

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:)	
)	
ACR MANAGEMENT, L.L.C., <i>et al.</i> , ¹)	Case No. 04-27848-MBM
)	Chapter 11
Debtors.)	(Jointly Administered)
)	
CONDON-JOHNSON & ASSOCIATES, INC.,)	Docket No.: ____
)	
Movant,)	Related Docket No.: 1736
v.)	Objection Deadline: May 24, 2005
)	Hearing Date: May 31, 2005, at 3:00 p.m.
ACR MANAGEMENT, L.L.C., <i>et al.</i> ,)	(EST)
)	
Respondents.)	
)	

**ORDER GRANTING [CM/ECF#1736] MOTION OF
CONDON-JOHNSON & ASSOCIATES, INC. TO CONTINUE WITH SUIT**

Upon consideration of the motion (the “Motion²”) filed by Condon-Johnson & Associates, Inc. (the “Movant”) (i) to allow the continuance of its prosecution of the Action with and against the Debtors and (ii) to file a proof of claim against the Debtors for any amounts not covered by applicable insurance; and upon consideration of the response (the “Response”) of the Debtors to the Motion; and upon consideration of any other response to the Motion; and it appearing that the relief requested is in the best interests of the Debtors’ estates, their creditors and other parties in interest; and after due deliberation and cause appearing therefore;

¹ The Debtors are the following entities: ACR Management, L.L.C., Anthony Crane Rental Holdings, L.P., ACR/Dunn Acquisition, Inc., Anthony Crane Capital Corporation, Anthony Crane Holdings Capital Corporation, Anthony Crane International, L.P., Anthony Crane Sales & Leasing, L.P., Anthony International Equipment Services Corporation, Anthony Sales & Leasing Corporation, Carlisle Equipment Group, L.P., Carlisle GP, L.L.C., Husky Crane, Inc., Anthony Crane Rental, L.P., d/b/a Maxim Crane Works, Maxim Crane Works, LLC, Sacramento Valley Crane Service, Inc., The Crane & Rigging Company, LLC, Thompson & Rich Crane Service, Inc.

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion and/or the Response.

IT IS HEREBY ORDERED THAT:

1. Relief from the automatic stay imposed by Bankruptcy Code Section 362 is hereby GRANTED to allow the Movant to continue with the prosecution of its rights in the Action, and any and all appeals that may result in said action, subject to the following conditions:

- a. The relief from stay is limited, as to the Debtors, to allowing the Movant to liquidate its claims and recover from any applicable insurance coverage under the Movant's Policies, and the Movant may not seek to enforce any judgment obtained against any asset of the Debtors, or property of the Debtors' estate; provided however, the Movant is not precluded from pursuing recovery upon the Movant's claims from any other party to the Action that may, for any cognizable reason, be liable therefore;
- b. The relief from stay granted herein does not include any right of the Movant to recover from any insurance coverage under the Debtors' applicable insurance policies;
- c. The Movant waives any right to file a Proof of Claim against the Debtors with respect to any applicable retentions or deductibles, or any amount not covered by the Movant's Policies; and
- d. The relief granted herein is limited to only the Movant and not to Scripps Health, Inc., the Titan Corporation, or any other party to the Action, unless such party independently has sought the same relief from this Bankruptcy Court.
- e. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Pittsburgh, Pennsylvania

Dated: _____, 2005

JUDGE M. BRUCE MCCULLOUGH
UNITED STATES BANKRUPTCY JUDGE