

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

IN RE:) **No. 19-bk-14730-SDR**
)
FIRST CLASS PRINTING, INC.,) **Chapter 11**
)
Debtor.) **Hon. Shelley D. Rucker**

MOTION FOR ORDER APPROVING SALE OF PROPERTY

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on this matter on May 21, 2020, at 11:00 a.m. EDT. Given the current public health crisis, hearings may be telephonic only. Please check the court's website www.tneb.uscourts.gov prior to the hearing for instructions on whether to appear in person or by telephone. Information on how to call in and participate is also posted on the website.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing (in person or by telephone as directed by the court's website at the address above). If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Comes now First Class Printing, Inc. (the "Debtor"), by and through counsel, and hereby moves the Court to authorize the sale, pursuant to Section 363 of Title 11 of the United States Code (the "Bankruptcy Code") and Local Rule 6004-1, of certain assets of the Debtor as set forth below. In support of this Motion, Debtor would state as follows:

1. For approximately 28 years the Debtor has operated a printing business based in Lincoln County, Tennessee.
2. On November 6, 2019 (the "Petition Date"), the Debtor filed a voluntary petition in the United States Bankruptcy Court for the Middle District of Tennessee for relief under

Chapter 11 of the Bankruptcy Code. Pursuant to Sections 1107 and 1108 of the Bankruptcy Code, the Debtor is continuing to operate its business as a Debtor-In-Possession. No trustee or examiner has been appointed in this case, nor has any official creditors' or equity security holders' committee been formed.

3. The Court set a deadline of March 2, 2020, to file proofs of claim in this case.

4. The Debtor owns certain assets, including equipment, that are subject to the interests of creditors.

5. The Debtor has identified a potential purchaser of certain of its assets.

RELIEF REQUESTED

6. Pursuant to Section 363 of the Bankruptcy Code, the Debtor requests the Court to authorize the sale of certain assets (the "Purchased Assets"), consisting of the equipment listed in the attached exhibit, to Colonial Printing Company (the "Buyer").

7. The consideration to be received by the estate from the Buyer on account of the purchase of the Purchased Assets totals \$60,000.00.

8. The amount Buyer is willing to pay for the Purchased Assets is lower than the values provided in the Debtor's Schedules. This is the result of several factors. The Schedules were filed November 6, 2019, well before the onset of a global pandemic and nationwide state of emergency that has severely impacted the economy. The Buyer has indicated that equipment of the type included in the Purchased Assets is readily available very inexpensively. The prohibition on use of cash collateral has effectively cut-off the Debtor's business operations, resulting in a quick drop in the value of the Debtor's assets. There are many liens on the Purchased Assets such that selling the assets outside of bankruptcy will be difficult, time consuming and expensive, thus, likely precluding any non-bankruptcy sale. A 363 sale as part of

this bankruptcy case is the best and most efficient way for creditors to realize some recovery on these assets. The Buyer has indicated that certain pieces of equipment included in the Purchased Assets would be used immediately in the Buyer's business. If this equipment is not quickly sold to Buyer, the Buyer will obtain the equipment from other sources, resulting in a loss of interest in these assets.

9. The following hold or may hold a lien or interest in the Purchased Assets:

<u>Lien or interest holder</u>	<u>Amount of claim</u>
First Class Printing, Inc.	ownership
First Commerce Bank	\$392,507.00
Peoples Bank	\$98,378.00
Internal Revenue Service – Dept. of Treasury	\$176,098.00
Financial Pacific Leasing	\$46,808.00
Franklin Synergy	\$155,520.00
Complete Business Solutions Group	unknown
Mayfair Business Capital	unknown
Channel Partners	unknown
Knight Capital Funding	unknown

10. A sale free and clear of all liens and interests is sought pursuant to Section 363(f)(2) of the Bankruptcy Code.

11. All liens and interests in the Purchased Assets will attach to the proceeds from the sale to the same extent and in the same priority as those liens and interests presently exist.

WHEREFORE, the Debtor respectfully request entry of an Order, substantially in the form attached hereto, which authorizes the sale of the Purchased Assets to the Buyer free and clear of all liens and other interests, authorizes the Debtor to execute all documents necessary to transfer ownership of the Purchased Assets to the Buyer and grants such other relief as is just and appropriate.

Respectfully submitted,

/s/ Steven L. Lefkovitz

Steven L. Lefkovitz

Attorney for Debtor-in-possession

618 Church Street, Suite 410

Nashville, Tennessee 37219

Phone: (615) 256-8300

Fax: (615) 255-4516

slefkovitz@lefkovitz.com

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2020, I have caused a true and correct copy of the foregoing to be sent by electronic delivery to all parties consenting to service through the Court's CM/ECF system and by U.S. Mail, postage pre-paid, to the following:

A & A Die Company
2197 Irvindale Dr
Atlanta, GA 30341

CIT Bank NA
P.O. Box 593007
San Antonio, TX 78259

First Class Printing, Inc.
PO Box 877
Fayetteville, TN 37334

Steven L. Lefkowitz
Lefkowitz & Lefkowitz
Suite 410
618 Church Street
Nashville, TN 37219

United States Trustee
Historic U.S. Courthouse
31 E. Eleventh Street
Fourth Floor
Chattanooga, TN 37402

ACPO LTD
P.O. Box 637686
Cincinnati, OH 45263

CIT SMALL BUS LENDING
PO BOX 1529
LIVINGSTON NJ 07039

Fujifilm North America
Graphic Systems Division
3826 Willow Lake Blvd
Memphis, TN 38118

American Express
P.O. Box 650448
Dallas, TX 75265

Complete Business Solutns Grp
c/o Miles and Stockbridge PC
100 Light St 4th Fl
Baltimore, MD 21202

Innovative Graphic Sols
1781 Cong Wl Dickenson Dr
Montgomery, AL 36117

Ameripride Services
PO Box 1564
Bemidji, MN 56619

Complete Business Solutns Grp
22 N 3rd St
Philadelphia, PA 19106

K & S
510 Country Club Dr
Tullahoma, TN 37388

Athens Paper Company
Po Box 291329
Nashville, TN 37229

Fayetteville Public Utilities
Po Box 120
Fayetteville, TN 37334

Konica Minolta
21146 Network Place
Chicago, IL 60673

Blue Cross Blue Shield of TN
PO Box 6539
Carol Stream, IL 60197

Fedex
PO Box 94515
Palatine, IL 60094

Laminator.com
27885 Irma Lee Circle #105
Lake Forest, IL 60045

BTM Solutions
972 Yorkville Rd East
Columbus, MS 39702

Financial Pacific
PO Box 4568
Federal Way, WA 98063

Mayfair Bus/Panthers Cap
1022 Avenue M
Brooklyn, NY 11230

Calvin Bruce Tanner
Po Box 877
Fayetteville, TN 37334

First Commerce Bank
304 College St
Fayetteville, TN 37334

Monarch Color Corp
1854 Air Lane Dr Ste 4
Nashville, TN 37210

Capital One
Spark Business
Po Box 71083
Charlotte, NC 28272

FIRST COMMERCE BANK
PO BOX 1098
LEWISBURG TN 37091

Novacopy
7251 Appling Farms Pkwy
Memphis, TN 38133

CCM Die
531 Corning Way
Martinsburg, WV 25401

Fleet Management
Processing Center
Po Box 689010
Des Moines, IA 50368

Peoples Bank
c/o W Andrew Yarbrough
PO Box 456
Waynesboro, TN 38485

PEOPLES BANK
210 Dexter L Woods Memorial Blvd
Waynesboro, TN 38485

UPS
Lockbox 577
Carol Stream, IL 60132

Philadelphia Co Ct of Cmn Pls
Room 296 City Hall
Philadelphia, PA 19107

UPS Freight
PO Box 533238
Charlotte, NC 28290

Printech Equipment
1-1500 Valmont Way
Richmond, BC V6V1X4CA

Wayne County Chancery Court
1060 Andrew Jackson Dr
Waynesboro, TN 38485

Rae Products
1203 N Main St
Mount Pleasant, TN 38474

Wilmer
Po Box 804655
Dallas, TX 75284

Robert J Young Co
PO Box 415000
Nashville, TN 37241

Worthen
PO Box 847125
Boston, MA 02284

Rotometrics
800 Howerton Lane
Eureka, MO 63025

Xerox Capital Services
1303 Ridgeview Dr
Lewisville, TX 75057

Schwartz & Stafford
8625 Crown Crescent Ct Ste 110
Charlotte, NC 28227

Spectrum Business/Charter
PO Box 42614
Cincinnati, OH 45274

State Systems Inc.
Po Box 372 Dept 90
Memphis, TN 38101

TBF Financial
c/o Garner and Conner
250 High St.
P.O. Box 5059
Maryville, TN 37802

Daniel H. Puryear, Esq.
104 Woodmont Boulevard
Woodmont Centre, Suite 201
Nashville, TN 37205

Justin T. Campbell
Thompson Burton PLLC
One Franklin Park
6100 Tower Circle, Suite 200
Franklin, TN 37067

David Holesinger
U.S. Department of Justice
Office of the U.S. Trustee
31 East 11th Street, 4th Floor
Chattanooga, TN 37402

Teri Hasenour Gordon
P.O. Box 1075
Columbia, TN 38402-1075

Joseph J. Jensen
J3LAW
P. O. Box 682305
Franklin, Tennessee 37068-2305

TBF Financial, LLC
740 Waukegan Rd., Ste. 404
Deerfield, IL 60015

Uline, Inc.
12575 Uline Drive
Pleasant Prairie, WI 53158

Robert J Young Co
730A Freeland Station Road
Nashville, TN 37228

Financial Pacific Leasing, Inc
3455 S. 344th Way, Suite 300
Federal Way, WA 98001

PEOPLES BANK
210 Dexter L Woods Memorial Blvd
Waynesboro, TN 38485

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Franklin Synergy Bank
Attn: Mr. Eddie A. Maynard, Jr.
722 Columbia Avenue
Franklin, Tennessee 37064

Capital One Bank (USA), N.A.
4515 N Santa Fe Ave
Oklahoma City, OK 73118

FIRST COMMERCE BANK
PO BOX 1098
LEWISBURG TN 37091

Athens Paper Company, Inc.
1898 Elm Tree Drive
Nashville, TN 37210

State Systems Inc.
Po Box 372 Dept 90
Memphis, TN 38101

Internal Revenue Service
PO Box 7346
Philadelphia, Pa 19101

XEROX CORPORATION
ATTN: V.O. ADAMS
P O BOX 660506
DALLAS, TX 75266-9937

Euler Hermes North America Insurance Co.
Agent of Athens Paper Company, Inc.
800 Red Brook Blvd.
Owings Mills, MD 21117

CIT BANK, N.A.
10201 CENTURION PARKWAY NORTH
SUITE 100
JACKSONVILLE, FL 32256

CHANNEL PARTNERS CAPITAL, LLC
11100 WAYZATA BLVD STE 305
MINNETONKA, MN 55305

CHANNEL PARTNERS FUNDING I LLC
6487 SYCAMORE CT N
MAPLE GROVE, MN 55369

MONROE CAPITAL MANAGEMENT
ADVISORS, LLC
311 SOUTH WACKER DRIVE SUITE 6400
CHICAGO, IL 60606

C T CORPORATION SYSTEM, AS
REPRESENTATIVE
330 N BRAND BLVD
STE 700 ATTN SPRS
GLENDALE, CA 91203

PEOPLES BANK
129 MAIN ST
CLIFTON, TN 38425-5545

KNIGHT CAPITAL FUNDING
9 E LOOCKERMAN ST
STE 3A-543
DOVER, DE 19901-8306

MAYFAIR BUSINESS CAPITAL LLC
7 HENRY CT
SUFFERN, NY 10901

COMPLETE BUSINESS SOLUTIONS
GROUP, INC.
22 N 3RD ST
PHILADELPHIA, PA 19106-2113

/s/ Steven L. Lefkovitz
Steven L. Lefkovitz