

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

KMART CORPORATION,

Debtor.

Case No. 02 B 02474

Honorable Susan Pierson Sonderby

Hearing Date: March 3, 2010

Hearing Time: 11:00 a.m.

**ORDER GRANTING KMART'S MOTION FOR ORDER OF ABSTENTION AND
LIFTING PLAN INJUNCTION RE CLAIMS OF DAVID KERSH**

Kmart Corporation ("Kmart") having filed its **Motion For Order Of Abstention And Lifting Plan Injunction Re Claims Of David Kersh** (the "Motion"), and the Court having conducted a hearing on the Motion,

IT IS HEREBY ORDERED that the Court abstains from hearing any issues relating to the claim of David Kersh filed in this bankruptcy case and that all stays and injunctions imposed by the Kmart Joint Plan of Reorganization, the April 23, 2003 Order confirming the Kmart Joint Plan of Reorganization, and 11 U.S.C. §§ 362, 524, and 1141 are hereby terminated as to the Claim of David Kersh and any underlying litigation in the courts of Michigan.

Dated: March _____, 2010

United States Bankruptcy Judge