



SO ORDERED,

Judge Katharine M. Samson  
United States Bankruptcy Judge  
Date Signed: May 8, 2015

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> <sup>1</sup>	)	CASE NO. 14-51667-KMS
	)	Chapter 11
	)	
Debtors	)	Jointly Administered
	)	

**AGREED ORDER WITH RESPECT TO MOTION OF  
E. I. DU PONT DE NEMOURS AND COMPANY FOR ALLOWANCE  
AND PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO  
11 U.S.C. § 503(b)(9) TO ESTABLISH REPLY DEADLINE AND FOR OTHER RELIEF**  
(Dkt. ## 522, 697)

This matter came before the Court on the *Motion of E. I. Du Pont de Nemours and Company for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(9)* [Dkt. # 522] (the "**Motion**")<sup>2</sup> filed herein by E. I. du Pont de Nemours and

<sup>1</sup> 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**"). and, collectively with MPC and ATS, the "**Debtors**"). Case No. 14-51671. These chapter 11 cases are sometimes referred to herein as the "**Bankruptcy Cases**."

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings given to such terms in the Motion.

Company (“**DuPont**”). DuPont and the Debtors are collectively referred to as the “**Parties**.” The Court considered the Motion and finds that the Parties, through their undersigned counsel, consent to the entry of this Agreed Order.

The Court, therefore, finds as follows:

1. On October 27, 2014, each of the Debtors filed a voluntary petition in this Court for reorganization relief under Chapter 11 of the United States Bankruptcy Code.

2. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 157 and 1334(b). This is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), (B), and (O). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. DuPont filed the Motion on February 23, 2015. The Debtors’ original objection deadline was March 5, 2015, and an initial hearing on the Motion had been scheduled for March 12, 2015.

4. By Agreed Order, entered on March 6, 2015 [Dkt. # 556], the Parties consented to an extension of the objection deadline by which the Debtors may object or respond to the Motion in which DuPont seeks the allowance and payment of an administrative expense claim under 11 U.S.C. § 503(b)(9) (the “**DuPont 503(b)(9) Claim**”) until April 20, 2015 (the “**New Objection Deadline**”).

5. In light of the New Objection Deadline, the hearing on the Motion previously scheduled for March 12, 2015 was removed from the Court’s hearing calendar and was to be re-set pending further Order of the Court.

6. On March 16, 2015, the Debtors filed the *Joint Motion of the Debtors and the Committee for an Order Establishing Procedures for the Assertion, Resolution, and Satisfaction of the Claims Asserted Pursuant to Section 503(b)(9) of the Bankruptcy Code* [Dkt. # 594] (the “**503(b)(9) Procedures Motion**”), seeking to establish procedures (the “**503(b)(9) Procedures**”) as the sole and exclusive method for the assertion, resolution, allowance, and satisfaction of 503(b)(9) claims, including for those claimants, like DuPont, who have filed a

motion or application to allow their 503(b)(9) claims as of the date of an order granting the 503(b)(9) Procedures Motion.

7. On April 20, 2015, the Debtors filed their objection [Dkt. # 697] (the “*DuPont 503(b)(9) Claim Objection*”) to the DuPont 503(b)(9) Claim.

8. On April 21, 2015, the Court re-set the hearing on the Motion to be held on May 21, 2015 at 2:00 p.m. central time, in the Bankruptcy Courtroom, 7th Floor, Dan M. Russell, Jr. United States Courthouse, Gulfport, Mississippi.

9. On April 24, 2015, the Court entered an Order on the 503(b)(9) Procedures Motion [Dkt. # 705] (the “*503(b)(9) Procedures Order*”), which: established (i) May 8, 2015, at 5:00 p.m. central time as the bar date for any 503(b)(9) claims to be filed (the “*503(b)(9) Claim Bar Date*”); (ii) August 6, 2015 as the date to raise objections to any 503(b)(6) claims filed by the 503(b)(9) Claim Bar Date (the “*503(b)(9) Claim Objection Deadline*”); and (iii) August 27, 2015 for the filing of a reply to any such objection (the “*503(b)(9) Reply Deadline*”).

10. The Parties have consented to the entry of this Agreed Order to reconcile the timelines established by the 503(b)(9) Procedures Order, which the parties have agreed will control with respect to any objection raised to the DuPont 503(b)(9) Claim, and to establish a reply deadline by which DuPont may submit a reply to the 503(b)(9) Objection until **June 5, 2015** (the “*Reply Deadline*”), in the event the Parties are unable to negotiate and agree to a resolution of the 503(b)(9) Objection before that time.

11. In light of the Reply Deadline and consistent with the 503(b)(9) Procedures, the hearing on the Motion previously scheduled for May 21, 2015 at 2:00 p.m. is removed from the Court’s hearing calendar and will be re-set pending further Order of the Court.

**IT IS, THEREFORE, ORDERED** that the Reply Deadline for DuPont to reply to the DuPont 503(b)(9) Claim Objection raised by the Debtors shall be June 5, 2015.

**IT IS FURTHER ORDERED** that the hearing on the Motion on the DuPont 503(b)(9) Claim scheduled for May 21, 2015 at 2:00 p.m. central time, is hereby removed from the hearing calendar, and shall be re-set at a later time by Order of the Court.

###END OF ORDER###

**ORDER PREPARED AND SUBMITTED BY:**

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ONE OF THE ATTORNEYS FOR THE DEBTORS

AGREED TO AND APPROVED FOR ENTRY:

/s/ Leslie C. Heilman  
Leslie C. Heilman (admitted *pro hac vice*)  
Attorney for E. I. du Pont de Nemours and Company

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