



SO ORDERED,

A handwritten signature in blue ink that reads "Katharine M. Samson".

Judge Katharine M. Samson
United States Bankruptcy Judge
Date Signed: July 13, 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> ¹)	CASE NO. 14-51667-KMS
)	Chapter 11
)	
Debtors)	Jointly Administered
)	

**ORDER GRANTING MOTION OF THE DEBTORS FOR RELIEF FROM
CERTAIN UNITED STATES TRUSTEE CHAPTER 11 OPERATING GUIDELINES**

[Dkt. ## 725, 765, 779, 803, 804, 805, 806, 807, 836]

This matter came before the Court on the hearing held on June 4, 2015 and resumed on July 2, 2015 and on the *Motion of the Debtors for Relief from Certain United States Trustee Chapter 11 Operating Guidelines* (the “**Motion**”)² [Dkt. # 725] filed herein by Mississippi Phosphates Corporation, *et al.*, the Debtors and debtors-in-possession (collectively, the “**Debtors**”); the *United States Trustee’s Response to Debtors’ Motion for Relief from Certain United States Trustee Chapter 11 Operating Guidelines* (the “**Response**”) [Dkt. # 765]; the *2014-2015 AIG Property Ins.*

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**”, 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**.”

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

Policy No. 65305525 [Dkt. # 803], the *2014-2015 Lloyd's Property Ins. Policy No. PG1420899* [Dkt. # 804], the *2013-2014 AIG General Liability Policy No. GL457-19-36, 2014-2015* [Dkt. # 805], the *AIG Commercial Umbrella Liability Ins. Policy No. BE84160074* [Dkt. # 806], the *2014-2015 AIG Pollution Legal Liability Ins. Policy No. PLS23062202* [Dkt. # 807] and the *2014-2015 AIG General Liability Insurance Policy No. GL457-19-36* [Dkt. # 836] filed herein by the Debtors (Dkt. ## 803, 804, 805, 806, 807 and 836, collectively, the “**Policies**”); the *Supplement to the Motion of the Debtors for Relief from Certain United States Trustee Chapter 11 Operating Guidelines* (the “**Supplement**”) [Dkt. # 812]; and the *United States Trustee's Supplemental Response to Debtors' Motion for Relief from Certain United States Trustee Chapter 11 Operating Guidelines* (the “**Supplemental Response**”) [Dkt. # 813]. The Court, considered the Motion, the Response, the Policies, the Supplement, the Supplemental Response, and the evidence and arguments of counsel presented at the hearing on the Motion, and finds as follows:

1. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. § 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (O). The Court possesses the requisite authority to grant the request relief in the Motion pursuant to Sections 105, 1107 and 1108 of the Bankruptcy Code and Federal Rules of Bankruptcy Procedure.

2. In the Motion, the Debtors sought an Order waiving OGR-11, Sec. II., D2(a) (the “**Insurance Guideline**”), which provides:

2. Unless the [United States Trustee] directs otherwise, the debtor shall maintain at least the following insurance coverage:

(a) If the debtor has a tangible asset susceptible to casualty loss (fire, weather, theft, vandalism, etc.), casualty insurance must be maintained at an amount at least equal to the replacement value of the property.

3. The Debtors do not seek to cancel their liability insurance policies or any insurance policies other than their property and casualty insurance policies.

4. No party with a financial interest in the insured property objected to the Motion.

5. Although the relief requested by the Debtors is exceptional, the particular facts and circumstances set forth in the Motion and at the hearing in these Bankruptcy Cases are unique.

6. Based on the particular and unique facts before the Court, the Motion is well-taken and should be granted.

IT IS, THEREFORE, ORDERED that the Motion is hereby **GRANTED** and that the Response and the Supplemental Response of the United States Trustee are **OVERRULED**.

IT IS FURTHER ORDERED that the requirements contained in the Insurance Guideline are hereby waived, but only to the extent necessary to permit the Debtors to cancel and not to maintain its property and casualty insurance policies.

IT IS FURTHER ORDERED that the Court authorizes the Debtors to take any and all actions necessary to effectuate or implement this Order.

##END OF ORDER##

ORDER PREPARED AND SUBMITTED BY:

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ONE OF THE ATTORNEYS FOR THE DEBTORS

APPROVED AS TO FORM FOR ENTRY:

OFFICE OF THE UNITED STATES TRUSTEE

By: s/ Christopher J. Steiskal, Sr.

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