Case 09-37010-sgj11 Doc 1294-2 Filed 04/12/10 Entered 04/12/10 15:19:45 Desc Exhibit B - Proposed Order Page 1 of 3

## Exhibit B

Proposed Order

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

In re:	§	Case No. 09-37010 (SGJ)
ERICKSON RETIREMENT COMMUNITIES, LLC, et al.	§ §	Chapter 11
Debtors. 1	§ § 8	(Jointly Administered)
ERICKSON RETIREMENT COMMUNITIES, LLC,	\$ §	Adv. Proc. No. 10-03049 (SGJ)
Plaintiff,	§ §	
V.	§ §	
PPF MF 3900 GRACEFIELD	§ §	
ROAD, LLC and SOVEREIGN BANK	§ §	
Defendants.	§	

## ORDER PURSUANT TO RULE 9019(a) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE APPROVING AND AUTHORIZING THE DEBTORS TO ENTER INTO A PROPOSED SETTLEMENT

This matter coming before the Court on the motion (the "Motion") for an order approving and authorizing the Debtors to enter into the proposed compromise and settlement agreement (the "Settlement Agreement") between ERC<sup>2</sup>, Sovereign and PPF pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and the Court having reviewed the Motion and having heard the statements of counsel regarding the relief requested in the Motion at a hearing (the "Hearing"); the Court finding that (a) the Court has jurisdiction over

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases are Erickson Retirement Communities, LLC, Ashburn Campus, LLC, Columbus Campus, LLC, Concord Campus GP, LLC, Concord Campus, LP, Dallas Campus GP, LLC, Dallas Campus, LP, Erickson Construction, LLC, Erickson Group, LLC, Houston Campus, LP, Kansas Campus, LLC, Littleton Campus, LLC, Novi Campus, LLC, Senior Campus Services, LLC, Warminster Campus GP, LLC, and Warminster Campus, LP.

<sup>&</sup>lt;sup>2</sup> Each capitalized term used but not otherwise defined herein shall have the meaning ascribed to such term in the Motion.

this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) venue of these chapter 11 cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409, and (d) notice of the Motion and the Hearing was sufficient, the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein and it appearing that the relief requested is in the best interest of the Debtors and their estates; it is hereby

**ORDERED**, that the Motion is granted in its entirety; and it is further

**ORDERED,** that pursuant to Bankruptcy Rule 9019, the Settlement Agreement is hereby approved; and it is further

**ORDERED,** that the Debtors are hereby authorized to take any and all steps to enter into the Settlement Agreement; and it is further

**ORDERED**, that the Bankruptcy Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

##### End of Order #####