

27. After the final hearing, Bankruptcy Rule 4001(b) does not limit the use of cash collateral solely to those amounts necessary to prevent immediate and irreparable harm to the estate, and the Debtor may use such amounts as he deems prudent in the operation of his business. The Debtor submits that, for the reasons set forth herein, immediate access to Cash Collateral, in the amounts set forth in the Budget and any future budgets, is necessary to preserve the value of the Debtor's estate for the benefit of all parties in interest.

**D. Modification of the Automatic Stay Provided Under Section 362 of the Bankruptcy Code is Appropriate Under the Circumstances**

28. The Interim Cash Collateral Order provides that the automatic stay imposed under Section 362 of the Bankruptcy Code is modified to the extent necessary to permit the relief granted therein. Stay modification provisions of this sort are ordinary and usual features of orders authorizing the use of cash collateral and are reasonable under the present circumstances. Accordingly, the Debtor requests that the Court modify the automatic stay to the extent contemplated under the proposed Cash Collateral Orders.

**E. Request for Final Hearing**

29. Pursuant to Bankruptcy Rule 4001(b)(2), the Debtor requests that the Court set a date, no sooner than fourteen (14) days after the date of this Motion and no later than thirty (30) days after the date of this Motion, to hold a hearing to consider entry of the Final Cash Collateral Order and the permanent approval of the relief requested in this Motion. The Debtor also requests authority to serve a copy of the signed Interim Cash Collateral Order, which fixes the time and date for the filing of objections, if any, to entry of the Final Cash Collateral Order, by first class mail upon the Lienholders and other parties listed below, and further requests that the Court deem service thereof sufficient notice of the final hearing.

**BANKRUPTCY RULE 6003 IS SATISFIED**

30. The Debtor has demonstrated that he will suffer "immediate and irreparable harm" if the Interim Cash Collateral Order is not entered and the Debtor is not provided immediate access to the Cash