IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re	)	Chapter 11
CHI-CHI'S, INC., et al.,	)	Case No. 03-13063 (CGC)
Debtors	)	Jointly Administered

ORDER APPROVING MOTION OF BOSKOVICH FARMS, INC. FOR RELIEF FROM AUTOMATIC STAY, TO THE EXTENT APPLICABLE, REGARDING PROSECUTION OF CROSS-CLAIMS FOR CONTRIBUTION AND/OR INDEMNITY WITH RESPECT TO HEPATITIS A CASES BROUGHT AGAINST DEBTORS

Upon the motion (the "Motion") of Boskovich Farms, Inc. ("Boskovich"), for an order granting Boskovich relief from the automatic stay, to the extent applicable, to permit Boskovich to pursue cross-claims for contribution and indemnity against the Debtors, and it appearing that this Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. Sections 157 and 1334, and adequate notice of this Motion and the hearing thereon having been given, and sufficient cause appearing therefore, it is on this ____ day of April, 2004;

ORDERED, that the Motion is hereby granted; and it is further

ORDERED, that the automatic stay imposed in these cases pursuant to 11 U.S.C. Section 362(a) is hereby modified to permit Boskovich to pursue claims of contribution and/or indemnity in the Pennsylvania Action (as that terms is defined in the Motion); and it is further

ORDERED, that the automatic stay imposed in these cases pursuant to 11 U.S.C. Section 362(a) is hereby modified to permit Boskovich to pursue claims of contribution and/or indemnity in the non-settling mediation cases (as described in the Motion); and it is further

ORDERED that the automatic stay imposed in these cases pursuant to 11 U.S.C. Section 362(a) is hereby modified to permit Boskovich to pursue claims of contribution and/or indemnity in those actions in which the Debtors and Potential Plaintiffs settle under the Mediation Procedures, but the Potential Plaintiff brings an action against the Suppliers for an additional award; and it is further

ORDERED the automatic stay imposed in these cases pursuant to 11 U.S.C. Section 362(a) is hereby modified to permit Boskovich to pursue claims of contribution and/or indemnity in those actions in which Potential Plaintiffs fail to file a claim against the Debtors by the Hepatitis A Claims Bar Date, but bring actions against the Suppliers; and it is further

ORDERED that Boskovich is hereby authorized to recover any indemnity and/or contribution amounts deemed owed to it by Debtors from Debtors insurance policy proceeds.

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The Honorable Charles G. Case, II,
United States Bankruptcy Judge