

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

- - - - -x

In re: :
PAWTUXET VALLEY PRESCRIPTION & : BK No: 07-11767
SURGICAL CENTER, INC. : Chapter 11
Debtor

- - - - -x

ORDER TO SHOW CAUSE

After a year of contentious litigation and acrimony, the Debtor filed its Plan on June 30, 2008. On August 7, 2008, a confirmation hearing was held at which the Bank and the Debtor represented that they had agreed upon the terms and conditions of a reorganization. Counsel for the Debtor was to circulate and file the Order of Confirmation, but it was not forthcoming. At the Court's urging, a proposed Order confirming the Plan was finally produced on September 2, 2008. During the mandatory LBR 9072-1 objection period, the Debtor filed a Motion for Authority to Obtain Credit Under Section 364 (the "Motion"), to which the Bank objected. With the Motion and the Bank's objection pending, the parties jointly requested that the Order Confirming the Plan be entered. The U.S. Trustee supported the request, and on September 24, 2008, the Court entered the Order confirming the Plan.

Over the Bank's objection, the Debtor pressed its Motion for Authority to Obtain Credit, and a hearing on the merits of the Motion was held on September 30, 2008, and the matter was taken under advisement.

Upon consideration, however, the Court is concerned, as a preliminary matter, whether the Debtor's Motion was rendered moot by the entry of the Order confirming the Plan.

Accordingly, the Debtor is **ORDERED TO SHOW CAUSE, in writing,** on or before October 11, 2008, why its Motion should not be denied as moot, on the ground that the relief sought therein was not included in either the Disclosure Statement or the confirmed Plan. The Bank has until October 14, 2008, to file any response.

Dated at Providence, Rhode Island, this 8th day of October, 2008.



Arthur N. Votolato
U.S. Bankruptcy Judge

Entered on docket: 10/8/08, at 5:20 p.m.