

SIGNED.



Dated: June 06, 2008

James M. Marlar
JAMES M. MARLAR
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

<p>10 In re:</p> <p>11 PHILLIP BRIAN STONICH and TERESA</p> <p>12 MARIE STONICH,</p> <p>13 _____ Debtors.</p> <p>14 In re:</p> <p>15 AGUA NEGRA SPRINGS RANCH, LLC,</p> <p>16 _____ Debtor.</p>	<p>) Chapter 11</p> <p>) No. 2:07-bk-06842-JMM</p> <p>) No. 2:08-bk-00968-JMM</p> <p>) (Jointly Administered)</p> <p>MEMORANDUM DECISION</p>
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The court conducted an emergency hearing on June 4, 2008 regarding the Debtor's motion to approve use of cash collateral (Dkt. #174), at which time the court took the matter under advisement.¹

Mr. and Mrs. Stonich's Schedules I and J reflect that their monthly income is \$3,300 from Mrs. Stonich's employment, and their monthly expenses are \$13,184. As a real estate broker, Mr. Stonich does not have regular monthly income or wages, but instead generates income through property sales or commissions.

Wells Fargo Bank Debtor-in-Possession Account number 3496118112 is subject to court control (the "Segregated DIP Account").

The court will authorize the Debtors to withdraw \$15,000 per month for June and July, 2008, from the Segregated DIP Account. With Mrs. Stonich's monthly wages, the Debtors will then

¹ As matters turned out, it seems as if the cash is no party's "collateral," but that the cash on deposit is a general asset.

1 have monthly income of \$18,300 for two months, until they can confirm their chapter 11 plan of
2 reorganization. If the Debtors require more funds from the account, they are to file a request with
3 the court, and include with it a detailed breakdown of the additional amounts requested, and notice
4 out an expedited hearing date to all interested parties.

5 This arrangement may serve as a temporary stopgap for the Debtors' immediate cash
6 needs.

7 A separate order will be entered.

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9 DATED AND SIGNED ABOVE.

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11 COPIES served as indicated below
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