

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	
	)	
Allegiance Telecom, Inc., <i>et al.</i> ,	)	Chapter 11 Case No. <u>03-13057 (RDD)</u>
	)	
Debtors.	)	(Jointly Administered)
	)	

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**ORDER GRANTING MOTION OF BP COMMERCE, LLC  
FOR RELIEF FROM AUTOMATIC STAY TO EXERCISE SETOFF  
RIGHTS AGAINST SECURITY DEPOSIT  
AND TO COMPEL PAYMENT OF POST-PETITION RENT**

Upon the motion (the “Motion”), dated June 25, 2003 of BP Commerce, LLC (the “Landlord”) for an order pursuant to sections 362(d)(1) and 365(d)(3) of title 11 of the United States Code (the “Bankruptcy Code”) for relief from stay to exercise setoff rights and to direct payment of post-petition rent through the date of entry of an Order authorizing rejection of the subject lease, all as more fully set forth in the Motion; and it appearing that this Court has jurisdiction to consider and determine the Motion as core proceeding pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that due and proper notice of this Motion has been given; and after due deliberation and sufficient cause appearing therefor; it is hereby

ORDERED that the Motion is granted; and it is

ORDERED that the Landlord is granted relief from the automatic stay to exercise its setoff rights to reduce its Rejection Damages by the amount of the Security Deposit posted by the Debtors; and it is further

ORDERED that the Debtors are directed to pay to the Landlord all post-petition rent accruing under the Lease from the Petition Date through the date of entry of an Order authorizing rejection of the subject lease.

Dated: New York, New York  
\_\_\_\_\_, 2003

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UNITED STATES BANKRUPTCY JUDGE

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