

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:

KMART CORPORATION,

Debtor.

Case No. 02 B 02474

Honorable Susan Pierson Sonderby

Hearing Date: August 5, 2009

Hearing Time: 11:00 a.m.

**ORDER GRANTING MOTION OF KMART  
CORPORATION FOR ORDER DIRECTING RELEASE  
OF REMAINING FUNDS FOR DEFERRED COMPENSATION PLANS**

Kmart Corporation (“Kmart”) having filed its Motion for Order Directing Release of Remaining Funds Held for Deferred Compensation Plans and the Court having conducted a hearing on the motion,

IT IS HEREBY ORDERED that BNY Mellon Bank is directed pay to Kmart all monies BNY Mellon Bank is holding in any trust account in connection with either the Management Plan or the Directors’ Plan (as defined in the Motion), including any money held under the Trust Agreements (as defined in the Motion).

Dated: August \_\_\_\_, 2009

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United States Bankruptcy Judge