

Emergency Motion for Entry of an Order (A) Waiving of the Requirement for Filing a List of Creditors and (B) Authorizing the Debtors to Mail Initial Notices (the “Creditor Matrix Motion”).

By the Creditor Matrix Motion, the Debtors seek entry of an order: (i) waiving the requirement for filing a list of creditors; and (ii) authorizing the Debtors to (a) file a consolidated list of the fifty largest creditors and (b) mail initial notices. The Bankruptcy Code, Bankruptcy Rules, and the Local Bankruptcy Court Rules require a debtor to file a list containing the name and address of each creditor, unless a schedule of the debtor’s assets and liabilities is filed simultaneously with the chapter 11 petition. The Debtors assert that the filing of such a list by each Debtor would be unduly burdensome and of little assistance to the U.S. Trustee. Moreover, the Debtors have many creditors who have liens against their property whom the Debtors believe should not be included in their consolidated list of top fifty unsecured creditors because the Debtors have sought alternative relief for such claimants. Accordingly, the Debtors request that the Notice Rules be waived with respect to those claimants.

The Debtors maintain that because they have many thousands of potential unsecured creditors, requiring each of the Debtors to file a separate list of their top twenty creditors would generate numerous names, addresses and claim amounts, and consume excessive amounts of the Debtors’ time and resources. With KCC’s assistance, the Debtors believe they will be able to identify their creditors and file a computer readable list of creditors. KCC will undertake all necessary mailings, including notice of the commencement of these chapter 11 cases and of the meeting of creditors pursuant to Bankruptcy Code section 341.

An order approving the Creditor Matrix Motion was entered on January 31, 2008.