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INC., SERVICE DRYWALL & DECORATING,
INC., AND SUPERIOR TRUSS & PANEL, INC.

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

IN RE:	§	CASE NO. 09-37010-sgj11
	§	
ERICKSON RETIREMENT	§	(Jointly Administered)
COMMUNITIES, LLC., et al.	§	
	§	
DEBTORS.	§	
	§	
	§	

**SHERMAN MECHANICAL, INC., SERVICE DRYWALL &
DECORATING, INC., AND SUPERIOR TRUSS & PANEL, INC.'S MOTION TO
APPROVE STIPULATION PROVIDING LIMITED RELIEF FROM INJUNCTION**

NOTICE

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT: EARLE CABELL BUILDING, U.S. COURTHOUSE, 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242, BEFORE CLOSE OF BUSINESS ON JUNE 16, 2010, WHICH IS TWENTY (20) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE

**UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING
THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.**

TO THE HONORABLE STACEY G. C. JERNIGAN,
UNITED STATES BANKRUPTCY JUDGE:

COME NOW, Sherman Mechanical, Inc., Service Drywall & Decorating, Inc., and Superior Truss & Panel, Inc. (**“Lincolnshire Lien Claimants”**), and files this their Motion to Approve Stipulation Providing for Limited Relief from Injunction. In support of this Motion, Commercial Carpet respectfully states as follows:

1. Lincolnshire Lien Claimants request that the Court approve the “Stipulation and Order Providing Limited Relief from Injunction,” which is attached hereto as Exhibit “A” (**the “Stipulation”**) and which has been agreed to and signed by the Debtors. The Stipulation modifies the injunction provided by section 12.2 of the Plan and the Confirmation Order to permit the Lincolnshire Lien Claimants to prosecute their claims against the Debtor and a property owner (who is not a debtor) in a pending state court lawsuit in Illinois for the ultimate purpose of foreclosing their mechanic’s liens against the property owner. Lincolnshire Lien Claimants seek this relief because Illinois law requires that mechanic’s lien holders include the general contractor (who is the Debtor in this case) as a party in lien foreclosure actions against owners. Lincolnshire Lien Claimants seek to include the Debtor so that they may foreclose on the property of a non-debtor entity—the Stipulation does not permit Lincolnshire Lien Claimants to execute on or enforce any judgment against the Debtor or to foreclose on any property of the Debtor.

WHEREFORE, PREMISES CONSIDERED, Lincolnshire Lien Claimants pray that the Court sign the attached Stipulation and Order Providing Limited Relief from Injunction, and for all other relief to which Lincolnshire Lien Claimants are entitled.

Date: May 27, 2010

Respectfully submitted,

THOMAS, FELDMAN & WILSHUSEN, L.L.P.

By: /s/ Jason R. Kennedy

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ATTORNEYS FOR SHERMAN MECHANICAL,
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INC., AND SUPERIOR TRUSS & PANEL, INC.

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with Debtors' counsel, Vincent Slusher, and Mr. Slusher advised that the Debtors are not opposed to the relief requested herein. The Debtors have approved and signed the Stipulation and Order attached hereto as Exhibit "A."

/s/ Jason R. Kennedy

Jason R. Kennedy

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May 2010, a true and correct copy of this document was served via first-class mail, postage prepaid, or the Court's ECF service on all parties registered to receive electronic notice in this case and on the following:

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