



SO ORDERED,

Judge Katharine M. Samson
United States Bankruptcy Judge
Date Signed: September 8, 2016

The Order of the Court is set forth below. The docket reflects the date entered.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

In re:)	
)	
MISSISSIPPI PHOSPHATES)	
CORPORATION, <i>et al.</i> ¹)	CASE NO. 14-51667-KMS
)	Chapter 11
Debtors.)	(Jointly Administered)
)	

AGREED ORDER GRANTING MOTION FOR RELIEF FROM STAY
[Dkt. ## 1457, 1615, 1616, 1618, 1650]

This matter came on for consideration by the Court on the *Motion for Relief from Stay* [Dkt. # 1618] (the “*Stay Motion*”) filed by Victor Lemon (the “*Claimant*”) and the *Response of the Debtors to Motion for Relief from Stay* [Dkt. # 1650] (the “*Response*”) filed by Mississippi Phosphates Corporation, *et al.*, the Debtors and debtors-in-possession herein (the “*Debtors*”), by and through their attorneys. After considering the foregoing, the Court finds the Stay Motion should be granted.

¹ The chapter 11 cases of the following affiliated Debtors have been administratively consolidated for joint administration pursuant to that certain *Order Granting Motion of the Debtor for Order Directing Joint Administration of Affiliated Cases Pursuant to Bankruptcy Rule 1015(b)*, dated October 29, 2014 [Dkt. # 62]: Mississippi Phosphates Corporation (“*MPC*”), Case No. 14-51667, Ammonia Tank Subsidiary, Inc. (“*ATS*”), Case No. 14-51668 and Sulfuric Acid Tanks Subsidiary, Inc. (“*SATS*”), Case No. 14-51671. These chapter 11 cases are sometimes referred to herein as the “*Bankruptcy Cases*.”

IT IS, THEREFORE, ORDERED that, in accordance with and pursuant to that certain *Agreed Order Granting Motion of the Debtors to Modify the Automatic Stay as to Workers' Compensation Claims* [Dkt. # 1690] (the "**Insurance Order**"),² the Stay Motion is granted and that the Claimant may prosecute his claim(s) under the Mississippi Workers' Compensation Laws against the Debtors for the purpose of establishing the Debtors' obligations and/or liability to the Claimant solely for the purpose of enforcing such obligations or liability against and/or in connection with the applicable Insurance Policies, but not against the bankruptcy estates.

IT IS FURTHER ORDERED that the *Omnibus Objection of Mississippi Phosphates Corporation Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and 9014 and Miss. Bankr. 3007-1 to Certain Non-Complying Claims* [Dkt. # 1457] and the *Response to Omnibus Objection of Mississippi Phosphates Corporation Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and 9014 and Miss. Bankr. 3007-1 to Certain Non-Complying Claims* [Dkt. # 1615] (the "**Claims Objection**") and the *Response to Omnibus Objection of Mississippi Phosphates Corporation Pursuant to 11 U.S.C. § 502, Fed. R. Bankr. P. 3007 and 9014 and Miss. Bankr. 3007-1 to Certain Non-Complying Claims* [Dkt. # 1616] (the "**Responses**") are hereby resolved to allow Claimant and Jerry Don Scudder, Jr. to prosecute their respective claims(s) under the Mississippi Workers' Compensation Laws against the Debtors for the purpose of establishing the Debtors' obligations and/or liability to the Claimant and Jerry Don Scudder, Jr. solely for the purpose of enforcing such obligations or liability against and/or in connection with the applicable Insurance Policies in accordance with the Insurance Order, but to disallow and expunge the respective claims of Claimant [Claim No. 343] and Jerry Don Scudder, Jr. [Claim No. 206] against the bankruptcy estates.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms as in the Insurance Order.

IT IS FURTHER ORDERED that the entry of this Order shall not modify or impair the rights of any Insurer with respect to any Insurance Policies, any claims under any Insurance Policies, the Insurance Order or any prior order of this Court relating to any Insurer or the Insurance Policies, which rights remain expressly preserved and that this Order shall not be a construed as a waiver of any terms, conditions, exclusions or other provisions to any Insurance Policies, including the right to assert defenses to any claims for coverage if such action is warranted.

IT IS FURTHER ORDERED that with respect to all other insurance policies (other than the Insurance Policies), the automatic stay shall remain in full force and effect until further order of the Court.

##END OF ORDER##

ORDER PREPARED AND SUBMITTED BY:

By: /s/ Stephen W. Rosenblatt
Stephen W. Rosenblatt (Miss. Bar No. 5676)
BUTLER SNOW LLP
1020 Highland Colony Parkway, Suite 1400
Ridgeland, MS 39157
Telephone: (601) 985-4504
Steve.Rosenblatt@butlersnow.com

ONE OF THE ATTORNEYS FOR THE DEBTORS

CONSENTED TO AND APPROVED FOR ENTRY:

By: /s/ Jonathan E. Sholtis
Jonathan E. Sholtis (Miss. Bar No. 99866)
DEAKLE, SHOLTIS & HAMIL, LLC
Post Office Box 1031
Mobile, AL 36633
Telephone: (251) 432-6020
JSholtis@DSHfirm.com

ATTORNEY FOR VICTOR LEMON AND
JERRY DON SCUDDER, JR.
32648825