

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Return Date: July 12, 2010
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In re

SUFFOLK READY MIX, LLC

Chapter 11
Case No. 8-09-75473-reg

Debtor

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STIPULATION VACATING AUTOMATIC STAY

A motion having been filed, and duly served by counsel for Tracy Doerschug seeking to vacate the automatic stay so as to permit her to proceed with her personal injury lawsuit against the debtor in Supreme Court, Suffolk County under Index No. 09188/07, with enforcement of any judgment or settlement obtained to be limited to any insurance coverage that is available to the Debtor, and sufficient cause appearing for the relief to be granted,

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel as follows:

1. The automatic stay is hereby vacated for the purposes of allowing Tracy Doerschug to continue prosecution of her lawsuit in Supreme Court, Suffolk County, entitled : Tracy Doerschug v. Suffolk Ready Mix, LLC and Ismael Perez, Index No. 09188/07.
2. Enforcement of any judgment or settlement obtained by Tracy Doerschug in the aforesaid action shall be limited to any insurance coverage available to the Debtor.
3. This Stipulation may be executed in counterpart, with signatures by telefax constituting originals.

Jeff Morgenstern, PLLC
Of Counsel to Joel Schwitzer, Esq.
Attorney for Tracy Doerschug
One Old Country Rd. Suite 320
Carle Place, N.Y. 11514

Jeff Morgenstern

Dated: 7/2/10

Michael McAullife, Esq.
Attorney for Debtor
48 South Service Rd. Suite 102
Melville, N.Y. 11747

Michael McAullife

Dated: 7/9/10

Kelly, Luglio & Arcuri
Attorneys for Debtor in Supreme Ct. case
2023 Deer Park Ave.
Deer Park, N.Y. 11729

Dated: _____

Jager, Smith, P.C.
Counsel for Creditors' Committee
One Financial Center
Boston, Mass. 02111

Dated: _____

SO ORDERED:

BANKRUPTCY JUDGE

Jeff Morgenstern, PLLC
Of Counsel to Joel Schwitzer, Esq.
Attorney for Tracy Doerschug
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Jeff Morgenstern

Dated: 7/2/10

Michael McAullife, Esq.
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Kelly

Dated: 7/7/10

Jager, Smith, P.C.
Counsel for Creditors' Committee
One Financial Center
Boston, Mass. 02111

Dated: _____

SO ORDERED:

BANKRUPTCY JUDGE

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Dated: _____

Jager, Smith, P.C.
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One Financial Center
Boston, Mass. 02111

William A. Jager

Dated: 7/9/10

SO ORDERED:

BANKRUPTCY JUDGE