



The relief described hereinbelow is SO ORDERED.

SIGNED this 12th day of July, 2016.

Robert D. Berger
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS AT

In re:)	
)	
JOHN Q. HAMMONS FALL 2006, LLC, <i>et al.</i> , ¹)	Case No. 16-21142-11
)	
Debtors.)	(Jointly Administered)
)	

**ORDER APPROVING CASE MANAGEMENT PROCEDURES
(A) LIMITING NOTICE OF APPLICATIONS, MOTIONS,
NOTICES AND OTHER PLEADINGS, AND (B) ESTABLISHING
A REGULAR RECURRING OMNIBUS HEARING DATE FOR
NON-EVIDENTIARY MATTERS, AND GRANTING RELATED RELIEF**

¹ The Debtors in this case are: ACLOST, LLC, Bricktown Residence Catering Co., Inc., Chateau Catering Co., Inc., Chateau Lake, LLC, Civic Center Redevelopment Corp., Concord Golf Catering Co., Inc., Concord Hotel Catering Co., Inc., East Peoria Catering Co., Inc., Fort Smith Catering Co., Inc., Franklin/Crescent Catering Co., Inc., Glendale Coyotes Catering Co., Inc., Glendale Coyotes Hotel Catering Co., Inc., Hammons, Inc., Hammons of Colorado, LLC, Hammons of Franklin, LLC, Hammons of Huntsville, LLC, Hammons of Lincoln, LLC, Hammons of New Mexico, LLC, Hammons of Oklahoma City, LLC, Hammons of Richardson, LLC, Hammons of Rogers, Inc., Hammons of Sioux Falls, LLC, Hammons of South Carolina, LLC, Hammons of Tulsa, LLC, Hampton Catering Co., Inc., Hot Springs Catering Co., Inc., Huntsville Catering, LLC, International Catering Co., Inc., John Q. Hammons 2015 Loan Holdings, LLC, John Q. Hammons Fall 2006, LLC, John Q. Hammons Hotels Development, LLC, John Q. Hammons Hotels Management I Corporation, John Q. Hammons Hotels Management II, LP, John Q. Hammons Hotels Management, LLC, Joplin Residence Catering Co., Inc., JQH – Allen Development, LLC, JQH – Concord Development, LLC, JQH – East Peoria Development, LLC, JQH - Ft. Smith Development, LLC, JQH – Glendale AZ Development, LLC, JQH - Kansas City Development, LLC, JQH - La Vista Conference Center Development, LLC, JQH - La Vista CY Development, LLC, JQH - La Vista III Development, LLC, JQH - Lake of the Ozarks Development, LLC, JQH – Murfreesboro Development, LLC, JQH – Normal Development, LLC, JQH – Norman Development, LLC, JQH – Oklahoma City Bricktown Development, LLC, JQH – Olathe Development, LLC, JQH – Pleasant Grove Development, LLC, JQH – Rogers Convention Center Development, LLC, JQH – San Marcos Development, LLC, Junction City Catering Co., Inc., KC Residence Catering Co., Inc., La Vista CY Catering Co., Inc., La Vista ES Catering Co., Inc., Lincoln P Street Catering Co., Inc., Loveland Catering Co., Inc., Manzano Catering Co., Inc., Murfreesboro Catering Co., Inc., Normal Catering Co., Inc., OKC Courtyard Catering Co., Inc., R-2 Operating Co., Inc., Revocable Trust of John Q. Hammons Dated December 28, 1989 as Amended and Restated, Richardson Hammons, LP, Rogers ES Catering Co., Inc., SGF – Courtyard Catering Co., Inc., Sioux Falls Convention/Arena Catering Co., Inc., St Charles Catering Co., Inc., Tulsa/169 Catering Co., Inc., and U.P. Catering Co., Inc.

Upon the Motion (the "Motion")² of the above-captioned debtors (collectively, "Debtors") for entry of an order establishing case management procedures (a) limiting notice of applications, motions, notices and other pleadings, and (b) establishing a regular recurring omnibus hearing date for non-evidentiary matters, and for related relief, all as more fully set forth in the Motion; the Court having reviewed the Motion; and the Court having determined that the relief requested in the Motion is in the best interests of Debtors, their estates, creditors and other parties-in-interest; and it appearing that notice of the Motion was good and sufficient under the particular circumstances and that no other or further notice need be given; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Case Management Procedures set forth on Exhibit 1 hereto are approved and will govern all aspects of these chapter 11 cases.
3. Notwithstanding the foregoing, the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, as amended from time to time and as supplemented by any applicable General Orders or Administrative Orders entered in this District, will apply in these chapter 11 cases by default, except to the extent the Case Management Procedures provide otherwise.
4. The Court hereby establishes a regularly scheduled recurring omnibus docket date at which time, all non-evidentiary motions, applications, and other matters in these cases will be taken up as set forth in the attached Case Management Procedures. Parties are directed to schedule their hearings in accordance with the Case Management Procedures.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

5. Debtors shall serve the Case Management Procedures on the Service List (as defined in the Case Management Procedures). Debtors shall also publish the Case Management Procedures on the website maintained by Debtors' proposed noticing and claims agent, BMC Group, Inc. (the "Notice & Claims Agent"), at <https://www.bmcgroup.com/JQH> (the "Case Website"). Additionally, parties may request a copy of the Case Management Procedures from the Notice & Claims Agent or Debtors' proposed counsel.

6. In the event that the Case Management Procedures are modified during these chapter 11 cases, Debtors shall redistribute the Case Management Procedures to the Service List and publish any modified version on the Case Website.

IT IS SO ORDERED.

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SUBMITTED BY:

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COUNSEL FOR THE DEBTORS

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF KANSAS AT KANSAS CITY**

In re:)
)
JOHN Q. HAMMONS FALL 2006, LLC, et al.,³) **Case No. 16-21142-11**
)
Debtors.) **(Jointly Administered)**
)

CASE MANAGEMENT PROCEDURES

These case management procedures ("Case Management Procedures") have been approved by the United States Bankruptcy Court for the District of Kansas (the "Court") for the administratively consolidated chapter 11 cases of the above-captioned debtors (collectively, "Debtors") pursuant to Debtors' motion for entry of an order approving case management procedures, (a) limiting notice of applications, motions, notices and other pleadings, and (b)

³ The Debtors in this case are: ACLOST, LLC, Bricktown Residence Catering Co., Inc., Chateau Catering Co., Inc., Chateau Lake, LLC, Civic Center Redevelopment Corp., Concord Golf Catering Co., Inc., Concord Hotel Catering Co., Inc., East Peoria Catering Co., Inc., Fort Smith Catering Co., Inc., Franklin/Crescent Catering Co., Inc., Glendale Coyotes Catering Co., Inc., Glendale Coyotes Hotel Catering Co., Inc., Hammons, Inc., Hammons of Colorado, LLC, Hammons of Franklin, LLC, Hammons of Huntsville, LLC, Hammons of Lincoln, LLC, Hammons of New Mexico, LLC, Hammons of Oklahoma City, LLC, Hammons of Richardson, LLC, Hammons of Rogers, Inc., Hammons of Sioux Falls, LLC, Hammons of South Carolina, LLC, Hammons of Tulsa, LLC, Hampton Catering Co., Inc., Hot Springs Catering Co., Inc., Huntsville Catering, LLC, International Catering Co., Inc., John Q. Hammons 2015 Loan Holdings, LLC, John Q. Hammons Fall 2006, LLC, John Q. Hammons Hotels Development, LLC, John Q. Hammons Hotels Management I Corporation, John Q. Hammons Hotels Management II, LP, John Q. Hammons Hotels Management, LLC, Joplin Residence Catering Co., Inc., JQH – Allen Development, LLC, JQH – Concord Development, LLC, JQH – East Peoria Development, LLC, JQH - Ft. Smith Development, LLC, JQH – Glendale AZ Development, LLC, JQH - Kansas City Development, LLC, JQH - La Vista Conference Center Development, LLC, JQH - La Vista CY Development, LLC, JQH - La Vista III Development, LLC, JQH - Lake of the Ozarks Development, LLC, JQH – Murfreesboro Development, LLC, JQH – Normal Development, LLC, JQH – Norman Development, LLC, JQH – Oklahoma City Bricktown Development, LLC, JQH – Olathe Development, LLC, JQH – Pleasant Grove Development, LLC, JQH – Rogers Convention Center Development, LLC, JQH – San Marcos Development, LLC, Junction City Catering Co., Inc., KC Residence Catering Co., Inc., La Vista CY Catering Co., Inc., La Vista ES Catering Co., Inc., Lincoln P Street Catering Co., Inc., Loveland Catering Co., Inc., Manzano Catering Co., Inc., Murfreesboro Catering Co., Inc., Normal Catering Co., Inc., OKC Courtyard Catering Co., Inc., R-2 Operating Co., Inc., Revocable Trust of John Q. Hammons Dated December 28, 1989 as Amended and Restated, Richardson Hammons, LP, Rogers ES Catering Co., Inc., SGF – Courtyard Catering Co., Inc., Sioux Falls Convention/Arena Catering Co., Inc., St Charles Catering Co., Inc., Tulsa/169 Catering Co., Inc., and U.P. Catering Co., Inc.

establishing a regular recurring omnibus hearing date for non-evidentiary matters, and granting related relief (the "Motion").⁴

The Court has entered an order (the "Order") approving these Case Management Procedures. Anyone may obtain a copy of the Order, as well as any document filed with the Court in these chapter 11 cases, by (a) accessing the website maintained by BMC Group, Inc. (the "Notice & Claims Agent"), Debtors' notice and claims agent in these chapter 11 cases, at <https://www.bmcgroup.com/JQH> (the "Case Website"); (b) contacting the Notice & Claims Agent directly at: (888) 909-0100; or (c) accessing the Court's Electronic Filing System at <https://ecf.ksb.uscourts.gov/> for a fee.

I. HEARING PROCEDURES

A. All Matters to Be Heard at Omnibus Hearings.

The Court has established the below as the regular, recurring monthly omnibus hearing date to consider all Court Filings (as defined herein) in these chapter 11 cases (collectively, the "Omnibus Hearings"). All matters to be taken up at the Omnibus Hearings shall be non-evidentiary hearings and proceedings. Notwithstanding any local rules to the contrary, parties may only schedule Requests for Relief (as defined herein) for hearing at an Omnibus Hearing scheduled to occur at least 14 days after service of the notice of the Request for Relief (without taking into consideration any additional time otherwise required pursuant to Bankruptcy Rule 9006(f); provided that any party may request an emergency hearing pursuant to applicable local rules (an "Emergency Hearing")). Unless the Court orders otherwise, any Request for Relief that purports to set a hearing on a date or time at which no Omnibus Hearing is scheduled will automatically and without further order of the Court be heard at the next regularly scheduled

⁴ Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Motion.

Omnibus Hearing that is at least 14 days after the date such Request for Relief is filed and served.

II. OMNIBUS HEARINGS

Unless otherwise ordered by the Court, the first eight Omnibus Hearings will be held on the following dates and times at The Robert J. Dole United States Courthouse, United States Bankruptcy Court, 500 State Avenue, Room 151, Kansas City, Kansas 66101:

- A. Monday July 25, 2016, at 1 p.m. (prevailing Central Time);
- B. Monday August 22, 2016 at 1 p.m. (prevailing Central Time);
- C. Monday September 26, 2016, at 1 p.m. (prevailing Central Time);
- D. Monday October 17, 2016, at 1 p.m. (prevailing Central Time);
- E. Monday November 14, 2016, at 1 p.m. (prevailing Central Time); and
- F. Monday December 12, 2016, at 1 p.m. (prevailing Central Time);

III. SUBSEQUENT OMNIBUS HEARINGS

At or before the last scheduled Omnibus Hearing set forth above, Debtors will request, and the Court will schedule, additional Omnibus Hearings. Upon scheduling, the Notice & Claims Agent will post the dates and times of the Omnibus Hearings on the Case Website. Entities may contact the Notice & Claims Agent for information concerning all scheduled Omnibus Hearings.

IV. HEARING AGENDA

Two business days before each hearing, Debtors must prepare and file a hearing agenda (each a "Proposed Hearing Agenda") for the convenience of the Court and counsel. This Proposed Hearing Agenda will not be determinative of the matters to be heard at the respective

hearing or whether there will be a settlement or a continuance. The Proposed Hearing Agenda will include, to the extent known by Debtors' counsel:

- A. the title and docket number of each Court Filing scheduled for hearing, including the initial Request for Relief and any Objections (as defined herein) or other documents related thereto;
- B. notice of whether the matters are contested or uncontested;
- C. notice of whether the matters have settled or are proposed to be continued; and
- D. other comments that may assist the Court.

Debtors are authorized, but not directed, to amend a Proposed Hearing Agenda to reflect any changes, such as the inclusion of additional Court Filings filed after the filing of the Proposed Hearing Agenda or the fact that matters have been settled, withdrawn, or adjourned before a hearing.

V. FILING AND SERVICE PROCEDURES

All notices, motions, applications, and other requests for relief, all briefs, memoranda, affidavits, declarations, and other documents filed in support of or in connection with such papers seeking relief (collectively, "Requests for Relief"), all objections and other responses to Requests for Relief (collectively, "Objections"), and all replies and other responses to Objections (collectively, "Replies," and, together with Requests for Relief, Objections, and all other filed documents, the "Court Filings") must be filed with the Court and served in accordance with the notice provisions of these Case Management Procedures. The party submitting a particular pleading or other document with the Court shall be responsible for all noticing and service functions relevant to the particular matter as may be required by statute, rules, general

orders and applicable guidelines and shall file with the Clerk of Court a declaration of service regarding such noticing and service. The attorney for the party submitting a proposed order or judgment shall serve copies of the filed order or judgment upon all parties entitled to receive notice as soon as practicable. In addition, the attorney shall be responsible for photocopying the conformed copies in order to relieve the Clerk's Office from the large burden of photocopying these orders.

A. The Service List.

1. All Court Filings must be served on the following parties (collectively, the "Service List"):

- (a) The Notice & Claims Agent must maintain a service list (the "Service List"), a copy of which is attached to these Case Management Procedures as Schedule 1. A copy of the Service List, including any subsequent changes thereto, is also available on the website of Debtors' claims and noticing agent at <https://www.bmcgroup.com/JQH>. The Service List must include the following parties or their counsel, if known:
 - (i) the Office of the United States Trustee for the District of Kansas;
 - (ii) Debtors' counsel;
 - (iii) Counsel for Atrium Holding Company; SFI Belmont LLC; and JD Holdings, LLC;
 - (iv) The consolidated 40 largest unsecured creditors for Debtors, and in the event a creditors' committee is appointed, the members of any such committee, and if counsel is appointed for such committee, counsel for the same;
 - (v) Counsel for any additional statutory committees;
 - (vi) All secured creditors;
 - (vii) The Internal Revenue Service;

- (viii) Any government agency required to be served by the Bankruptcy Code, the Bankruptcy Rules, and/or the Local Bankruptcy Rules, including all applicable taxing authorities; and
- (ix) A list of all entities that have filed a request for service of filings pursuant to Bankruptcy Rule 2002 and the Local Rules (the "2002 List") which list shall be maintained by the Notice & Claims Agent.

B. Information Required for Service of Filings.

A request for service of papers pursuant to Bankruptcy Rule 2002 and the Local Rules (each, a "2002 Notice Request") filed with the Court will be deemed proper if, and only if, it includes the following information with respect to the entity filing such request: (a) name; (b) street address; (c) name of client(s), if applicable; (d) telephone number; (e) facsimile number if applicable; and (f) electronic mail address if available. Notwithstanding the application of the Local Rules, all counsel must comply with this provision in order to receive papers.

C. Electronic Mail Address Required.

If a 2002 Notice Request fails to include an electronic mail address or a No-Electronic Mail Certification (as defined herein), the Notice & Claims Agent must forward a copy of the Case Management Procedures to such entity within five business days and specifically request an electronic mail address. If no electronic mail address is provided in response to such request, such entity will not be added to the 2002 List and will not be served with copies of Court Filings unless (a) such pleadings and/or documents directly affect such entity or (b) such entity submits a No-Electronic Mail Certification (as defined below).

D. Certification Opting Out of Electronic Mail Service.

Notwithstanding the immediately preceding paragraph, any individual or entity filing a 2002 Notice Request who does not maintain (and cannot practicably obtain) an electronic mail

address and thereafter cannot receive service by electronic mail must include in the 2002 Notice Request a certification to that effect (a "No-Electronic Mail Certification"). The No-Electronic Mail Certification must include a statement certifying that the individual or entity (a) does not maintain an electronic mail address and (b) cannot practicably obtain an electronic mail address at which the individual or entity could receive service by electronic mail. An entity submitting a No-Electronic Mail Certification must be served with paper copies of any Court Filing by the entity making such Court Filing, by first class mail or private mail service, at such filing entity's discretion.

E. Changes in Information.

It is the responsibility of each entity submitting a 2002 Notice Request to file with the Court an updated 2002 Notice Request as necessary to reflect changes to any notice information, including electronic mail address and contact person, and to serve a copy of such request upon Debtors.

F. Affected Entities.

All entities with a particularized interest in the subject matter of the particular court filing will be treated as an "Affected Entity." With respect to any Court Filing for which particular notice is required to be served on all creditors and Affected Entities, including Bankruptcy Rules 2002(a)(2) and (3), 4001, 6004, 6007, and 9019, parties must serve all such filings on the Affected Entities as well as on the parties set forth in the Service List.

VI. NOTICE & CLAIMS AGENT TO MAINTAIN 2002 LIST

At least every 15 days during the first 60 days of Debtors' chapter 11 cases, and, thereafter, at least every 30 days until confirmation of chapter 11 plan(s), the Notice & Claims

Agent will maintain and update the 2002 List by: posting an updated 2002 List to the Case Website.

Notwithstanding anything to the contrary in this order, notice of the following motions, documents and information shall be served on all of Debtors' creditors:

- A. Notice of the first meeting of creditors pursuant to Bankruptcy Code § 341;
- B. Any deadline for filing proofs of claim pursuant to Rule 3003;
- C. Any deadline to object to a disclosure statement or plan of reorganization;
- D. Any hearing to consider approval of a disclosure statement;
- E. A hearing to consider confirmation of a plan of reorganization (and ancillary balloting);
- F. A proposed sale of all or substantially all of Debtors' assets; and
- G. Notice of the appointment of a claims noticing agent together with instructions to locate and access the notice website of the noticing agent.

VII. FILING AND SERVICE OF COURT FILINGS GENERALLY

A. Paper Service of Certain Affected Entities.

To the extent no electronic mail address of an Affected Entity is available, Debtors (or any other entity filing and serving a Court Filing) will serve such Affected Entity with paper copies of any Court Filing, served by either first class mail or private mail service. In addition, the Claims & Notice Agent shall serve paper copies (by mail, email, or email URL link) of the Court Filings on the Service List in addition to any ECF service.

B. Waiver of Filing Deadlines.

If any Court Filing is filed and served electronically via the Court's electronic case filing system (the "Electronic Filing System"), the filing deadlines requiring three additional days' notice set forth in Bankruptcy Rule 9006 will not apply.

C. Notice of Motion.

With each Request for Relief, a separate notice shall be filed (the "Notice"). The Notice: (a) shall set forth, if applicable, the date and time of the hearing in conformity with these procedures; (b) must set forth the date and time of the Objection Deadline (as defined and determined herein); (c) shall indicate that the hearing is a non-evidentiary hearing unless otherwise directed by the Court; (d) may include a statement that the relief requested therein may be granted without a hearing if no objection is timely filed and served in accordance with these Case Management Procedures; (e) shall conform to the Court's form of notice of non-evidentiary hearing set forth at http://www.ksb.uscourts.gov/images/ksb_calendars/rdb_motions_docket_noticing_instructions.pdf; and (f) shall be accompanied by a filed certificate of service of such Notice in conformity with D. Kan. LBR 9013.3.

D. Satisfaction of Section 342 of the Bankruptcy Code.

Unless otherwise ordered by the Court, any Court Filing notice or other notice sent by Debtors will be deemed to comply with the requirements set forth in § 342(e)(1) of the Bankruptcy Code so long as the notice includes (as a footnote or otherwise) the name, address, and last four digits of the taxpayer identification number of each Debtor.

E. Right to Request Special Notice Procedures.

Nothing in these Case Management Procedures prejudices the right (a) of any entity, including Debtors, to move the Court to limit or expand notice of contested matters and adversary proceedings upon a showing of good cause, including without limitation the right to file a motion seeking emergency ex parte relief or relief upon shortened notice, or (b) of any entity to request an enlargement or reduction of any time period under Bankruptcy Rule 9006(b) or (c).

VIII. FILING AND SERVICE OF REQUESTS FOR RELIEF

A. Requests for Relief to Be Heard at Omnibus Hearings.

Unless applicable statutes or rules require a longer notice period, and except as otherwise set forth in these Case Management Procedures or further order of the Court, a Request for Relief filed and served 14 or more days (without taking into consideration any additional time otherwise required pursuant to Bankruptcy Rule 9006(f)) before the next regularly scheduled Omnibus Hearing must be noticed for hearing at that Omnibus Hearing. A Request for Relief filed and served fewer than 14 days before the next regularly scheduled Omnibus Hearing will be heard at the regularly scheduled Omnibus Hearing following the next regularly scheduled Omnibus Hearing.

IX. FILING AND SERVICE OF OBJECTIONS

A. Deadline to File and Serve Objections to Requests for Relief.

Any Objection to a Request for Relief must be filed and served upon the entity filing the Request for Relief and those entities on the Service List by the following deadlines (each, as applicable, the "Objection Deadline"):

1. In the case of a Request for Relief filed 14 or more days before the date and time of the Omnibus Hearing (or other hearing, as ordered by the Court), if any, at which the matter will be heard (the "Applicable Hearing") 4:00 p.m. (prevailing Central Time) (this time deadline not to apply to pro se or paper filings) on the seventh calendar day before the Applicable Hearing;
2. In the case of a Request for Relief set for hearing on an expedited basis and filed fewer than 14 days before the Applicable Hearing, 12:00 p.m. (prevailing Central Time) (this time deadline not to apply to pro se or paper filings) on the second business day before the Applicable Hearing;
or
3. In any case, as otherwise ordered by the Court.

B. Effect of failure to file objection by objection deadline.

Failure to file and enter on the docket an Objection by the Objection Deadline may cause the Court to consider the Requests for Relief unopposed.

X. GRANTING A REQUEST FOR RELIEF WITHOUT A HEARING

A. Certificate of No Objection.

1. Provided that the notice filed with the Request for Relief includes a statement that the Request for Relief may be granted and an order entered without a hearing unless a timely Objection is made, if the Objection Deadline applicable to a Request for Relief passes without an Objection being filed and served in accordance with these Case

Management Procedures, the party that has filed the Request for Relief may file a certification indicating that no Objection has been filed or served (the "Certificate of No Objection").

B. Contents of Certificate of No Objection.

1. By filing a Certificate of No Objection, the party that filed the applicable Request for Relief represents to the Court that it is unaware of any Objection to the Request for Relief and that it has reviewed the Court's docket for these chapter 11 cases and that no Objection appears thereon.

C. Order May Be Entered Without Hearing.

1. Upon receipt of a Certificate of No Objection, the Court may, but need not, enter an order granting the Request for Relief without further hearing.

D. Request for Relief May Be Heard at Hearing.

1. After a Certificate of No Objection has been filed, the Request for Relief will be heard at the next Omnibus Hearing if the Court does not enter an order granting the Request for Relief before such Omnibus Hearing.

XI. TELEPHONIC APPEARANCES

- A.** Any party who wishes to appear by telephone at a hearing conducted in a case jointly administered with *In re John Q. Hammons Fall 2006, LLC, et al.*, Bankr. D. Kan. No. 16-21142-11 may find directions about how to do so and the Court's requirements at the Case Website and the Court's website as well.

