

BACKGROUND

2. On April 20, 2023 (the “Commencement Date”), the Debtor commenced a voluntary case under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”). The Debtor continues to operate its businesses and manage his businesses as a debtor in possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.

3. Marshall owns and operates a number of businesses, including a self-storage business, a tax return preparation business, a commercial printing business and a real estate rental business. The Debtor regularly employs between 15 – 17 employees in jobs ranging from building and grounds maintenance, commercial printing, bookkeeping and general office work. The Debtor’s businesses are primarily located in and around Hamilton, New York.

4. A further explanation of the facts and circumstances supporting this Motion are set forth in the Declaration of Donald Noble filed on December 21, 2022 and incorporated herein by reference.

The Debtors’ Prepetition Employee Obligations

5. In the ordinary course of its business, the Debtor incurs payroll and employee benefits obligations to its employees for the performance of services. As of Commencement Date, the Debtor employed between 15 - 17 individuals (the “Employees”).

6. The Debtor has incurred obligations with respect to the Employees relating to the period prior to the Commencement Date. Certain of these costs and obligations are outstanding, due and payable, while others will become due and payable in the ordinary course of the Debtor’s business after the Commencement Date.

7. The Debtor submits that any delay in the process of regular payment to Employees would cause the Debtor irreparable harm.