

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

LYDIA CLADEK, INC.,

Case No. 3:10-bk-02805-PMG

Debtor.

(Consolidated by Prior Court Order with Case
No. 10-bk-02800-PMG)


**ORDER GRANTING EMERGENCY MOTION OF CHAPTER 11 TRUSTEE
FOR AN ORDER (I) DETERMINING ADEQUATE ASSURANCE OF
PAYMENT FOR FUTURE UTILITY SERVICES, AND (II) PROHIBITING
UTILITIES FROM ALTERING OR DISCONTINUING UTILITY SERVICE**

This matter having come before the Court on the emergency motion (the "Utility Motion") of Michael Phelan, the chapter 11 trustee (the "Chapter 11 Trustee") of the consolidated Chapter 11 cases of Lydia Cladek, Inc. (the "Debtor"), for the entry of an order (i) determining the adequacy of the post-petition assurance of payment which the Debtor has presented to its utility providers, and (ii) prohibiting its utility providers from terminating utility services [Doc. No. 75]; and the Court having reviewed the Utility Motion and the Certificate of Necessity filed by counsel to the Chapter 11 Trustee [Doc. No. 76]; and the Court finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) notice of the Utility Motion was sufficient under the circumstances and that no other or further notice need be given; (iv) the relief requested in the Utility Motion is in the best interest of the Debtor, its estate and creditors; and (v) the Court having determined that the legal and factual bases set forth in the Utility Motion and at the hearing held before the Court on May 6, 2010, establish just cause for the relief granted herein, and that no objections to the relief requested in the Utility Motion having been filed;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED in all respects.
2. The Utility Companies¹ are forbidden to alter, refuse or discontinue service on account of any unpaid prepetition charges, or to require additional adequate assurance of payment other than the Adequate Assurance Deposits proposed in the Utility Motion.
3. The Chapter 11 Trustee is authorized to provide the Utility Companies with the Adequate Assurance Deposits proposed in the Utility Motion.
4. The Chapter 11 Trustee is authorized and empowered to take all actions necessary to implement the relief granted in this Order.
5. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. The Court retains exclusive jurisdiction over the interpretation of this Order and the relief granted herein.

Dated: May 6, 2010 in Jacksonville, Florida.



Paul M. Glenn
Chief United States Bankruptcy Judge

Copies to:

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¹ Capitalized terms used but not specifically defined herein shall have the respective meanings ascribed to them in the Utility Motion.

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