

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

In re:)	Chapter 11
)	
ERICKSON RETIREMENT COMMUNITIES, LLC, et al.,)	Case No. 09-37010 (SGJ)
)	
Debtors)	Jointly Administered
)	Hearing Date: _____
)	
)	

**MOTION TO APPROVE STIPULATION BY AND BETWEEN ERICKSON
RETIREMENT COMMUNITY, LLC AND ILLINOIS UNION INSURANCE COMPANY
TO CANCEL
EXCESS COMMERCIAL PROPERTY POLICY NO. D37372717 001**

Creditor Illinois Union Insurance Company, a member of the ACE group of companies (hereinafter "ACE"), by and through its undersigned attorneys, hereby files this Motion To Approve Stipulation By and Between Erickson Retirement Community, LLC and Illinois Union Insurance Company to Cancel Excess Commercial Property Policy No. D37372717 001, Pursuant to Rule 4001, and in support thereof, aver as follows:

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(O). This Court has the authority to grant the relief requested pursuant to 11 U.S.C. §105(a).
2. A copy of the Stipulation is attached to this pleading.
3. Illinois Union is a company whose business includes issuing excess commercial property policies.
4. Illinois Union issued Excess Commercial Property Policy No. D37372717 001 for a policy term of November 14, 2009 - October 15, 2010 to the Debtor (hereinafter, the "Policy").
5. On or about April 16, 2009, the Court has confirmed the Debtors' Fourth Amended Joint Plan of Reorganization under Chapter 11 of the Bankruptcy Code (the "Plan").

6. The Policy was not assumed by the Debtors.

7. As of the Effective Date of the Plan, all property of the Debtors' Estates will vest in the Reorganized Debtors, the Liquidating Creditor Trust, or the Acquisition Companies.

8. The Debtors and Illinois Union have agreed to cancel the Policy as of the Effective Date of the Plan.

9. The cancelation of the Policy is in the best interest of the Debtor's Estate since the Debtor will be divested of any insurable interests as of the Effective Date of the Plan.

WHEREFORE, for all the foregoing reasons, Illinois Union Insurance Company respectfully requests that the Court approve the Stipulation By and Between Erickson Retirement Community, LLC and Illinois Union Insurance Company to Cancel Excess Commercial Property Policy No. D37372717 001, and to grant such other relief as the Court deems just.

Respectfully submitted,

GLAST, PHILLIPS & MURRAY PC

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CERTIFICATE OF SERVICE

I certify that on this 18th day of May, 2010, I caused copies of the foregoing Motion To Approve Stipulation By and Between Erickson Retirement Community, LLC and Illinois Union Insurance Company to Cancel Excess Commercial Property Policy No. D37372717 001 to be served upon the following individuals in the matter indicated below:

Via ECF:

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