

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

	)	
In re	)	
	)	
SUFFOLK READY MIX, LLC,	)	Chapter 11
	)	Case No. 09-75473-REG
Debtor.	)	
	)	

**ORDER GRANTING APPLICATION OF OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS FOR ORDER AUTHORIZING AND APPROVING  
RETENTION AND EMPLOYMENT OF JAGER SMITH P.C. AS COUNSEL**

**THIS MATTER** having come before the Court upon the *Application of Official Committee of Unsecured Creditors for Order Authorizing and Approving Retention and Employment of Jager Smith P.C. as Counsel* (the “Application”),<sup>1</sup> and upon the *Affidavit of Bruce F. Smith in Support of Application of Official Committee of Unsecured Creditors for Order Authorizing and Approving Retention and Employment of Jager Smith P.C. as Counsel* (the “Smith Affidavit”); and the Court being satisfied, based upon the representations made in the Application and in the Smith Affidavit, that Jager Smith P.C. (“Jager Smith”) does not hold or represent any interest adverse to the Debtor or its estate, its creditors or any other party in interest in connection with the matters for which it is to be retained, and that the Committee’s retention and employment of Jager Smith should be approved; and it appearing that the Court has jurisdiction to consider the Application; and it appearing that due notice of the Application has been given, and that no further notice need be given; and, ~~in the event any objections to the~~

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings given them in the Application.

~~Application were filed~~, the Court having conducted a hearing with respect to the Application, and upon consideration of the arguments of counsel and the record made at such hearing;

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. The Application is granted in all respects.
2. The Committee is authorized to retain and employ Jager Smith as its counsel, *nunc pro tunc* to August 19, 2009, pursuant to the Bankruptcy Code, on the terms described in the Application and the Smith Affidavit, to perform the services set forth in the Application.
3. Jager Smith shall be compensated in accordance with Sections 330 and 331 of the Bankruptcy Code, any applicable Bankruptcy Rules, Local Bankruptcy Rules, United States Trustee Guidelines, any orders of this Court, and the rules and procedures that may be fixed by this Court.
4. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

Dated: Central Islip, New York  
October 6, 2009

/s/ Robert E. Grossman  
Hon. Robert E. Grossman  
United States Bankruptcy Judge

NO OBJECTION:

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Office of the United States Trustee