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Counsel for Debtor-in-Possession

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

In re:

THE FALLS EVENT CENTER, LLC, a
Utah limited liability company,

Address: 9067 S 1300 W, #301
West Jordan, UT 84088,

Tax I.D. No. 90-1023989,

Debtor-in Possession.

Bankruptcy Case No. 18-25116

Chapter 11

Honorable R. Kimball Mosier

[Filed Electronically]

**MOTION FOR ORDER OF CIVIL CONTEMPT AGAINST RICHMOND FUNDING,
RICHMOND CAPITAL GROUP, LLC, GTR SOURCE LLC, AND BANK OF THE
WEST FOR BREACH OF THE AUTOMATIC STAY**

Debtor-in-Possession, The Falls Event Center, LLC (the “**Debtor**”), by and through
counsel of record in this Chapter 11 case, hereby respectfully moves the Court, pursuant to 11
U.S.C. § 362 and 11 U.S.C. § 105, for entry of an order of civil contempt against World Global

Capital, LLC, d/b/a Richmond Funding; Richmond Capital Group LLC; GTR Source LLC; and Bank of the West, and awarding damages, for willful violation of the automatic stay. This motion is supported by the *Declaration of Brent D. Wride in Support of Debtor TFEC's Motion for Order of Civil Contempt for Breach of the Automatic Stay* (the "**Wride Decl.**"), which is attached hereto as Exhibit A and incorporated herein.

In support foregoing, the Debtor respectfully states as follow:

I. STATEMENT OF FACTS.

A. Parties to Motion for Civil Contempt

1. The Debtor is a Utah limited liability company with its principal place of business in Salt Lake County, State of Utah.

2. Upon information and belief, World Global Capital, LLC, d/b/a Richmond Funding ("**Richmond Funding**") is a New York limited liability company.

3. Upon information and belief, Richmond Capital Group LLC ("**Richmond Capital**") is a New York limited liability company.

4. Upon information and belief, GTR Source LLC ("**GTR Source**") is a New Jersey limited liability company.

5. Upon information and belief, Bank of the West ("**Bank of the West**") is a regional financial services company headquartered in San Francisco, California with offices located in Salt Lake City, Utah.

B. Facts Giving Rise to the Requested Relief.

6. On July 11, 2018, the Debtor commenced this bankruptcy case (the "**Bankruptcy Case**") by filing a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "**Bankruptcy Code**").

7. At the time that the Debtor filed the Bankruptcy Case, it held a bank account at Bank of the West (the "**Account**").

8. The Debtor was aware that there were a number of automatic payment and/or ACH Transfers which were set to be automatically withdrawn or taken from the Account.

9. These transfers are for payments on claims that arose before the Bankruptcy Case.

10. On July 11, 2018, the Debtor contacted Bank of the West by email and asked the bank to freeze the account so that automatic transfers would not be withdrawn from the account based on the automatic stay imposed by the bankruptcy filing. (*See* e-mail from Debtor hereto as Exhibit B and incorporated herein by this reference.)

11. In addition, on July 12, 2018, counsel for the Debtor telephoned Richmond Funding, Richmond Capital, and GTR Source and informed them of the bankruptcy filing. (*See* Wride Decl. at ¶ 9).

12. On July 11, 12, 13, and 16, Richmond Funding, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$34,776.00, and Bank of the West willfully and knowingly allowed these transfers to occur.

13. On July 11, 12, 13, and 16, Richmond Capital, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$29,000, and Bank of the West willfully and knowingly allowed these transfers to occur.

14. On July 11, 12, 13, and 16, GTR Source, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$14,500, and Bank of the West willfully and knowingly allowed these transfers to occur.

15. The total amount wrongfully withdrawn from the Account, after the imposition of the automatic stay under 11 U.S.C. § 362(a), is \$78,276.00 (collectively, the “**Withdrawn Funds**”).

16. On July 18, 2018, the Debtor made demand by letter on Richmond Funding, Richmond Capital, and GTR Source for a return of the Withdrawn Funds. (Wride Decl. at ¶ 14.)

17. Richmond Funding, Richmond Capital, and GTR have failed to return the Withdrawn Funds and have not provided any basis for keeping the Withdrawn Funds which they knowingly and intentionally withdrew from the Account. (Wride Decl. at ¶ 15.)

18. The Debtor has also made an oral demand on Bank of the West for return of the funds or cancellation of the transfers, but Bank of the West failed to respond. (Wride Decl. at ¶ 16.)

II. REQUESTED RELIEF.

The Debtor respectfully moves this Court for entry of an Order (a) finding Richmond Funding in civil contempt for its willful and knowing breach of the automatic stay imposed by 11 U.S.C. § 362(a) and for an order directing Richmond Funding to immediately repay the amount of \$34,776 to the Debtor; (b) finding Richmond Capital in civil contempt for willful and knowing breach of the automatic stay imposed by 11 U.S.C. § 362(a) and for an order directing Richmond Capital to immediately repay the amount of \$29,000 to the Debtor; and (c) finding GTR Source in civil contempt for willful and knowing breach of the automatic stay imposed by 11 U.S.C. § 362(a) and for an order directing GTR Source to immediately repay the amount of \$14,500 to the Debtor. In addition, based on Bank of the West's knowing failure to freeze the Account in spite of its actual knowledge of the Bankruptcy Case and the automatic stay, and despite *repeated* demands, the Debtor requests that this Court also hold Bank of the West in civil contempt and hold it jointly and severally liable for repayment of the Withdrawn Funds.

III. BASIS FOR RELIEF REQUESTED.

A. 11 U.S.C. § 362(a) Imposes an Automatic Stay upon the Filing of a Bankruptcy Petition.

11 U.S.C. § 362(a) provides that the filing of a voluntary bankruptcy case under 11 U.S.C. § 301 operates as an automatic stay against, among other things, of “(6) any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case under this title. *See* 11 U.S.C. § 362(a)(6). “The scope of the automatic stay is ‘undeniably

broad.” *In re Gagliardi*, 290 B.R. 808, 814 (Bankr. D. Colo. 2003). The automatic stay “also stays actions to ‘obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate.’” *Id.* “Actions taken in violation of the automatic stay are void and of no force or effect, even when there is no actual notice of the existence of the stay.” *Id.*

In this case, the stay violation resulted from automatic withdrawals that were taken from the Debtor’s Account even though Richmond Funding, Richmond Capital, GTR Source, and Bank of the West had actual notice of the automatic stay. In *In re Houseworth*, the court addressed the effect of the automatic stay on automatic withdrawals from bank accounts. *See Houseworth v. Three Rivers Fed. Credit Union (In re Houseworth)*, 177 B.R. 557, 559 (Bankr. N.D. Ohio 1994). The Court stated:

The Court noted that courts in other jurisdictions have consistently extended the scope of the automatic stay to prohibit transactions in which a creditor received a post-petition automatic loan payment to pay a pre-petition debt, unless the debtor actually demonstrated his or her willingness to voluntarily have post-petition earnings applied to a dischargeable pre-petition debt. Because the bank had not shown that the debtor had made any “positive indication” to make voluntary payments, the Court held that the bank had violated the automatic stay.

Id. (citing *O’Neil v. Beneficial of Tennessee, Inc.*, 165 B.R. 859 (Bankr.M.D.Tenn. 1994). A more recent case also held that “[i]t was a violation of the automatic stay provisions of the Bankruptcy Code, §§ 362(a)(1) & (6), for Collier to collect money from the Debtor by virtue of the pre-petition ACH debit authorization . . . Any installment payment collected by Collier pursuant to the pre-petition ACH debit agreement should be disgorged by Collier and returned to the Debtor.” *See In re Patrick*, Case No. 14-11203, 2014 WL 3722005, * 3 (Bankr. W.D.La. July 24, 2014).

In this case, the Debtor is not an individual, so there is no specific remedy in the bankruptcy code for a stay violation, but this Court has specifically addressed redress for a non-individual debtor damaged by a stay violation. In *In re C.W. Mining Company*, this court held:

Although § 362(k) provides a limited remedy for ‘an individual injured by any willful violation of the stay’ to “recover actual damages,” the Bankruptcy Code provides no specific remedy for non-individual debtors or trustees for violations of the automatic stay under § 362(a). Using civil contempt powers under § 105, courts have awarded damages to persons, other than individuals, for injuries arising from violations of the § 362(a) stay. The Tenth Circuit has expressly recognized that bankruptcy courts may exercise civil contempt powers to enforce the § 362(a) stay. “While bankruptcy courts do not have inherent civil contempt power, we conclude that Congress has granted them civil contempt power by statute. The statutory authority derives from 11 U.S.C. § 105 and 28 U.S.C. § 157.

Exercise of a bankruptcy civil contempt power, including § 362(a) stay violations, must be consistent with the purpose of civil contempt orders and is subject to limitations of the Court’s § 105 powers. “Civil Contempt orders serve either or both of two purposes: (1) to compel or coerce obedience of a court order; and (2) to compensate parties for losses resulting from the contemtor’s non-compliance with a court order.” Any sanction for civil contempt, including violations of § 362(a), that this Court imposes must serve one or both of these purposes.

Rushton v. Bank of Utah (In re C.W. Mining Co.), 465 B.R. 226, 235 (Bankr. D. Utah 2011)

Because the Debtor is a non-individual, Debtor moves this Court for an order of civil contempt against Richmond Funding, Richmond Capital, and GTR Source ordering them to immediately repay and disgorge the Withdrawn Funds. The Debtor also asks this Court to hold that Bank of the West is jointly and severally liable for the entire amount of the Withdrawn Funds, because it failed terminate the ACH withdraws despite actual knowledge of the stay and the Debtor’s affirmative request that the ACH withdrawals cease. The Debtor also requests that the Court award the Debtor its attorney fees incurred in connection with this motion.

In this case, each of these parties was made aware of the Debtor’s Bankruptcy Case. Notwithstanding the foregoing, each of these parties either intentionally made or directly facilitated automatic withdrawals on July 11, 12, 13, and 16, from the Account in violation of the automatic stay imposed by 11 U.S.C. §362(a)(6). Because these parties were aware of the Bankruptcy Case and the related stay, their actions were willful. Moreover, the withdrawals continued for multiple days, notwithstanding the automatic stay.

As a result of Richmond Funding, Richmond Capital, and GTR Source's action resulted in injury to the Debtor in the amount of the funds that were wrongfully withdrawn from the Account. Moreover, Bank of the West, which was the depository institution that was specifically requested to stop the ACH withdrawals, also violated the stay. Accordingly, the Debtor is entitled to entry of an Order of Civil Contempt directing the parties to repay the following amounts: (a) \$34,776 from Richmond Funding; (b) \$29,000 from Richmond Capital, and (c) \$14,500 from GTR Source.

In addition, these withdrawals were made possible based on Bank of the West's willful failure to freeze the Account when notice was made to Bank of the West of the bankruptcy filing and automatic stay and the Debtor's request to freeze the Account. The Debtor, through counsel, made multiple demands to freeze the Account, but Bank of the West—which is an authorized DIP account depository approved by the U.S. Trustee's Office—declined the Debtor's repeated demands to freeze the account. Accordingly, the Court should also enter an order of civil contempt against Bank of the West, jointly and severally, to repay the Withdrawn Funds.

IV. CONCLUSION.

Based upon the foregoing, the Debtor respectfully requests that the Court enter an Order of Civil Contempt directing the parties to repay the following amounts: (a) \$34,776 from Richmond Funding; (b) \$29,000 from Richmond Capital; and (c) \$14,500 from GTR Source; and ordering that Bank of the West be jointly and severally liable for repayment of the Withdrawn Funds in the total amount of \$78,276.00.

DATED this 10th day of September, 2018.

RAY QUINNEY & NEBEKER P.C.

/s/ Brent D. Wride

Brent D. Wride

Attorneys for Debtor-in-Possession

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2018, a true and correct copy of the foregoing document was electronically filed and therefore served via ECF on all parties that have entered an electronic appearance in this case. The motion will be personally served on Richmond Funding, Richmond Capital, GTR Source, and Bank of the West, and returns of service will be filed with the Court upon completion of that service.

/s/ Brent D. Wride

1465343

“Exhibit A”

Michael R. Johnson (7070)
David H. Leigh (9433)
Elaine A. Monson (5523)
Brent D. Wride (5163)
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emonson@rqn.com
bwride@rqn.com

Proposed Counsel for the Debtor in Possession

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

In re:

THE FALLS AT ELK GROVE, LLC, a
California limited liability company,

Address: 9067 S 1300 W, #301
West Jordan, UT 84088,

Tax I.D. No. 45-2474566,

Debtor.

Bankruptcy Case No. 18-25208

Chapter 11

Honorable R. Kimball Mosier

**DECLARATION OF BRENT D. WRIDE IN SUPPORT OF DEBTOR TFEC'S MOTION
FOR ORDER OF CIVIL CONTEMPT FOR BREACH OF AUTOMATIC STAY**

I, Brent D. Wride, being of lawful age, declare and state as follows:

1. This declaration is based upon my personal knowledge of the facts set forth herein and based on my review of the business records of the Debtor that are kept in the ordinary course of the Debtor's business.

2. I make this declaration in support of the application of Motion for Order of Civil Contempt against Richmond Funding, Richmond Capital Group, LLC, GTR Source LLC, and Bank of the West for Breach of the Automatic Stay.

3. I am a member in good standing of the Utah State Bar, and I am a Shareholder and Director of RQN.

4. On July 11, 2018, the Debtor filed a voluntary bankruptcy petition under Chapter 11 of the Bankruptcy Code (the "**Bankruptcy Case**").

5. At the time that the Debtor filed the Bankruptcy Case, it held a bank account at Bank of the West (the "**Account**").

6. The Debtor and I were aware that there were a number of automatic payment and/or ACH Transfers which were set to be automatically withdrawn or taken from the Account.

7. These transfers are for payments on claims that arose before the Bankruptcy Case.

8. On July 11, 2018, the Debtor contacted Bank of the West by email and asked the bank to freeze the account so that automatic transfers would not be withdrawn from the account based on the automatic stay imposed by the bankruptcy filing.

9. In addition, on July 12, 2018, I telephoned Richmond Funding, Richmond Capital, and GTR Source and informed them of the bankruptcy filing.

10. My review of the Debtor's bank records indicates that on July 11, 12, 13, and 16, Richmond Funding, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$34,776.00, and Bank of the West willfully and knowingly allowed these transfers to occur.

11. My review of the Debtor's bank records indicates that on July 11, 12, 13, and 16, Richmond Capital, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$29,000, and Bank of the West willfully and knowingly allowed these transfers to occur.

12. My review of the Debtor's bank records indicates that on July 11, 12, 13, and 16, GTR Source, with actual knowledge of the automatic stay, withdrew funds from the Account totaling \$14,500, and Bank of the West willfully and knowingly allowed these transfers to occur.

13. The total amount wrongfully withdrawn from the Account, after the imposition of the automatic stay under 11 U.S.C. § 362(a), is \$78,276.00 (collectively, the "**Withdrawn Funds**").

14. On July 18, 2018, the Debtor made demand by letter on Richmond Funding, Richmond Capital, and GTR Source for a return of the Withdrawn Funds.

15. Richmond Funding, Richmond Capital, and GTR have failed to return the Withdrawn Funds and have not provided any basis for keeping the Withdrawn Funds which they knowingly and intentionally withdrew from the Account.

16. I made an oral demand on Bank of the West for return of the funds or cancellation of the transfers, but Bank of the West failed to respond.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

EXECUTED ON this 10th day of September, 2018 in Salt Lake City, Utah.

/s/ Brent D. Wride
Brent D. Wride, Declarant

“Exhibit B”

From: Nate Larsen <nlarsen@thefallseventcenter.com>
Sent: Wednesday, July 11, 2018 4:32 PM
To: Anderson, Rett
Subject: The Falls Event Center BK Petition
Attachments: The Falls Petition 18-25116.pdf

Hello Rett –

As discussed, The Falls Event Center filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code in the Bankruptcy Court in Utah today. This action is among the first steps taken to put the company on stronger financial footing. (attached is the stamped petition)

This is something I've never dealt with, so I'm not exactly sure what is needed or what the next steps are. We do want to be sure that the automatic debits below are turned off and would like to be able to clear outstanding checks against the current balance in the account.

Please let me know once you gather more information on what else needs to happen and how this will impact our ability to transact.

\$3,625 – GTR Source LLC
\$3,625 – Richmond Capital Funding
\$4,347 – World Global Capital

Thanks,
Nate



Nate Larsen / Controller
801.362.5741

The Falls Event Center
Venue Support
801.537.7700
thefallseventcenter.com



Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF UTAH

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	The Falls Event Center LLC	
2. All other names debtor used in the last 8 years <small>Include any assumed names, trade names and doing business as names</small>	eFalls Corporation	
3. Debtor's federal Employer Identification Number (EIN)	90-1023989	
4. Debtor's address	Principal place of business 9067 South 1300 West, Suite 301 West Jordan, UT 84088 Number, Street, City, State & ZIP Code Salt Lake County	Mailing address, if different from principal place of business P.O. Box, Number, Street, City, State & ZIP Code Location of principal assets, if different from principal place of business Various cities in Utah, California, Arizona, Colorado, Oregon, Texas, Illinois and Oklahoma. Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	www.thefallseventcenter.com; www.fallsweddings.com	
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor The Falls Event Center LLC Case number (if known) _____
 Name

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing? Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☐ No
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	<u>The Falls at Elk Grove, LLC</u>		Relationship	<u>Wholly owned subsidiary</u>
District	<u>Eastern District of California</u>	When	<u>5/30/18</u>	Case number, if known <u>18-23387-D-11</u>

Debtor The Falls Event Center LLC Case number (if known) _____
 Name

11. Why is the case filed in this district? Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? _____

Number, Street, City, State & ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
 Contact name _____
 Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

- | | | |
|---|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input checked="" type="checkbox"/> 200-999 | | |

15. Estimated Assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input checked="" type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input checked="" type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor The Falls Event Center LLC Case number (if known) _____
Name

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 07 / 10 / 2018
MM / DD / YYYY

X /s/ Brooks Pickering

Signature of authorized representative of debtor

Brooks Pickering

Printed name

Title **Manager**

18. Signature of attorney

X /s/ Michael R. Johnson

Signature of attorney for debtor

Date 07 / 11 / 2018

MM / DD / YYYY

Michael R. Johnson

Printed name

Ray Quinney & Nebeker P.C.

Firm name

36 South State Street, Suite 1400

Salt Lake City, UT 84111

Number, Street, City, State & ZIP Code

Contact phone **801-323-3363**

Email address **mjohnson@rqn.com**

7070 UT

Bar number and State