**CASH COLLATERAL / POSTPETITION FINANCING CHECKLIST**

The Debtor, through a separately filed motion, agreed order or stipulation, has requested the approval of cash collateral or postpetition financing or both. Attached to the motion as Exhibit \_\_ is a true and correct copy of the agreement for use of cash collateral or postpetition financing, which contains the following provisions:

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|  | **Page No.** | **Line No.**  **If applicable** | **Description of Provision** |
| 󠄀 |  |  | (1) Cross-collateralization clauses (i.e., clauses that secure the repayment of prepetition debt with postpetition assets in which the secured lender would not otherwise have a security interest by virtue of its prepetition security agreement or applicable law.) |
| 󠄀 |  |  | (2) Roll-up clauses (i.e., clauses that provide for the use of property of the estate or the proceeds of a postpetition loan to make cash payments on prepetition debt). |
| 󠄀 |  |  | (3) Provisions or findings of fact that release, waive, or limit any claim or other cause of action belonging to the estate or the trustee, including but not limited to (4), (5), (6), and (7) below: |
| 󠄀 |  |  | (4) the release, waiver, or limitation of claims or other causes of action against any secured creditor without first giving parties in interest at least seventy-five (75) days from the entry of the interim order and the creditors’ committee, if appointed, at least sixty (60) days from the date of its appointment to investigate such matters; |
| 󠄀 |  |  | (5) the release, waiver or limitation of claims or other causes of action against any secured creditor for alleged prepetition torts or breaches of contract; |
| 󠄀 |  |  | (6) the waiver of avoidance actions under the Code; or |
| 󠄀 |  |  | (7) any modification of the statute of limitations or other deadline to commence an action. |
| 󠄀 |  |  | (8) Provisions or findings of fact that determine the validity, enforceability, priority, or amount of a claim that arose before the commencement of the case, or of any lien securing the claim. |
| 󠄀 |  |  | (9) Provisions that grant a lien on property of the estate that is not otherwise subject to a lien, grant a junior lien on property of the estate that is subject to a lien, or create a lien senior or equal to any existing lien without the consent of that lienholder. |
| 󠄀 |  |  | (10) Provisions that release, waive or limit any right under § 506(c) of the Code. |
| 󠄀 |  |  | (11) A budget that does not provide for the payment of all accrued and unpaid administrative expense claims. |
| 󠄀 |  |  | (12) Provisions that release, waive or limit any right under §552(b) of the Code. |
| 󠄀 |  |  | (13) Provisions that grant a lien on any claim or cause of action arising under §§ 544, 545, 547, 548, 549, 553(b), 723(a), or 727(a) of the Code. |
| 󠄀 |  |  | (14) Provisions that provide disparate treatment with regard to professional fee carveouts for the professionals retained by a creditors’ committee from that provided for the professionals retained by the debtor. |
| 󠄀 |  |  | (15) Provisions that prime administrative expenses of the kind described in § 503(b) or 507(a) of the Code. |
| 󠄀 |  |  | (16) Provisions that waive or modify any entity’s authority or right to file a plan or seek an extension of time in which the debtor has the exclusive right to file a plan or otherwise operate to divest the debtor of any discretion in the administration of the estate or limit access to the court to seek any relief under other applicable provisions of law. |
| 󠄀 |  |  | (17) Provisions that establish deadlines for filing a plan of reorganization, for approval of a disclosure statement, for a hearing on confirmation, or for entry of a confirmation order. |
| 󠄀 |  |  | (18) Provisions providing for the indemnification of any entity. |
| 󠄀 |  |  | (19) Provisions waiving or modifying provisions of the Code or applicable Rules relating to the automatic stay. |
| 󠄀 |  |  | (20) Provisions that waive or modify the applicability of nonbankruptcy law relating to the perfection of a lien on property of the estate, or on the foreclosure or other enforcement of the lien. |
| 󠄀 |  |  | (21) Provisions that waive or modify the debtor’s right to move for a court order pursuant to § 363(c)(2)(B) of the Code authorizing the use of cash collateral or § 364 of the Code to obtain credit. |
| 󠄀 |  |  | (22) Provisions that grant a lien in an amount in excess of the dollar amount of cash collateral authorized under the applicable cash collateral order. |
| 󠄀 |  |  | (23) Findings of fact on matters extraneous to the approval process. |
| 󠄀 |  |  | (24) Provisions that bar the debtor from future bankruptcy filings. |