

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re : Chapter 11
 :
UNITED ROAD TOWING, INC. et al., : Case No. 17-10249 (LSS)
 :
Debtors.¹ : Jointly Administered
 :

Docket Ref. No. 7

**INTERIM ORDER (I) AUTHORIZING THE DEBTORS TO CONTINUE THEIR
SURETY BOND PROGRAM AND PAY ALL OBLIGATIONS IN RESPECT THEREOF,
(II) AUTHORIZING APPLICABLE BANKS AND OTHER FINANCIAL
INSTITUTIONS TO HONOR AND PROCESS RELATED CHECKS AND TRANSFERS,
AND (III) GRANTING RELATED RELIEF**

Upon the motion (the "Motion")² of United Road Towing, Inc. and its affiliated debtors as debtors in possession in the above-captioned Chapter 11 Cases (collectively, the "Debtors") for entry of an interim order (the "Interim Order") and a final order (i) authorizing the Debtors to continue their surety bond program and satisfy payment of all prepetition obligations related thereto, (ii) authorizing applicable banks and other financial institutions to honor and process related checks and transfers, and (iii) granting related relief; and upon consideration of the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: United Road Towing, Inc. (6962); URT Holdings, Inc. (8341); City Towing, Inc. (2118); URS West, Inc. (3518); Bill & Wag's Towing (3518); Export Enterprises of Massachusetts, Inc. (5689); Pat's Towing, Inc. (6964); Keystone Towing, Inc. (6356); Ross Baker Towing, Inc. (9742); URT Texas, Inc. (3716); Mart Caudle Corporation (1912); Signature Towing, Inc. (3054); WHW Transport, Inc. (3055); URS Southeast, Inc. (7289); URS Northeast, Inc. (7290); URS Southwest, Inc. (7284); Fast Towing, Inc. (5898); E&R Towing and Garage, Inc. (8500); Sunrise Towing, Inc. (7160); Ken Lehman Enterprises, Inc. (1970); United Road Towing of South Florida, Inc. (9186); Rapid Recovery Incorporated (1659); United Road Towing Services, Inc. (2206); Arri Brothers, Inc. (7962); Rancho Del Oro Companies, Inc. (3924); CSCBD, Inc. (2448); URS Leasing, Inc. (9072); UR VMS LLC (4904); UR Vehicle Management Solutions, Inc. (0402). The Debtors' mailing address is c/o United Road Towing, Inc., 9550 Bormet Drive., Suite 301, Mokena, Illinois 60448.

² All capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion.

for the District of Delaware, dated February 29, 2012; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and appropriate notice of and opportunity for a hearing on the Motion having been given; and the relief requested in the Motion being in the best interests of the Debtors' estates, their creditors and other parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED on an interim basis.
2. The final hearing with respect to the relief requested in the Motion shall be held on March 6, 2017 at 11:00 a.m. (prevailing Eastern Time) (the "Final Hearing"). Any objections or responses to entry of the proposed Final Order shall be filed on or before 4:00 p.m. (prevailing Eastern Time) on February 27, 2017 and served on the following parties: (i) the Debtors, 200 Park Ave., New York, NY 10166 (Attn: Carrie V. Hardman), and Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, Delaware 19801, (Attn: M. Blake Cleary); (ii) counsel to any statutory committee appointed in the Chapter 11 Cases; (iii) the office of the United States Trustee for the District of Delaware; and (iv) to the extent not listed herein, those parties requesting notice pursuant to Bankruptcy Rule 2002. Notice of this Interim Order will be served in accordance with Local Rule 9013-1(m).
3. The Debtors are authorized, but not directed, to maintain the Surety Bond Program without interruption, including paying any prepetition or postpetition premiums and

other obligations (including, without limitation, those obligations with respect to which letters of credit have been issued), providing collateral, renewing or obtaining new surety bonds, and executing other agreements in connection with the Surety Bond Program, in each case in the ordinary course of business.

4. In accordance with this Interim Order and any other order of this Court, the financial institutions at which the Debtors maintain their accounts (the "Banks") shall be, and hereby are, authorized, when requested by the Debtors (in the Debtors' discretion), to honor and pay all checks or electronic fund transfers drawn on the Debtors' accounts for the payments authorized pursuant to this Interim Order, whether such payments were presented prior to or following the Petition Date, provided that sufficient funds are on deposit in such accounts to honor and make such payments.

5. The Banks may rely on the representations of the Debtors with respect to whether any check or electronic fund transfers drawn or issued by the Debtors prior to the Petition Date should be honored pursuant to this Interim Order, and any such Bank shall not have any liability to any party for relying on such representations by the Debtors as provided for in this Interim Order.

6. The Debtors are authorized to issue post-petition checks, or to effect post-petition electronic fund transfers, in replacement of any checks or electronic fund transfers in respect of payments authorized by this Interim Order that are dishonored or rejected after the Petition Date.

7. Nothing in this Interim Order: (i) is intended or shall be deemed to constitute an assumption of any agreement pursuant to section 365 of the Bankruptcy Code or an admission as to the validity of any claim against the Debtors or their estates; (ii) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates to contest the validity, priority, or

amount of any claim against the Debtors or their estates; (iii) shall impair, prejudice, waive, or otherwise affect the rights of the Debtors or their estates with respect to any and all claims or causes of action against any third party; or (iv) shall be construed as a promise to pay a claim or continue any applicable program post-petition, which decision shall be in the discretion of the Debtors. Any payment made pursuant to this Interim Order is not intended to be nor should it be construed as an admission as to the validity of any claim or a waiver of the Debtors' rights to subsequently dispute such claim.

8. Nothing herein renders any claim by any third party based on a prepetition, actual, potential or asserted liability of the Debtors which claim may or does result in a loss to a surety under the Surety Bond Program into a postpetition claim or expense of administration.

9. The requirements set forth in Bankruptcy Rule 6003(b) are satisfied.

10. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion under the circumstances and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

11. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Interim Order in accordance with the Motion.

12. Notwithstanding the applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Interim Order shall be immediately effective and enforceable upon its entry.

13. This Court retains exclusive jurisdiction over all matters arising from or related to the implementation, interpretation and enforcement of this Interim Order.

Dated: Feb 7, 2017
Wilmington, Delaware


LAURIE SELBER SILVERSTEIN
UNITED STATES BANKRUPTCY JUDGE