ENTERED
ON DOCKET

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U.S. BANKRUPTCY COURT
PATRICIA GRAY, CLERK

7/21/03
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IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEVADA

In re: Case No: BK-S-03-17939-LBR
Chapter 11

VSS ENTERPRISES, LLC,
a Nevada limited liability company, d/b/a
Castaways Hotel, Casino and Bowling Center, Date: July 16, 2003
Time: 1:30 p.m.

Debtor.

**INTERIM ORDER GRANTING DEBTOR'S MOTION PURSUANT TO 11 U.S.C. §§
105(a) AND 366 DETERMINING THAT ADEQUATE ASSURANCE HAS BEEN
PROVIDED TO UTILITY COMPANIES**

VSS Enterprises, LLC's ("Debtor") Motion Pursuant To 11 U.S.C. §§ 105(a) and 366 For
An Order Determining That Adequate Assurance Has Been Provided To Utility Companies
("Motion"), having come on before the above captioned Court on July 16, 2003, at 1:30 p.m.,
Debtor appearing by and through its attorney, Thomas H. Fell, Esq. of the law firm Gordon &
Silver, Ltd., and other appearances having been noted on the record, the Court having considered
the pleadings and papers on file herein, the argument of counsel at the hearing, and good cause
appearing therefor,

IT IS HEREBY ORDERED that each Utility Company is enjoined and stayed from
altering, refusing to provide or discontinuing Utility Services to the Debtor as the case may be,
and from discriminating against the Debtor, or requiring the payment of a deposit or other
security in connection with the provision of Utility Services;

1 **IT IS FURTHER ORDERED** that the allowed administrative expense claim afforded to
2 each Utility Company for Utility Services provided from and after the date of the
3 commencement of the Debtor's Chapter 11 case, constitutes adequate assurance of payment
4 within the meaning of Section 366 of the Bankruptcy Code;

5 **IT IS FURTHER ORDERED** that the Debtor's posting of a cash deposit in favor of
6 Nevada Power Company in the amount of \$80,000 constitutes adequate assurance of payment for
7 Debtor's future electricity services;

8 **IT IS FURTHER ORDERED** that the amount of \$16,510 already on deposit with
9 Southwest Gas Company constitutes adequate assurances of payment for Debtor's future gas and
10 energy services;

11 **IT IS FURTHER ORDERED** that the Debtor shall be permitted to pay the Utility
12 Companies for postpetition Utility Services provided by the Utility Companies;

13 **IT IS FURTHER ORDERED** that the deposits provided herein are only for adequate
14 assurances of future performance and may not be applied to any unpaid prepetition amounts by
15 the Utility Companies;

16 **IT IS FURTHER ORDERED** that Debtor will provide a written 30-day negative notice
17 of this Interim Order Granting Debtor's Motion Pursuant To 11 U.S.C. §§105(a) and 366
18 Determining That Adequate Assurance Has Been Provided To Utility Companies ("Order") to:
19 the Utility Companies; the United States Trustee; the official creditors committee of unsecured
20 creditors; and any entity which files and serves on Debtor a request for special notice prior to
21 entry of the Order approving the Motion. That any party that wishes to file an objection to
22 Debtor's Motion shall have 15 days from entry of this Order to file their objection with the Clerk
23 for the United States Bankruptcy Court for the District of Nevada, 333 Las Vegas Boulevard
24 South, Las Vegas, Nevada 89101 and to schedule a hearing thereon.

25 DATED this 23 day of July, 2003.

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27
28 
UNITED STATES BANKRUPTCY JUDGE

1
2 **PREPARED AND SUBMITTED:**

3 GORDON & SILVER, LTD.

4
5 By 

GERALD M. GORDON, ESQ.

Nevada Bar No. 229

6 THOMAS H. FELL, ESQ.

Nevada Bar No. 3717

7 AMBRISH S. SIDHU, ESQ.

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8 3960 Howard Hughes Pkwy, 9th Fl.

Las Vegas, Nevada 89109

9 Attorneys for Debtor

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