

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA

In re:)	
EATERIES, INC., et al. ¹)	BK-17-11444-SAH
)	Chapter 11
)	Jointly Administered
Debtor.)	

**RESPONSE OF THE UNITED STATES TRUSTEE TO THE DEBTOR’S
 AMENDED MOTION FOR ORDER UNDER 11 U.S.C. §§105, 363 AND 507, (I)
 AUTHORIZING THEM TO PAY OR OTHERWISE HONOR PREPETITION
 EMPLOYEE OBLIGATIONS; (II) CONFIRMING THEIR RIGHT TO CONTINUE
 EMPLOYEE PROGRAMS AND ALL BENEFITS ON A POST-PETITION BASIS; (III)
 CONFIRMING THEY ARE PERMITTED TO PAY ANY AND ALL LOCAL, STATE
 AND FEDERAL WITHHOLDING AND PAYROLL RELATED OR SIMILAR TAXES
 RELATING TO PREPETITION PERIODS; (IV) AUTHORAIZNG THEM TO PAY ANY
 PREPETITION CLAIMS OWING TO THE PAYROLL ADMINISTRATOR USED BY
 THE DEBTORS; (V) DIRECTING ALL BANKS TO HONOR PREPETITION CHECKS
 FOR PAYMENT OF THE PREPETITION EMPLOYEE OBLIGATIONS; AND (VI)
 GRANTING RELATED RELIEF WITH
 NOTICE AND OPPORTUNITY FOR HEARING
[Docket #33]**

The United States Trustee (“UST”) files this response to the Debtor’s Amended Motion for Order Under 11 U.S.C. §105, 363 and 507, (I) Authorizing Them to Pay or Otherwise Honor Prepetition Employee Obligations; (II) Confirming Their Right to Continue Employee Programs and All Benefits on a Post-Petition Basis; (III) Confirming They are Permitted to Pay Any and All Local, State and Federal Withholding and Payroll Related or Similar Taxes Relating to PrePetition Periods; (IV) Authorizing Them to Pay any PrePetiton Claims Owing to the Payroll Administrator Used by the Debtors; (V) Directing All Banks to Honor Prepetition Checks for Payment of the PrePetition Employee Obligations; and (VI) Granting Related Relief with Notice and Opportunity for Hearing (Docket #33). In support of this response, the UST states:

1. Although the Debtor has not filed its schedules or statement of financial affairs² the representations in the Affidavit of William C. Liedtke, III (Docket #10) as well as

¹ The Debtors in these chapter 11 cases include: Eateries, Inc. (above styled) and GRP of Zanesville, LLC. 17-11445.

² The list of top 20 largest unsecured creditors has also not been filed, therefore an unsecured creditors committee has yet to be formed.

representations made by Debtor's counsel to the UST appear sufficient at this time to determine the reasonableness of the Debtor's request. Based on said representations, the UST has no objection.

WHEREFORE, based on the foregoing the UST has no objection to the Debtor's request as presented.

Respectfully submitted,

s/ Marjorie J. Creasey
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