

ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET



The following constitutes the ruling of the court and has the force and effect therein described.

United States Bankruptcy Judge

Signed April 27, 2010

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

IN RE:	§	Case No. 09-37010
	§	
ERICKSON RETIREMENT COMMUNITIES, LLC, et al.,	§	Chapter 11
	§	
Debtors.	§	Jointly Administered
	§	

ORDER GRANTING MOTION FOR SETTING AND REQUEST FOR EMERGENCY HEARING ON EMERGENCY MOTION OF M&T BANK, AS COLLATERAL AND ADMINISTRATIVE AGENT, CONCERNING UMBC BUILDING CONSTRUCTION LOAN CLAIMS UNDER THE DEBTORS' FOURTH AMENDED JOINT PLAN OF REORGANIZATION UNDER CHAPTER 11 OF THE BANKRUPTCY CODE

The matter having come before this Court on the *Motion for Setting and Request for Emergency Hearing On Emergency Agreed Motion of M&T Bank, as Collateral and Administrative Agent, to (A) Preserve Status of Claims Under Sections 4.2.6, 4.3.5, and 4.4.3 of the Debtors' Fourth Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code, and (B) Clarify Paragraph 11 and 47 of the Amended Findings of Fact, Conclusions of Law, and Order Confirming the Debtors' Fourth Amended Joint Plan of Reorganization Under*

Chapter 11 of the Bankruptcy Code (the “Motion”) filed by M&T, the Court finds that it has jurisdiction over this matter pursuant to 11 U.S.C. § 105; the Court finds that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); the Court finds that the relief requested in the Motion is in the best interests of the Debtors, their estates, and the creditors thereof; the Court finds that, under the circumstances, proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and the Court finds that, upon the record herein after due deliberation thereon; cause exists to grant the Motion; accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

An emergency hearing on the Motion is hereby GRANTED, and such hearing shall take place on **April 29, 2010 at 2:30 p.m.**

End of Order

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