



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
March 02, 2012

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[Proposed] Counsel for American West Development, Inc.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re

AMERICAN WEST DEVELOPMENT,
INC., a Nevada corporation,

Debtor.

Case No. BK-S-12-12349-MKN

Chapter 11

**ORDER SHORTENING TIME AND
NOTICE OF HEARING ON DEBTOR'S
EMERGENCY FIRST DAY MOTIONS
AND LIMITING NOTICE THEREOF**

Hearing Date: **March 6, 2012**
Hearing Time: **2:00 p.m.**

This Court, having reviewed and considered the Ex Parte Application For Order Shortening Time For Hearing (the "Application") on Debtor's Emergency First Day Motions (collectively, the "Emergency First Day Motions") and Limiting Notice Thereof filed by American West Development, Inc. ("AWDI" or "Debtor"), and for good cause appearing therefor;

IT IS HEREBY ORDERED and **NOTICE IS HEREBY GIVEN** that an emergency hearing on the Emergency First Day Motions will be held before the Honorable Mike K. Nakagawa, United

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1 States Bankruptcy Judge in the Foley Federal Building located at 300 Las Vegas Boulevard South,
 2 Courtroom 2, Las Vegas, Nevada 89101, on **March 6, 2012**, at the hour of **2:00 p.m.**, with respect to
 3 the following Emergency First Day Motions filed in this case:

- 4 1. *Motion for Interim and Final Orders Pursuant to 11 U.S.C. §§ 361, 362 and*
 5 *363 and Fed. R. Bankr. P. 4001(b) and 4001(d): (I) Authorizing Debtor to*
 6 *Use Cash Collateral and Provide Adequate Protection Pursuant to*
 7 *Agreement with Pre-Petition Lenders; (II) Granting Related Relief; and (III)*
 8 *Scheduling Final Hearing;*
- 9 2. *Motion for Order Establishing Certain Case Management, Notice and*
 10 *Administrative Procedures;*
- 11 3. *Debtor's Motion for Order (A) Setting Bar Dates for Filing Proofs of Claim;*
 12 *(B) Approving the Form and Manner for Filing Proofs of Claim; and (C)*
 13 *Approving Notice Thereof;*
- 14 4. *Motion for Order Authorizing Payment of Prepetition Critical Vendor*
 15 *Claims;*
- 16 5. *Emergency Motion For An Order (I) Authorizing Debtor To Pay Employee*
 17 *Salaries and Benefits; and (II) Authorizing and Directing Financial*
 18 *Institutions to Honor Checks Related to Such Obligations;*
- 19 6. *Debtor's Motion for an Order (1) Prohibiting Utility Providers from*
 20 *Altering, Refusing or Discontinuing Service; (2) Authorizing Ordinary*
 21 *Course Payments to Utility Providers; (3) Deeming Utility Providers*
 22 *Adequately Assured of Future Performance; and (4) Establishing Procedures*
 23 *for Determining Requests for Additional Adequate Assurance;*
- 24 7. *Debtor's Emergency Motion for Order Pursuant to 11 U.S.C. §§363, 1107*
 25 *and 1108 (I) Authorizing Continued Use of Cash Management System, Bank*
 26 *Accounts and Business Forms; and (II) Granting Related Relief; and*
- 27 8. *Application for Order Authorizing Employment of The Garden City Group,*
 28 *Inc. as Claims and Noticing Agent.*

23 **NOTICE IS FURTHER GIVEN** that the Emergency First Day Motions are available
 24 electronically through the Court's CM/ECF system at <http://ecf.nvb.uscourts.gov> (PACER account
 25 required) and free of charge from the website maintained by the Garden City Group, Inc. at
 26 <http://www.awdevelopmentreorg.com>. Copies of the Emergency First Day Motions may also be
 27 obtained by contacting Debtor's proposed reorganization counsel, Fox Rothschild, LLP, Attn: Patricia
 28 Kois, Telephone: (702) 262-6899.

1 **NOTICE IS FURTHER GIVEN** that any response, including any opposition or objection, to
2 the Emergency First Day Motions must be in writing and must, by **March 6, 2012** at **10:00 a.m.**, (1) be
3 filed with the Court, (2) delivered to chambers and (3) received by the following parties by email or
4 facsimile:

5 a. The Office of the United States Trustee:

6 Office of the United States Trustee
7 Attn: August B. Landis
8 300 Las Vegas Blvd. South, Suite 4300
9 Las Vegas, NV 89101
10 Facsimile: (702) 388-6658
11 Email: augie.landis@usdoj.gov

12 b. Debtor’s proposed counsel:

13 Fox Rothschild LLP
14 Attention: Brett A. Axelrod, Esq. and Micaela Rustia Moore, Esq.
15 3800 Howard Hughes Pkwy., Suite 500
16 Las Vegas, Nevada 89169
17 Facsimile: (702) 597-5503
18 Email: baxelrod@foxrothschild.com; mmoore@foxrothschild.com

19 c. Counsel to California Bank & Trust, as Administrative Agent:

20 Snell & Wilmer L.L.P.
21 Attention: Donald Gaffney, Esq. and Donald Ennis, Esq.
22 One Arizona Center
23 400 East Van Buren
24 Phoenix, Arizona 85004-2202
25 Facsimile: (602) 382-6070
26 Email: dgaffney@swlaw.com; dfennis@swlaw.com

27 **NOTICE IS FURTHER GIVEN** that any party that wishes to participate telephonically in the
28 above-referenced hearing must obtain authorization from the Court and then contact Court Call at
(866) 582-6878, to make arrangements. Additional information regarding telephonic appearances is
available at <http://www.nvb.uscourts.gov/judges/procedures/court-call/>.

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1 Prepared and respectfully submitted by:

2 **FOX ROTHSCHILD LLP**

3 By _____ s/Brett A. Axelrod

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