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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:

THE FALLS EVENT CENTER LLC,

Debtor.

Bankr. Case No. 18-25116

Chapter 11

The Honorable R. Kimball Mosier

**TRUSTEE'S MOTION TO EXTEND TIME TO ASSUME
OR REJECT REAL PROPERTY LEASE BETWEEN THE DEBTOR
AND WEST JORDAN GATEWAY-CW MANAGEMENT GROUP**

Michael F. Thomson, trustee of the above-captioned Chapter 11 bankruptcy estate (the "Trustee"), by and through counsel, hereby files the *Trustee's Motion to Extend Time to Assume or Reject Real Property Lease Between the Debtor and West Jordan Gateway-CW Management Group* (the "Motion"), seeking an order further extending the deadline within which the Trustee must assume or reject real property lease between the Debtor and West Jordan Gateway-CW Management Group for an additional 90 days, through and including May 7, 2019. In support of the Motion, the Trustee states as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction of this proceeding pursuant to 28 U.S.C. § 1334.
2. This Motion presents a core proceeding pursuant to 28 U.S.C. § 157(b).
3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

4. On July 11, 2018, The Falls Event Center LLC (“Debtor”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. [Docket No. 1].
5. The Official Committee of Unsecured Creditors (“Committee”) was formed on July 27, 2018. [Docket No. 28].
6. On November 27, 2018, the Court approved the appointment of the Trustee as Chapter 11 Trustee of the Debtor. [Docket No. 214].
7. The Debtor is a party to a certain lease with West Jordan Gateway-CW Management Group for the lease of non-residential real property located at 9067 South 1300 West, Suite 301, West Jordan, Utah 84044 (the “Lease”).
8. Prior to the Trustee’s appointment, on November 8, 2018, the Debtor filed a *Motion for Entry of an Order Extending for Ninety (90) Days the Time By Which the Debtor Must Assume or Reject Any Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. § 365(d)(4)* [Docket No. 196] (the “Debtor’s Motion”).
9. On November 27, 2019, Trolley Square Ventures, LLC filed an objection to the Debtor’s Motion [Docket No. 216] (the “Objection”).
10. A preliminary hearing on the Debtor’s Motion was held on December 4, 2018, and the continued hearing on the Debtor’s Motion was held on January 30, 2019.
11. On February 4, 2019, the Court entered the *Order Motion for Entry of an Order Extending for Ninety (90) Days the Time By Which the Debtor Must Assume or Reject Any Unexpired Non-Residential Real Property Leases Pursuant to 11 U.S.C. § 365(d)(4)* [Docket No.

302] thereby extending the deadline within which the Debtor may assume or reject the unexpired non-residential real property lease between the Debtor and West Jordan Gateway – CW Management Group to and including February 6, 2019.

12. Since his appointment, the Trustee has investigated the Debtor's assets and liabilities, including the Lease, and is in the process of determining whether it is feasible for the Debtor to reorganize.

ARGUMENT

The Lease is a necessary part of the Debtor's operations, and will be a key requirement to any reorganization. However, if the Trustee were forced to assume the Lease now, the estate may be burdened with unnecessary administrative expenses, thereby crippling the Trustee's ability to effectively reorganize the Debtor's assets to maximize recovery for the benefit of creditors.

The estate has sufficient funds to pay the monthly obligations under the Lease, and will continue to do so until the Lease is assumed or rejected. The Trustee does not anticipate that there will be any objections to the requested extension.

Therefore, the Trustee respectfully requests that the Court grant an additional extension of 90 days, and set an extended deadline of May 7, 2019 to assume or reject the Lease.

DATED this 6th day of February, 2019.

DORSEY & WHITNEY LLP

/s/ Megan K. Baker
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*Attorneys for Michael F. Thomson,
Chapter 11 Trustee*

CERTIFICATE OF SERVICE – BY NOTICE OF ELECTRONIC FILING (CM/ECF)

I hereby certify that on the 6th day of February 2019, I electronically filed the foregoing **TRUSTEE’S MOTION TO EXTEND TIME TO ASSUME OR REJECT REAL PROPERTY LEASE BETWEEN THE DEBTOR AND WEST JORDAN GATEWAY-CW MANAGEMENT GROUP** with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

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/s/ Michelle Montoya