

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

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In re:

ATARI, INC., *et al.*,<sup>1</sup>

Debtors.

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)  
) Chapter 11  
)  
) Case No. 13-10176 (JMP)  
)  
) (Jointly Administered)  
)

**ORDER EXTENDING THE TIME PERIOD DURING WHICH THE DEBTORS  
MAY ASSUME OR REJECT UNEXPIRED LEASES OF  
NONRESIDENTIAL REAL PROPERTY**

Upon the motion (the “*Motion*”)<sup>2</sup> of the Debtors for entry of an order extending the time period within which the Debtors may assume or reject the Unexpired Leases; and it appearing that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors and other parties in interest; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court being satisfied that notice of the Motion and the opportunity for a hearing on the Motion was appropriate under the particular circumstances and no further or other notice need be given; and the Court having reviewed the Motion; and good, adequate, and sufficient cause having been shown to justify entry of this order; and after due deliberation and sufficient cause appearing therefor,

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<sup>1</sup>The Debtors are Atari, Inc., Atari Interactive, Inc., Humongous, Inc., and California U.S. Holdings, Inc.

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

**IT IS HEREBY ORDERED THAT:**

1. The Motion is granted to the extent set forth herein.
2. Pursuant to Bankruptcy Code section 365(d)(4), the time by which the Debtors may assume or reject the Unexpired Leases is extended through and including August 19, 2013 (the 210<sup>th</sup> day following the Petition Date), without prejudice to the Debtors' right to seek a further extension of their time to assume or reject some or all of the Unexpired Leases pursuant to Bankruptcy Code section 365(d)(4)(B)(ii).
3. This order is without prejudice to the right of any lessor under any of the Unexpired Leases to request that the Court fix an earlier date by which the Debtors must assume or reject an Unexpired Lease, and is also without prejudice to the Debtors' right to oppose such relief.
4. Nothing contained herein shall be deemed to (i) authorize the assumption or rejection of any of the Unexpired Leases or (ii) determine whether any of the Debtors' leases is an unexpired lease of nonresidential real property within the meaning of Bankruptcy Code section 365(d).
5. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this order in accordance with the Motion.
6. This Court shall retain jurisdiction with respect to all matters arising from or relating to the implementation of this order.

Dated: New York, New York  
April 9, 2013

*s/ James M. Peck*  
HONORABLE JAMES M. PECK  
UNITED STATES BANKRUPTCY JUDGE