

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.
et al,

Debtors.

Chapter 11

Case No. 24-42473-659
Jointly Administered

Related Docket No. 10

**INTERIM ORDER GRANTING MOTION FOR ENTRY OF INTERIM AND
FINAL ORDERS AUTHORIZING DEBTORS TO: (1) CONTINUE USING EXISTING
CASH MANAGEMENT SYSTEM, BANK ACCOUNTS AND BUSINESS FORMS; (2)
IMPLEMENT CHANGES TO THE CASH MANAGEMENT SYSTEM IN THE
ORDINARY COURSE OF BUSINESS; (3) CONTINUE INTERCOMPANY
TRANSACTIONS; (4) PROVIDE ADMINISTRATIVE EXPENSE PRIORITY FOR
POST-PETITION INTERCOMPANY CLAIMS;
AND (5) OBTAIN RELATED RELIEF**

On July 16, 2024, the Court heard, on an emergency basis on in a “First Day Motions” hearing, the Debtors’ Motion for entry of interim order to: (1) continue to using existing cash management system, bank account and business forms; (2) implement changes to their cash management system in the ordinary course of business; (3) continue intercompany transactions in the ordinary course of business; (4) provide administrative expense priority for postpetition intercompany claims (the “Cash Management Motion”) and orders as follows:¹

ORDERED the Cash Motion Management Motion is **GRANTED on an interim basis**;
and

¹ Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to the terms in the Motion or other referenced First Day Motion or pleading.



FURTHER ORDERED the Debtors may (1) continue to use their cash management system, including the continued maintenance of their existing bank accounts and business forms; (2) implement changes to their cash management system in the ordinary course of business, including opening new or closing existing bank accounts; (3) continue to perform under and honor intercompany transactions in the ordinary course of business, in their business judgment and in their sole discretion; and

FURTHER ORDERED that post-petition intercompany claims incurred in the ordinary course of business are granted administrative expense priority under the Bankruptcy Code; and

FURTHER ORDERED that intercompany claims shall be recorded by the Debtors in the same manner and means that such transactions were recorded pre-petition in the Debtors' ordinary course of business and policies and procedures; and

FURTHER ORDERED that financial institutions at which the Debtors maintain various bank accounts shall (a) continue to maintain, service and administer the Debtors' bank accounts, and (b) debit the bank accounts in the ordinary course of business on account of (i) wire transfers or checks drawn on the bank accounts, or (ii) undisputed service charges owed to the banks for maintenance of the Debtors' cash management system, if any; and

FURTHER ORDERED that the Debtors shall use best efforts to contact the financial institutions at which the Debtors maintain various bank accounts that are authorized depositories under the United States Trustee's Program to have the Debtors' accounts designated as Debtor-in-Possession accounts; and


FURTHER ORDERED that notwithstanding anything else in this Order, to the extent there is an inconsistency in this Order with the DIP Order this Court is granting on an interim basis on this same day, that the terms of the DIP Order shall control; and

FURTHER ORDERED that a Final Hearing on this Cash Management Motion shall be heard on **August 14, 2024 at 10:00 a.m. (prevailing Central time)** in the United States Bankruptcy Court, 111 S. Tenth Street, **Courtroom 7 North**, St. Louis, Missouri, 63102;

FURTHER ORDERED that any objections to the Cash Management Motion shall be filed by **August 7, 2024 at 4:00 p.m. (prevailing Central time)** and if no objection is filed by that time, the Court may grant the Cash Management Motion on a final basis; and

FURTHER ORDERED the 14-day stay of the effectiveness of this Order under Bankruptcy Rule 6004 is waived and it shall be effective on an interim basis upon entry of this Order; and

FURTHER ORDERED that within two (2) business days of the entry of this Order, Applicant shall serve a copy of this Order and shall file a certificate of service pursuant to Local Rule 9004(D) within one (1) business day thereafter.


KATHY A. SURRATT-STATES
U.S. Bankruptcy Judge

DATED: July 19, 2024
St. Louis, Missouri
jjh

Order prepared by:

Stephen O'Brien
(MoBar # 43977)
DENTONS US LLP
211 N Broadway Ste 3000
St. Louis, MO 63102
Telephone: (314) 241-1800
stephen.obrien@dentons.com

Robert E. Richards (*pro hac vice* pending)
Samantha Ruben (*pro hac vice* pending)
Elysa Chew (*pro hac vice* pending)
DENTONS US LLP
233 S. Wacker Drive, Suite 5900
Chicago, Illinois 60606-6404
Telephone: (312) 876-8000
robert.richards@dentons.com
samantha.ruben@dentons.com
elysa.chew@dentons.com

– and –

David A. Sosne
(MoBar # 28365)
SUMMERS COMPTON WELLS LLC
903 South Lindbergh Blvd., Suite 200
St. Louis, Missouri 63131
Telephone: (314) 991-4999
dsosne@scw.law

Proposed Co-Counsel to the Debtors and Debtors-in-Possession