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Attorneys for Michael F. Thomson, Chapter 11 Trustee of The Falls Event Center LLC

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

In re:

THE FALLS EVENT CENTER LLC
THE FALLS AT GILBERT, LLC
THE FALLS OF LITTLETON, LLC,

Debtors.

Bankr. Case No. 18-25116
Bankr. Case No. 18-25419
Bankr. Case No. 18-27111

Chapter 11

The Honorable R. Kimball Mosier

**NOTICE OF TRUSTEE'S MOTION SEEKING APPROVAL OF
STIPULATIONS REGARDING USE OF REAL PROPERTY
AND NOTICE OF OPPORTUNITY FOR HEARING
Objection Deadline: March 18, 2019**

PLEASE TAKE NOTICE that Michael F. Thomson, duly appointed Chapter 11 Trustee (“Trustee”) in the bankruptcy case of The Falls Event Center LLC (“TFEC”), has filed a *Motion Seeking Approval of Stipulations Regarding Use of Real Property* (the “Motion”), seeking an Order approving (1) a *Stipulation* related to debtor The Falls at Gilbert, LLC (“Gilbert”) [TFEC Docket 345, Gilbert Docket No. 42] (the “Gilbert Stipulation”) made in conjunction with a *Motion for Relief From The Automatic Stay* filed by RLS Capital, Inc. (“RLS”) [Gilbert Docket No. 14], and (2) a *Stipulation* related to debtor The Falls of Littleton, LLC (“Littleton”) [TFEC Docket 344, Littleton Docket No. 31] (the “Littleton Stipulation”) made in conjunction with a *Motion for Relief From The Automatic Stay* filed by RLS [Littleton Docket No. 5]. Copies of the Gilbert Stipulation and the Littleton Stipulation (the “Stipulations”) are attached to the Motion. If you have not received a copy of the Motion and you would like one, you may obtain it through the Court’s PACER service or by contacting Michelle Montoya at: montoya.michelle@dorsey.com.

PLEASE TAKE FURTHER NOTICE THAT YOUR RIGHTS MAY BE AFFECTED. You should read this Notice, as well as the Motion, and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.

PLEASE TAKE FURTHER NOTICE that RLS claims an interest in certain real properties titled in the name of Gilbert located at 4635 E. Baseline Road, Gilbert, Arizona 85234 (the "Gilbert Property"), and in the name of Littleton located at 8199 Southpark Court, Littleton, Colorado 80120 (the "Littleton Property") (the "Properties"). TFEC operates event centers at the Properties. Pursuant to the Stipulations, TFEC will pay RLS monthly sums of \$15,625 to use the Gilbert Property and \$13,020.83 to use the Littleton Property commencing as of November 1, 2018, with the November and December 2018 payments being made in 9 monthly installments through September 2019. TFEC will also pay real property taxes assessed against the Properties in November 2018 pursuant to the terms of the Stipulations. The automatic stay will remain in effect with regard to the Properties provided that the terms of the Stipulations are not in default. Upon default, the Stipulations provide procedures for RLS to obtain relief from stay. TFEC may continue to use the Properties until September 30, 2019. RLS has the right to renegotiate any terms of the Stipulations after July 30, 2019. If the issues between the parties have not been resolved by September 30, 2019, RLS is entitled to file a notice that matters have not been resolved and seek termination of the automatic stay as set forth in the Stipulations.

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested in the Motion, or if you want the Court to consider your views, then you or your attorney must do each of the following **on or before March 18, 2019** (the "Objection Deadline"):

- (1) File with the Court a written response explaining your position at:

United States Bankruptcy Court
350 South Main Street, Room 301
Salt Lake City, UT 84101

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the Objection Deadline.

- (2) Serve a copy of your response on or before the Objection Deadline upon the following via ECF or U.S. mail:

Michael F. Thomson
Peggy Hunt
Jessica G. McKinlay
DORSEY & WHITNEY LLP
Salt Lake City, UT 84111-2176

and

Richard C. Terry
TERRY JESSOP & BITNER
341 South Main, Suite 500
Salt Lake City, Utah 84111

(3) Attend a hearing on the Motion at **11:00 am Mountain Time on March 26, 2019**, before the Honorable R. Kimball Mosier, Chief United States Bankruptcy Judge, in his courtroom, Room 369, of the Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101. Failure to attend the hearing will be deemed a waiver of your response.

PLEASE TAKE FURTHER NOTICE THAT NO HEARING WILL BE CONDUCTED ON THE MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE COURT ON OR BEFORE THE OBJECTION DEADLINE. If no responses are filed the Court may enter an Order granting the Motion without further notice or hearing.

DATED: February 28, 2019

DORSEY & WHITNEY LLP

/s/ Jessica McKinlay
Michael F. Thomson
Peggy Hunt
Jessica McKinlay
*Attorneys for Michael F. Thomson,
Chapter 11 Trustee of The Falls Event Center LLC*