SO ORDERED.

SIGNED November 16, 2012.

ROBERT SUMMERHAYS
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN RE:	*	**CASE NO. 12-51127**
	*	
PICCADILLY RESTAURANTS, LLC *ET AL.*,	*	**(JOINT ADMINISTRATION)**[1]
	*	
	*	**CHAPTER 11**
DEBTORS	*	
	*	**JUDGE ROBERT SUMMERHAYS**

CONSENT ORDER
TO
MODIFY AUTOMATIC STAY

CONSIDERING the Motion to Modify the Automatic Stay (Docket #157), pursuant to *11 U.S.C. §362(d)(1)*, to permit a final determination of liability and damages in the Appeal proceeding pending in the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* in a civil matter against Piccadilly Restaurants, LLC and its insurer, American

[1] Jointly administered with *In re Piccadilly Food Service, LLC, 12-51128* (Bankr. W.D. La. 2012) and *In re Piccadilly Investments, LLC, 12-51129* (Bankr. W.D. La. 2012).

Home Assurance Company which came on for **Hearing on Tuesday, October 30, 2012 at 10:00 a.m.** at the United States Bankruptcy Court for the Western District of Louisiana, Lafayette Division, 214 Jefferson Street, Lafayette, Louisiana and Counsel for Piccadilly Restaurants, LLC, Et Al., and Counsel for Creditors Cora and Elwyn Ball having appeared and advised the Court of their consent to the entry of this Order; accordingly,

IT IS ORDERED that the Motion to Modify the Automatic Stay (Docket #157), pursuant to *11 U.S.C. §362(d)(1)*, to permit a final determination of liability and damages in the Appeal proceeding pending in the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* in a civil matter against Piccadilly Restaurants, LLC and its insurer, American Home Assurance Company be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the automatic stay in place pursuant to *11 U.S.C. §362* be and is hereby modified to the effect that the Appeal proceeding pending in the Louisiana Supreme Court, Case No. 2012-C-1448, entitled *Cora Ann Ball and Elwyn Ball vs. Piccadilly Restaurants, LLC and American Home Assurance Company* be and is hereby permitted and allowed to move forward to a final determination of liability and damages, but in no event is the stay modified to allow collection of any judgment against Piccadilly Restaurants, LLC or the bankruptcy estate; and

IT IS FURTHER ORDERED that the automatic stay pursuant to *11 U.S.C. §362* and the modification of same in accordance with this Order is applicable only to the Debtor Piccadilly Restaurants, LLC which is subject to the jurisdiction of this Court and to no other entity including the insurer of the Debtor, American Home Assurance Company and the surety of the Debtor, National Union Fire Insurance of Pittsburg, PA.

###

This Consent Order is agreed and submitted by the undersigned Counsel:

/s/ Phillip K. Wallace
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AND

/s/ Mark A. Mintz
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Attorney for Piccadilly Restaurants, LLC
Piccadilly Food Service, LLC and
Piccadilly Investment, LLC

United States Bankruptcy Court
Western District of Louisiana

In re:
Piccadilly Restaurants, LLC
Debtor

Case No. 12-51127-RRS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0536-4 User: lchamp Page 1 of 2 Date Rcvd: Nov 16, 2012
Form ID: pdf8 Total Noticed: 3

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 18, 2012.

db +Piccadilly Restaurants, LLC, c/o Jones Walker et al, 201 St. Charles Ave #5100, New Orleans, LA 70170-5101
aty +Jones, Walker, Waechter, Poitevent, Carrere & Dene, 201 St. Charles Avenue, 51st Floor, New Orleans, LA 70170-5000
aty +Patrick L. McCune, Jones, Walker etal, 201 St. Charles Avenue, 51st Floor, New Orleans, LA 70170-5100

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
tr DIP

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 18, 2012 **Signature:** Joseph Speetjens

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 16, 2012 at the address(es) listed below:

Andrew D. Mendez on behalf of Creditor Peter Mayer Advertising, Inc. amendez@stonepigman.com
Brent R. McIlwain on behalf of Creditor Atalaya Administrative, LLC bmcilwain@pattonboggs.com, rwjones@pattonboggs.com;bsmith@pattonboggs.com
Christopher R. Maddux on behalf of Creditor The Merchants Company d/b/a Merchants Foodservice chris.maddux@butlersnow.com
Dale R. Baringer on behalf of Creditor Kleinpeter Farms Dairy, L.L.C. dale@baringerlawfirm.com, pam@baringerlawfirm.com;aaron@baringerlawfirm.com;ben@baringerlawfirm.com
Dannie P. Garrett on behalf of Creditor The Merchants Company d/b/a Merchants Foodservice dannie.garrett@butlersnow.com
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David Patrick Keating on behalf of Creditor GGP, Inc. rick@thekeatingfirm.com, shannon@thekeatingfirm.com
Douglas S. Draper on behalf of Interested Party CB Agency Services, LLC ddraper@hellerdraper.com
Elizabeth J. Futrell on behalf of Debtor Piccadilly Food Service, LLC efutrell@joneswalker.com, jmagallanes@joneswalker.com;sliberio@joneswalker.com
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Peter A. Kopfinger on behalf of Debtor Piccadilly Food Service, LLC PKopfinger@gordonarata.com
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R. Patrick Vance on behalf of Debtor Piccadilly Restaurants, LLC pvance@joneswalker.com, dschulte@joneswalker.com
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Wayne A. Shullaw on behalf of Creditor Poss Select Produce, Inc c/o Wayne A. Shullaw Attorney shullaw@bellsouth.net
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William H. Patrick on behalf of Interested Party CB Agency Services, LLC wpatrick@hellerdraper.com

TOTAL: 34