

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK
(UTICA DIVISION)

In re:

MILES BURTON MARSHALL
a/k/a M. BURTON MARSHALL

Debtor.

Hearing Date/Time: April 24, 2023
Hearing Time: 9:30 a.m.
Hearing Location: Utica, New York

Main Case No. 23-60263-6-REL

Chapter 11

**MOTION FOR ORDER PURSUANT TO SECTIONS 105(a), 363(c), 345(b),
AND 364(a) OF THE BANKRUPTCY CODE AUTHORIZING DEBTOR TO
(I) CONTINUE TO USE EXISTING CASH MANAGEMENT SYSTEM,
AND (II) TO MAINTAIN EXISTING BANK ACCOUNTS**

TO THE HONORABLE JUDGE ROBERT E. LITTLEFIELD, JR:

The Debtor-in-Possession, Miles Burton Marshall a/k/a M. Burton Marshall (“Debtor”), by his proposed attorneys, Barclay Damon LLP, hereby move this Court (the “Motion”) for the entry of an Order, substantially in the form attached hereto as **Exhibit A**, authorizing the Debtor, on an interim basis, to continue to use the Debtor’s existing bank accounts at Berkshire Bank on an ongoing basis and waiving the requirements under 11 U.S.C. § 345(b) for cause. In support of his Motion, the Debtor respectfully states as follows:

JURISDICTION

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157 and 1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2).
2. Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.
3. The relief requested through this Motion is premised upon 11 U.S.C. §§ 363, 364, 1107, and 1108.

BACKGROUND

4. The Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on April 20, 2023 (the “Petition Date”).