

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

IN RE:	§	
	§	CASE NO. 14-50155
G.B.G. RANCH, LTD.	§	
	§	Chapter 11
	§	
Debtor.	§	

DEBTOR'S MOTION FOR CONTINUANCE
OF HEARINGS SET FOR JULY 16TH ON
(1) DEBTOR'S MOTION TO ESTABLISH BID PROCEDURES (Docket No. 285)
AND
(2) DEBTOR'S MOTION TO SELL (DOCKET NO. 286)
AND
REQUEST FOR BIFURCATED HEARING

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE, DAVID R. JONES:

COMES NOW, G.B.G. RANCH, LTD., the Debtor-In-Possession ("Debtor") in the above styled and numbered Bankruptcy Proceeding and files this Motion To Continue the Hearings set in this matter for July 16, 2015 on (1) Debtor's Motion to Establish Bid Procedures (Docket No. 285) and (2) Motion to Sell (Docket No. 286) and reurges its request for a bifurcated hearing on the effect of the Stipulation (Docket No. 148-2 and 171) on the Debtor's Plan of Liquidation and the proposed sale of the Corazon Ranch, and in support thereof would show the Court as follows:

1. Debtor previously filed a Motion to Bifurcate the Hearing Set for July 16, 2015 and to Determine Effect of Stipulation [Docket No. 148-2 and 171] on the Debtor's Proposed Plan of Liquidation (Docket No. 324).

2. The Court in its Order of June 23, 2015 [Docket No. 326] [the Order] reviewed and denied the Debtor's Motion To Bifurcate the Hearing Set for July 16, 2015 and to Determine Effect of Stipulation [Docket No. 148-2 and 171] on the Debtor's Proposed Plan of Liquidation [Docket No. 324]. The Order sets for resolution on the 16th all matters raised in the pleading pertaining to the motion to Sell and Motion to Establish Bid Procedures.

3. As recited in the Order, the Motion was denied because the parties were not available to hear the motion on July 2, 2015, the date made available by the Court to take up the motion on an expedited basis.

4. Debtor was available on that date so the Motion to Bifurcate was essentially denied because the party opposing the Motion to Bifurcate was not available on July 2, 2015. All of the parties are already scheduled to be in the courtroom for this case on July 17, 2015.

RE-URGING REQUEST FOR BIFURCATED HEARING

5. Debtor adopts and incorporates by reference herein all of the arguments and allegations for having a bifurcated hearing on the effect of the stipulation advanced in Debtor's Motion to Bifurcate the Hearing Set for July 16, 2015 and to Determine Effect of Stipulation [Docket No. 148-2 and 171] on the Debtor's Proposed Plan of Liquidation (Docket No. 324).

6. Debtor still believes it is in the best interest of all parties including the Court that the issue of the effect of the Stipulation be determined before the parties incur

substantial cost and fees getting ready to litigate all of the issues related to the proposed sale.

7. Debtor would ask the court to continue the hearing on the Debtor's Motion to Establish Bid Procedures (Docket No. 285) and the Debtor's Motion to Sell (Docket No. 286). The Debtor believes that it is in the best financial interest of the Debtor, its creditors and equity interest holders, as well as judicial economy, to consider only the Debtor's Motion Determine Effect of Stipulation [Docket No. 148-2 and 171] on the Court's regular docket set for July 17, 2015.

8. As noted in the Motion to Bifurcate, the Debtor anticipates that the discovery and preparation in connection with the presentation of its case in chief and opposition to the position of Quita Wind Energy Company, LLC and Guillermo Benavides Z. will cost tens of thousands of dollars, which costs will ultimately be borne by the equity interest holders of the Debtor and Quita Wind Energy Company, LLC

9. Central to the opposition to Debtor's Motion to Sell is the argument that the proposed sale of the Corazon cannot occur because it is a violation of the Stipulation [Docket No. 148-2 and 171]. If the parties opposing the sale of the Corcobada pasture out of the Corazon prevail on this issue then the Court does not need to hear the other issues associated with the proposed sale and the parties do not need to incur the potentially exorbitant costs associated with preparation for these hearings.

10. Further, the Debtor would show the Court that it has received an offer for the balance of the 6,600 acres of the Corazon Ranch (referred to as the Corazon North)

for an opening offer of \$8,000,000.00. The Debtor reasonably anticipates that this offer can be substantially improved prior to presentation to the Court for consideration. However, the Debtor does not want to needlessly cause a third-party prospective purchaser to incur additional time and/or expense if the interpretation of the Stipulation posited by Quita Wind Energy Company, LLC and Guillermo Benavides Z. prevails.

11. The parties are currently in the process of trying to obtain updated reports and times and dates to depose nine expert witnesses in the time between the date this Motion is filed and the hearing date of July 16, 2015. One week on the time available between June 30, and July 16 is a holiday week, leaving just nine working days (counting weekends) before the hearing on the 16th to depose all of the experts and get transcripts of the depositions. Add to this the unavailability of counsel and experts at congruent times and Debtor does not believe any of the parties can be ready to fully litigate the issues raised in the Motions currently filed and opposed and set for July 16, 2015.

12. Hearing all of the matters beginning on the 16th and working through the 17th imposes an additional burden and expense on the Court of having to travel to Laredo a day earlier than normally planned, for hearings that may not have to occur if the parties opposing the proposed sale are correct about the effect of the Stipulation.

13. Debtor files this motion not for delay but in the interest of justice and judicial economy.

14. Debtor again submits that it just makes sense for the Court to hear what may be a dispositive issue before the parties spend huge sums getting ready for a fight that may not need to happen.

WHEREFORE, PREMISES CONSIDERED, Debtor asks the Court to continue the hearings set for July 16, 2015 on (1) Debtor's Motion to Establish Bid Procedures (Docket No. 285) and (2) Motion to Sell (Docket No. 286), and take up on July 17, 2015 the issue of determining the Effect of Stipulation [Docket No. 148-2 and 171] on the Debtor's Proposed Plan of Liquidation and on the proposed sale of the Corazon Ranch.

Respectfully Submitted,

/S/ Carl Michael Barto

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Special Counsel For the Debtor

Counsel for the Debtor

CERTIFICATE OF CONFERENCE

I have attempted to confer with Jim Hoffman the lead counsel for Quita Wind Energy, LLC and Guillermo Benavides Z. by e-mail and telephone on the 29th day of June, 2015. I received a response by e-mail on June 29 from Mr. Hoffman explaining that he had a busy and would get back to me. As of the time of the filing of this pleading I have received no further response from Mr. Hoffman. The reasons stated in the pleading for the continuance and the bifurcated hearing compel me not to wait any longer before filing the pleading. Based on the lack of a response I have to presume the motion is opposed.

/s/ Carl Michael Barto
Carl Michael Barto

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of June, 2015 a true and correct copy of the foregoing has been served pursuant to the ECMF filing and notice procedures or in the manner indicated to the following parties:

Debtor

GBG Ranch, Ltd.
1019 Chihuahua
Laredo, Texas 78041

Via U.S. Regular Mail

Creditors: via regular mail

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Anam, LTD 318 Bordeaux Laredo, Texas 78040	Dan King Bordas Wind Energy 3650 Locklane Houston, Texas 77027
Benavides Family Minerals, LTD 1019 Chihuahua Laredo, Texas 78040	Diane W. Sanders Linebarger Goggan Blair & Sampson, LLP P.O. Box 17428 Austin, TX 78760-7777
Carl J. Kolb PC 916 Chulie San Antonio, Texas 78210	GBG Cattle & Hunting Co. LLC 1019 Chihuahua Laredo, Texas 78040
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Guillermo R. Benavides 1918 Guerrero St. Laredo, TX 78043	Rafael Morales 1301 ChaconLaredo, Texas 78041

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