

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In Re:)	
)	
)	
MODERN CONTINENTAL)	Chapter 11
CONSTRUCTION CO., INC.)	
)	Case No. 08-14558-WCH
Debtor)	
)	

ORDER FOR RELIEF FROM THE AUTOMATIC STAY

Smyrna Rebar, Inc. (“Smyrna”), having filed its Motion for Relief from the Automatic Stay pertaining to Civil Action 00-1192B and 2008-P-58 currently pending in the Massachusetts Appeals Court against Modern Continental Construction Corporation, Inc. (“MCC”) and several other non-debtor defendants, the Court having reviewed the Motion and finding that notice of the Motion given by Smyrna was sufficient under the circumstances, good cause appearing, it is therefore:

ORDERED that the Motion requesting relief from the automatic stay is ALLOWED, and the automatic stay under 11 U.S.C. 362 (a) in this case is modified (i) allowing Smyrna to appeal the rulings of Farbricant, J. and Bornstein, J.’s in Superior Court Docket No. 00-1192B and to proceed in the Appeals Court Docket No. 2008-P-58, (ii) allowing any and all actions to reach and implement settlements between the Plaintiff and non-debtor defendants in the State Action and to proceed until December 31, 2009, and (iii) scheduling a hearing prior to December 31, 2009 to consider granting relief from the stay for further proceedings in the State Action.

ORDERED that a further hearing is set for _____, 2008, at _____ .m., to consider Smyrna's request for relief from the stay to consider other relief requested in the Motion as it may be amended and supplemented, with any amendments or supplements to the Motion to be filed by Smyrna by 4:30 p.m. on or before _____, 2008 and any objection thereto to be filed by 4:30 p.m. on _____, 2008; and its further

ORDERED that this Order is effective immediately and is not subject to the ten day stay provided for in the Federal Rules of Bankruptcy Procedure 4001 (a)(3).

Signed in said District this _____ day of _____, 2008.

Honorable Willilam C. Hillman
U.S. Bankruptcy Judge