

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

_____	)	
	)	Chapter 11
In re:	)	
	)	
EATERIES, INC., <i>et al.</i> <sup>1</sup>	)	Case No. 17-11444-SAH
Debtors.	)	
_____	)	(Jointly Administered)

**DEBTORS' AMENDED NOTICE OF WITNESSES AND EXHIBITS  
FOR FINAL HEARING**

Eateries, Inc. (“Eateries”) and GRP of Zanesville, LLC (“Zanesville”) (collectively the “Debtors”), pursuant to Local Bankruptcy Rule 9014-1, submits this Amended Notice of Witnesses and Exhibits (the “Notice”) to correct a numbering issue with the pervious list, and provides the following (i) brief description of exhibits to potentially be offered, (ii) names of all witnesses to potentially be called, and (iii) an estimated length of time for DEBTORS to present evidence and argument at the Final Hearing on the Interim Orders entered at the interim hearing April 25, 2017 at 1:30 PM [Motions at Dkt. Nos. 34 and 35 with Interim Orders at Dkt. Nos. 66 and 78]. The Final Hearing is to be held on May 12, 2015 at (:30 a.m. before the Honorable Sarah A. Hall in the 9th Floor Courtroom, 215 Dean A. McGee Avenue, Oklahoma City, OK, 73102 (the “Final Hearing”).

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<sup>1</sup> The affiliated Debtors are Eateries, Inc. and GRP of Zanesville, LLC, Case Nos. 17-11444 and 17-11445.

**WITNESSES**

Debtors may call any one or more of the following witnesses at the Hearing:

<b><u>NO.</u></b>	<b><u>WITNESS NAME</u></b>	<b><u>PROPOSED TESTIMONY</u></b>
1	David Payne, President and Firm Manager of David R. Payne & Associates, Inc., Proposed Financial Advisor to Debtors	Debtor's Finances, Budget, and Structure
2	William C. Liedke, III, Vice-President of Eateries, Inc, and manager of GRP of Zanesville, LLC	Background of Debtor's Operations
3	JB Edwards, President of Abacus Systems Solutions, LLC	Background of Debtor's Operations and Financial History
4	Rebuttal witnesses, if necessary	N/A
5	All witnesses listed by any other party in interest to which Debtors have no objection.	N/A
6	Debtors reserve the right to amend and supplement this witness list.	N/A

**EXHIBITS**

Debtors may use any one or more of the following exhibits at the Hearing:

<b><u>NO.</u></b>	<b><u>DESCRIPTION</u></b>
1	Petition [Dkt. #1]
2	Amended Disclosure Statement [Dkt. #3]
3	Order Granting Amended Application to Shorten Time and Set Expedited Hearing [Dkt. #8]
4	Affidavit of William C. Liedtke, III in Support of First Day Motions and Applications [Dkt. #10]
5	Debtors' Amended Motion to Provide Adequate Assurance for Utility Payments With Notice and Opportunity for Hearing (the "Utility Motion") [Dkt. #34]

6	Debtors' Amended Motion for Interim and Final Orders (A) Authorizing the Debtors to Use Cash Collateral, (B) Authorizing the Debtors to Obtain Post-Petition Financing, (C) Granting Superpriority Security Interests and Superpriority Administrative Expense Status to Lender, (D) Scheduling a Final Hearing; and € Granting Related Relief, and Notice of Opportunity for Hearing (the "DIP Financing Motion") [Dkt. #35]
7	Notice of Hearing [Dkt. #37]
8	Declaration of David R. Payne, CPA in Support of First Day Motions [Dkt. No. 58]
9	Corrected Interim Order Granting DIP Financing Motion [Dkt. No. 78]
10	Interim Order Granting Utility Motion [Dkt. No. 66]
11	Certificate of Service regarding Motions, Orders and Notices filed at Dkt. Nos. 4, 5, 7, 8, 9, 13, 14, 22, 23, 24, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 [Dkt. No. 57]
12	Certificate of Service of Interim and Proposed Final Order Providing Adequate Assurance of Utility Payments [Dkt. No. 89]
13	Certificate of Service Regarding Orders entered at Dkt. Nos. 64, 65, 66, 67, 69, 70, 72, 76, 78. [Dkt. No. 98]
14	All pleadings filed in this case as of the time of the Hearing
15	Rebuttal Exhibits
16	All exhibits listed by any other party not otherwise objected to by Debtors
17	Debtors reserve the right to supplement this list, if necessary.

### **ESTIMATED LENGTH OF TIME TO PRESENT EVIDENCE AND ARGUMENT**

Debtors estimates that it will require up to **1 hour** to present evidence and argument at the Hearing.

### **RESERVATION OF RIGHTS**

The foregoing Notice is being submitted based on information reasonably available to Debtors at this time and without waiving any objection as to relevance, materiality, or admissibility of evidence at the Hearing. Debtors reserve the right at any time to amend, revise, correct, supplement or clarify this Notice.

Respectfully submitted,

*s/Lysbeth L. George*

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PROPOSED COUNSEL FOR DEBTORS

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 11th day of May, 2017, I caused the foregoing document to be transmitted to the Court Clerk for electronic filing and transmittal of a Notice of Electronic Filing to all ECF registrants in this case.

s/Lysbeth L. George