

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:	)	
	)	Chapter 11
Hawthorne Race Course, Inc., <i>et al.</i> , ¹	)	
	)	Case No. 26-03505
	)	
Debtors.	)	Joint Administration Requested
	)	

**DEBTORS' MOTION TO AUTHORIZE PAYMENT OF DEPOSITS
AS ADEQUATE ASSURANCE OF PAYMENT FOR UTILITY SERVICES**

Hawthorne Race Course, Inc. (“**Hawthorne**”) and its affiliated debtors and debtors in possession (the “**Debtors**”), by and through their undersigned proposed counsel, hereby file this motion (the “**Motion**”), pursuant to 366 of the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.* (the “**Bankruptcy Code**”), for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “**Proposed Order**”), authorizing a procedure for paying deposits as adequate assurance of payment for utility services. In support of the Motion, the Debtors rely on and incorporate by reference the *Declaration of Timothy S. Carey in Support of Chapter 11 Petitions and First Day Relief* (the “**First Day Declaration**”),² and respectfully represent as follows:

JURISDICTION AND VENUE

1. The United States Bankruptcy Court for the Northern District of Illinois (the “**Court**”) has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before the Court

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Hawthorne Race Course, Inc., (2284); Carey Heirs Properties, LLC, (2654); Suburban Downs, Inc., (2457); and Post Time Catering, Inc., (3590). The Debtors’ mailing address is 3501 S. Laramie Ave, Stickney, IL 60804.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the First Day Declaration.

pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The predicate for the relief requested herein is section 366 of the Bankruptcy Code.

BACKGROUND

2. On February 27, 2026 (the “**Petition Date**”), the Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code. Since the Petition Date, the Debtors have remained in possession of their assets and have continued to operate their businesses under the jurisdiction of this court as debtors in possession in accordance with 11 U.S.C. §§ 1107 and 1108.

3. Neither a trustee nor a committee of unsecured creditors has been appointed in the Debtors’ Chapter 11 Cases (the “**Chapter 11 Cases**”). Concurrently with the filing of this Motion, the Debtors have filed motions seeking joint administration of the Chapter 11 Cases; anticipating no objections to these motions, and in the interest of efficiency, this Motion has only been filed in the above-captioned proposed lead case, that of Hawthorne Race Course, Inc.

4. The Debtors operate a horse racing and wagering business centered on live thoroughbred and standardbred racing in Illinois. The Debtors generate revenue through parimutuel wagering, a large network of off-track betting locations, and sports wagering operations. In 2019, the Debtors began developing Illinois’ first Racino entertainment complex featuring both casino-style wagering and horseracing.

5. In the ordinary course, the Debtors use water, electricity, gas, telephone, internet, and other services of the same general type or nature (each a “**Utility Service**,” and together, the “**Utility Services**”) provided by various utility companies and other providers (each a “**Utility Company**,” and together, the “**Utility Companies**”), including the Utility Companies set forth in the lists attached hereto as **Exhibit B** and incorporated herein by reference, which provide

service to the Debtors, as the case may be.¹

6. Maintaining uninterrupted Utility Services is essential to the Debtors' continued operations of their business. The Debtors' operations have over 40 separate utility accounts from over 15 different Utility Companies. Should the Utility Companies refuse or discontinue service, even for a brief period, the Debtors' business would be adversely impacted and the Debtors' efforts to sell the business as a going concern would be jeopardized. It is therefore critical that the Utility Services provided by the Utility Companies continue without interruption.

RELIEF REQUESTED

7. In accordance with 11 U.S.C. § 366, and based on the adequate assurance of future payment as further contemplated herein, the Debtors request that this Court enter an order:

- a. Implementing procedures (in the form and manner hereinafter discussed) to provide adequate assurance of payment to the Utility Companies;
- b. Deeming the cash deposit approximately equal to one-half (1/2) the average monthly invoice or bill the Debtors received from each Utility Company as calculated over a twelve (12) month period prior to the Petition Date (each a **"Utility Deposit,"** and together, the **"Utility Deposits"**) to constitute adequate assurance of payment of the Utility Companies under 11 U.S.C. § 366(b) and (c); and
- c. Prohibiting the Utility Companies from altering, refusing to provide, or discontinuing the Utility Services, or discriminating against the Debtors solely on the basis of the commencement of the Chapter 11 Cases or on account of

¹ The inclusion of, or failure to include, any entity in Exhibit A is not an admission by the Debtors that such entity is or is not a "utility" within the meaning of 11 U.S.C. § 366, and the Debtors reserve the right to modify this list as may be appropriate.

any unpaid invoice for services provided prior to the Petition Date, unless:

- i. the Debtors fail to make their monthly payments for services utilized after the Petition Date;
 - ii. a Utility Company gives written notice of said failure to make the required payments to (i) to the Debtors, 3501 S. Laramie Ave, Stickney, IL 60804 (ii) to the Debtors' counsel, Barry A. Chatz, Esq., 161 North Clark Street, Suite 4200, Chicago, IL 60601, (iii) counsel to the committee of general unsecured creditors, if appointed (the "**Notice**"); and
 - iii. the Debtors subsequently fail to cure said default within ten (10) business days of their receipt of the Notice; and
- d. Prohibiting a Utility Company from seeking additional Utility Deposits from the Debtors in the event such Utility Company applies a setoff of any prepetition deposit(s) against debts that arose from prepetition Utility Services, if any.

8. Section 366 of the Bankruptcy Code provides in relevant part:

(a) Except as provided in subsections (b) and (c) of this section, a utility may not alter, refuse, or discontinue service to, or discriminate against, the trustee or the debtor solely on the basis of the commencement of a case under this title or that a debt owed by the debtor to such utility for service rendered before the order for relief was not paid when due.

...

(c)(2) Subject to paragraphs (3) and (4) [of subsection (c)], with respect to a case filed under chapter 11, a utility referred to in subsection (a) may alter, refuse, or discontinue utility service, if during the 30-day period beginning on the date of the filing of the petition, the utility does not receive from the debtor or the trustee adequate assurance of payment for utility service that is satisfactory to the utility.

11 U.S.C. § 366.

9. Section 366 serves to protect a chapter 11 debtor against termination of its various utility services immediately upon the entry of an order for relief, while simultaneously providing utility companies with adequate assurance of future payment for postpetition services. *See* H.R. Rep. No. 95-595, at 350 (1977), reprinted in 1978 U.S.C.C.A.N. 6306.

10. The 2005 amendments to the Bankruptcy Code added a definition of “assurance of payment” as one of the following:

- a. a cash deposit;
- b. a letter of credit;
- c. a certificate of deposit;
- d. a surety bond;
- e. a prepayment of utility consumption; or
- f. another form of security that is mutually agreed upon between the utility and the debtor or the trustee.

11 U.S.C. § 366(c)(1)(A).

11. In order to provide the Utility Companies with adequate assurance of payment for postpetition Utility Services, the Debtors propose to provide each Utility Company with the option to receive a Utility Deposit. As a result, the Debtors must, upon request, pay Utility Deposits to provide adequate assurance of payment to the Utility Companies totaling \$129,733.

12. However, upon termination of a Utility Service, the Debtors request the Court to require the Utility Company to apply the entire Utility Deposit to the final amount due for postpetition service only before returning any excess amounts or sending a final bill if the deposit did not cover the total amount due.

13. As of the Petition Date, certain of the Utility Companies may have had outstanding accounts receivable against the Debtors. The Utility Deposits, however, shall not be applied to any such prepetition debts. Pursuant to 11 U.S.C. §§ 362(a)(7) and 366(c)(4), the Utility Companies may only apply a setoff of any prepetition deposits against prepetition debts of the Debtors.

14. The Debtors request that they be allowed ten (10) days from the date of receipt of a written request to make a Utility Deposit with the requesting Utility Company. In addition to the relief requested above, the Debtors further seek entry of an order by which the Utility Companies are deemed to have adequate assurance of payment under 11 U.S.C. § 366(b) and (c).

15. The Debtors propose to serve via U.S. Mail any related order, once entered, upon all the Utility Companies.

16. As the relief sought herein pertains to all of the Debtors' Utility Companies, the Debtors also seek this Court's authorization to supplement (as and if needed) the lists of Utility Companies on **Exhibit B** with any Utility Companies not currently scheduled but subsequently identified.

17. The uninterrupted provision of the Utility Services is vital to the Debtors' operations and thus the success of the Chapter 11 Cases, and the Debtors therefore submit that the relief requested herein is in the best interests of their respective estates and creditors. The proposed method for furnishing assurance of payment for postpetition Utility Services through a deposit upon request is consistent with the protections and requirements of section 366 of the Bankruptcy Code, and is not prejudicial to any Utility Company.

NOTICE

18. Notice of the filing of this Motion and the hearing scheduled therefor has been

provided by CM/ECF, overnight delivery, and/or facsimile to (a) the Office of the United States Trustee for Region 11; (b) each of the Debtors' 20 largest unsecured creditors pursuant to Bankruptcy Rule 1007(d); (c) counsel to the Debtors' senior secured lender, Signature Bank; and (d) all other parties who have requested service of all filings via the Court's CM/ECF system. In light of the nature of the relief requested, the Debtors submit that no other or further notice is required.

WHEREFORE, the Debtors respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and proper.

Dated: February 27, 2026

SAUL EWING LLP

By: /s/ Barry A. Chatz

Barry A. Chatz (ARDC# 6196639)

David A. Golin (ARDC# 6180517)

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Chicago, Illinois 60601

Telephone: (312) 876-7100

Email: barry.chatz@saul.com

david.golin@saul.com

Proposed Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:	)	
	)	Chapter 11
	)	
Hawthorne Race Course, Inc., <i>et al.</i> , ¹	)	Case No. 26-03505
	)	
Debtors.	)	Joint Administration Requested
	)	
	)	

NOTICE OF MOTION

PLEASE TAKE NOTICE that on Monday, March 2, 2026 at 12:00 p.m. CDT, we will appear before the Honorable Judge Deborah L. Thorne or any judge sitting in that judge's place, either in courtroom 682 of the Dirksen Federal Building, 219 S. Dearborn Street, Chicago, IL 60604 or electronically as described below, and present the **Debtors' Motion to Authorize Payment of Deposits as Adequate Assurance of Payment for Utility Services**, copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the Internet, go to this link: <https://www.zoomgov.com>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and Passcode. The meeting ID for this hearing is 160 9362 1728 and the passcode is No Passcode Required. The meeting ID and passcode can also be found on the judge's page on the court's web site.

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If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days, before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

SAUL EWING LLP

By: /s/Barry A. Chatz

Barry A. Chatz (ARDC# 6196639)

David A. Golin (ARDC# 6180517)

161 North Clark Street, Suite 4200

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david.golin@saul.com

Proposed Counsel for Debtors and Debtors in Possession

EXHIBIT A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:	)	
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Hawthorne Race Course, Inc., <i>et al.</i> , ¹	)	
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**ORDER GRANTING MOTION TO AUTHORIZE PAYMENT OF
DEPOSITS AS ADEQUATE ASSURANCE OF PAYMENT
FOR UTILITY SERVICES**

Upon consideration of the motion (the “**Motion**”)² pursuant to 11 U.S.C. § 366, for an order authorizing the Debtors, upon request, to provide adequate assurance of payment for utility services in the form of the Utility Deposits (as defined below), and prohibiting the respective providers of such services to the Debtors (each a “**Utility Company**,” and together, the “**Utility Companies**”) from discontinuing service unless certain conditions are met, all as more fully set forth in the Motion; and the Court having found that (i) the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (iv) notice of the Motion was adequate and appropriate under the circumstances; and the Court having reviewed the Motion and the First Day Declaration in support thereof; and the Court having considered the statements of counsel and the evidence adduced with respect to the Motion at a hearing held before this Court (the “**Hearing**”); and the Court having

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

determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor:

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, as set forth herein.
2. Absent any further order of the Court to the contrary, each of the Utility Companies providing service to the Debtors, including but not limited to the list of Utility Companies set forth in Exhibit B attached to the Motion and made a part hereof, shall not alter, refuse, or discontinue service to, or discriminate against, the Debtors solely on the basis of the commencement of either or both of the chapter 11 cases or on account of any unpaid invoice for service provided prior to the petition date, unless:
 - a. the Debtors fail to make their monthly payments for the applicable Utility Company's services utilized after the petition date (a "**Default**");
 - b. the applicable Utility Company gives written notice of said Default (i) to the Debtors, 3501 S. Laramie Ave, Stickney, IL 60804, (ii) to the Debtors' counsel, Barry A. Chatz, Esq., 161 North Clark Street, Suite 4200, Chicago, IL 60601, (iii) counsel to the committee of general unsecured creditors if appointed (the "**Notice**"); and
 - c. the Debtors subsequently fail to cure said Default within ten business (10) days after receipt of the Notice.
3. In the event of a Default, the applicable Utility Company may, without further action of the Court, alter, refuse, or discontinue service only in the event the Utility Company serves the Notice of the Default and the Debtors fail to timely cure thereafter.

4. Subject to any order of this Court authorizing the Debtors' use of debtor-in-possession financing or cash collateral, the Debtors are hereby authorized, within ten (10) days of receipt of a request in writing by a Utility Company, to pay to each requesting Utility Company a cash deposit approximately equal to one-half (1/2) the average monthly invoice or bill the Debtor received from such Utility Company as calculated over a twelve (12) month period prior to the petition date (each a "**Utility Deposit**," and together, the "**Utility Deposits**"), as specifically set forth in Exhibit B attached to the Motion.

5. Absent further notice, hearing and order of the Court in accordance with 11 U.S.C. § 366(c)(3)(A), each of the Debtors' Utility Deposits shall be deemed to constitute adequate assurance of payment under 11 U.S.C. § 366(b) and (c) with respect to the Utility Companies.

6. The Utility Companies are prohibited from applying the Utility Deposits or any portion thereof to any amount(s) owed by the Debtors as of the petition date.

7. Nothing contained in the Motion or this order shall be deemed to grant administrative-expense priority treatment to any claim that may be asserted by or on behalf of any Utility Company for any amount that is not an actual and necessary cost or expense of preserving the applicable Debtor's estate.

8. The Debtors shall serve a copy of this order via U.S. Mail upon each of the Utility Companies listed on Exhibit B to the Motion and file proof thereof with the Court.

9. If an additional Utility Company or account number not currently appearing on Exhibit B to the Motion is identified by the Debtors, the Debtors shall file with the Court a supplement to Exhibit B to the Motion adding the names of such additional Utility Company or account number, and upon serving a copy of this order upon such additional Utility Company, the

terms of this order will be deemed to apply to such additional Utility Company or account number, unless modified by the Court after notice and a hearing.

10. Neither the inclusion of, nor the failure to specify, any Utility Company by name in the Motion or this order shall be deemed an admission by the Debtors that such entity is, or is not, as the case may be, a utility within the meaning of 11 U.S.C. § 366, and the Debtors shall be deemed to have reserved all of their rights with respect thereto.

11. Upon a Debtor's termination of a Utility Service, the Utility Company must apply the entire Utility Deposit to the final amount due for postpetition service only before returning any excess amounts to the Debtor or sending a final bill if the Utility Deposit did not cover the total amount due.

12. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2026

UNITED STATES BANKRUPTCY JUDGE

Exhibit B

List of Utility Companies

HAWTHORNE RACE COURSE
Utilities Schedule

B - List of Utility Companies Page 2 of 2

Name	Address	Account Number	Service Type	Average Monthly Billing (\$)
ACC BUSINESS	PO BOX 5019 CAROL STREAM, IL 60197-5019	831-001-50120 845	Telecommunications	\$ 170
AQUA ILLINOIS, INC	762 W LANCASTER AVENUE BRYN MAWR, PA 19010-3489	002798567 1542236	Water	600
AT&T	P.O. BOX 9009 CAROL STRAM, IL. 60197-9009	8310010193751	Telecommunications	4,311
AT&T	P.O. BOX 9009 CAROL STRAM, IL. 60197-9009	8310012803529	Telecommunications	2,324
AT&T	P.O. BOX 9009 CAROL STRAM, IL. 60197-9009	8310007060723	Telecommunications	1,450
AT&T MOBILITY	P.O. BOX 6463 CAROL STREAM, IL. 60197-6463	287262403854	Telecommunications	620
BUREAU OF WATER & SEWER	TOWN OF CICERO 4949 W. CERMAK RD CICERO, IL. 60804	50608278	Water	37,800
COMCAST Crestwood	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771401740127770	Internet	365
COMCAST Evergreen Park	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771401080340480	Internet	380
COMCAST Joliet	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771201421741030	Internet	566
COMCAST McHenry	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771100440663820	Internet	491
COMCAST North Aurora	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771200610435800	Internet	405
COMCAST Oakbrook	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771200900111940	Internet	1,335
COMCAST Prospect	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771100740372960	Internet	507
COMCAST Rockford	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771103453429000	Internet	565
COMCAST Villa Park	P.O. BOX 4089 CAROL STREM, IL. 60197-4089	8771200090604140	Internet	626
Comcast S/B	P.O. BOX 4089 CAROL STREAM, IL. 60197-4089	708737795	Telecommunications	3,016
COMCAST BUSINESS	PO BOX 4089 CAROL STREAM, IL 60197-4089	8771201240968780	Telecommunications	669
COMCAST BUSINESS	PO BOX 4089 CAROL STREAM, IL 60197-4089	8771201240974880	Telecommunications	669
COMED-HRC current vendor (replaced Constellation)	P.O. BOX 6111 CAROL STREAM, IL. 60197-6111	2805253000	Electric	24,291
COMED-3704 S Cicero	P.O. BOX 6111 CAROL STREAM, IL. 60197-6112	2056384000	Electric	32
COMED-Crestwood current vendor (replaced Constellation)	PO BOX 6111 CAROL STREAM, IL 60197-6111	3690217000	Electric	6,494
COMED-Oakbrook Terrace current vendor (replaced Constellation)	PO BOX 6111 CAROL STREAM, IL 60197-6111	4053868000	Electric	13,299
HRC Directv	PO BOX 5006 CAROL STREAM, IL 60197-5006	027240742	Telecommunications/TV	842
DIRECTV S/B	PO BOX 5006 CAROL STREAM, IL 60197-5006	050800284	Telecommunications/TV	3,145
DIRECTV Crestwood S/B	PO BOX 5006 CAROL STREAM, IL 60197-5006	063265468	Telecommunications/TV	3,773
DIRECTV Prospect	PO BOX 5006 CAROL STREAM, IL 60197-5006	081024047	Telecommunications/TV	1,480
DIRECTV Villa Park	PO BOX 5006 CAROL STREAM, IL 60197-5006	022058169	Telecommunications/TV	2,129
DIRECTV Evergreen Park	PO BOX 5006 CAROL STREAM, IL 60197-5006	045268020	Telecommunications/TV	257
DIRECTV Joliet	PO BOX 5006 CAROL STREAM, IL 60197-5006	035294056	Telecommunications/TV	285
DIRECTV Lansing	PO BOX 5006 CAROL STREAM, IL 60197-5006	063159836	Telecommunications/TV	260
DIRECTV Oakbrook	PO BOX 5006 CAROL STREAM, IL 60197-5006	057110621	Telecommunications/TV	1,084
FLAGG CREEK	7001 N. FRONTAGE ROAD BURR RIDGE, IL 60527	121473-000	Water	257
FLOOD BROTHERS	PO BOX 7800 CAROL STREAM, IL 60197-7800	01-0079376 9	Waste	588
METROPOLITAN WATER	RECLAMATION DISTRICT P.O. BOX 95089 CHICAGO, IL. 60694-5089	26180	Water	1,940
NEXTERA ENERGY SERVICES MIDWEST, LLC	29120 NETWORK PLACE CHICAGO, IL. 60673-1291	400321	Electric	11,206
NICOR GAS	P.O. BOX 5407 CAROL STREAM, IL. 60197-5407	68-50-47-0000 3	Gas	295
RINGCENTRAL INC.	P.O. BOX 73432 DALLAS, TX 75373-4232	1739965015	Telecommunications	4,803
VERIZON WIRELESS	P.O. BOX 16810 NEWARK, NJ 07101-6810	480341597-00001	Telecommunications	1,807
VILLAGE OF CRESTWOOD	13840 S CICERO CRESTWOOD, IL 60418	3153148	Water	307
VILLAGE OF STICKNEY	6533 W. PERSHING RD STICKNEY, IL. 60402-4048	101906/101907	Water	55,772
WASTE MANAGEMENT-Crestwood	PO BOX 4648 CAROL STREAM, IL 60197-4648	16-82526-33003	Waste	819
WASTE MANAGEMENT-HRC	PO BOX 4648 CAROL STREAM, IL 60197-4648	30-07341-23006	Waste	67,430
WASTE MANAGEMENT-HRC	PO BOX 4648 CAROL STREAM, IL 60197-4648	7-86482-13009	Waste	included in above amount
WASTE MANAGEMENT-HRC	PO BOX 4648 CAROL STREAM, IL 60197-4648	7-48367-93002	Waste	included in above amount
			Total:	\$ 259,465

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determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor:

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, as set forth herein.
2. Absent any further order of the Court to the contrary, each of the Utility Companies providing service to the Debtors, including but not limited to the list of Utility Companies set forth in Exhibit B attached to the Motion and made a part hereof, shall not alter, refuse, or discontinue service to, or discriminate against, the Debtors solely on the basis of the commencement of either or both of the chapter 11 cases or on account of any unpaid invoice for service provided prior to the petition date, unless:
 - a. the Debtors fail to make their monthly payments for the applicable Utility Company's services utilized after the petition date (a "**Default**");
 - b. the applicable Utility Company gives written notice of said Default (i) to the Debtors, 3501 S. Laramie Ave, Stickney, IL 60804, (ii) to the Debtors' counsel, Barry A. Chatz, Esq., 161 North Clark Street, Suite 4200, Chicago, IL 60601, (iii) counsel to the committee of general unsecured creditors if appointed (the "**Notice**"); and
 - c. the Debtors subsequently fail to cure said Default within ten business (10) days after receipt of the Notice.
3. In the event of a Default, the applicable Utility Company may, without further action of the Court, alter, refuse, or discontinue service only in the event the Utility Company serves the Notice of the Default and the Debtors fail to timely cure thereafter.

4. Subject to any order of this Court authorizing the Debtors' use of debtor-in-possession financing or cash collateral, the Debtors are hereby authorized, within ten (10) days of receipt of a request in writing by a Utility Company, to pay to each requesting Utility Company a cash deposit approximately equal to one-half (1/2) the average monthly invoice or bill the Debtor received from such Utility Company as calculated over a twelve (12) month period prior to the petition date (each a "**Utility Deposit**," and together, the "**Utility Deposits**"), as specifically set forth in Exhibit B attached to the Motion.

5. Absent further notice, hearing and order of the Court in accordance with 11 U.S.C. § 366(c)(3)(A), each of the Debtors' Utility Deposits shall be deemed to constitute adequate assurance of payment under 11 U.S.C. § 366(b) and (c) with respect to the Utility Companies.

6. The Utility Companies are prohibited from applying the Utility Deposits or any portion thereof to any amount(s) owed by the Debtors as of the petition date.

7. Nothing contained in the Motion or this order shall be deemed to grant administrative-expense priority treatment to any claim that may be asserted by or on behalf of any Utility Company for any amount that is not an actual and necessary cost or expense of preserving the applicable Debtor's estate.

8. The Debtors shall serve a copy of this order via U.S. Mail upon each of the Utility Companies listed on Exhibit B to the Motion and file proof thereof with the Court.

9. If an additional Utility Company or account number not currently appearing on Exhibit B to the Motion is identified by the Debtors, the Debtors shall file with the Court a supplement to Exhibit B to the Motion adding the names of such additional Utility Company or account number, and upon serving a copy of this order upon such additional Utility Company, the

terms of this order will be deemed to apply to such additional Utility Company or account number, unless modified by the Court after notice and a hearing.

10. Neither the inclusion of, nor the failure to specify, any Utility Company by name in the Motion or this order shall be deemed an admission by the Debtors that such entity is, or is not, as the case may be, a utility within the meaning of 11 U.S.C. § 366, and the Debtors shall be deemed to have reserved all of their rights with respect thereto.

11. Upon a Debtor's termination of a Utility Service, the Utility Company must apply the entire Utility Deposit to the final amount due for postpetition service only before returning any excess amounts to the Debtor or sending a final bill if the Utility Deposit did not cover the total amount due.

12. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2026

UNITED STATES BANKRUPTCY JUDGE