

13. The Debtor's lienholders consist of: Apex Mortgage Corp., a subsidiary of Firsttrust Bank, KCMi Capital, Inc., SPS (MERS, as nominee for Homebridge Financial Services, Inc.), PHH (Cherrywood Commercial Lending, LLC), PHH (MERS, as nominee for Accredited Home Lenders, Inc.), MERS, as nominee for Nationstar Mortgage LLC, Edward Ray, Peter T. Darby and Margaret F. Darby as Joint Tenants, George E. Bullock Sr. and W. Jackson Loop ("Lienholders").

14. The Debtor filed his voluntary petition for relief largely to protect the businesses he operates from multiple demands and lawsuits concerning unsecured promissory notes and also to allow the Debtor to develop a plan to repay the unsecured promissory notes.

15. The filing of the bankruptcy will insure all unsecured noteholders are treated equally.

RELIEF REQUESTED

16. By this Motion, the Debtor seeks entry of Cash Collateral Orders providing for, among other things:

- (i) authority for the Debtor to use "cash collateral", as such term is defined in Section 363 of the Bankruptcy Code (the "Cash Collateral"), to pay employee wages and other ordinary course operating expenses as well as administrative expenses incurred in this Chapter 11 Case, subject to any restrictions set forth in the Cash Collateral Orders;
- (ii) emergency interim authorization, pursuant to Sections 363(c) of the Bankruptcy Code, to use Cash Collateral from April 20, 2023 through May __, 2023 pursuant to the Budget attached to the Interim Cash Collateral Order, and continued use of Cash Collateral pursuant to future Budgets and the Final Cash Collateral Order;
- (iii) a grant of and authority to provide a roll-over security interest in post-petition acquired assets, including rental income, to the same extent, validity and priority as the Lienholders' held pre-petition, plus authority to make regular monthly loan payments, as adequate protection to **Lienholders** for their interests in the Prepetition Secured Collateral; and
- (iv) the scheduling of a final hearing (the "Final Hearing") to consider entry of the Final Cash Collateral Order.