

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

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|--|---|--------------------------------|
| -----X   | : |                                |
| In re  | : | Chapter 11                     |
|  | : |                                |
| Laboratory Partners Inc., <i>et al.</i> , <sup>1</sup> | : | Case No. 13-12769 (PJW)        |
|  | : |                                |
| Debtors.   | : | (Joint Administration Pending) |
|  | : |                                |
|  | : | <b>Re: D.I. 9</b>              |
| -----X   |   |                                |

**ORDER, PURSUANT TO SECTIONS 105(a), 363(b), 363(c) and 1107(a)  
OF THE BANKRUPTCY CODE AND BANKRUPTCY RULES 6003 AND 6004(h)  
(I) AUTHORIZING DEBTORS TO (A) CONTINUE INSURANCE POLICIES,  
PREMIUM FINANCING AGREEMENT, AND AGREEMENTS RELATING THERETO,  
AND (B) HONOR CERTAIN PREPETITION OBLIGATIONS IN RESPECT THEREOF;  
AND (II) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”) of the above-captioned debtors and debtors in possession (the “Debtors”)<sup>2</sup> for entry of an order, pursuant to sections 105(a), 363(b), 363(c) and 1107(a) of the Bankruptcy Code, as supplemented by Bankruptcy Rules 6003 and 6004(h):

(i) authorizing the Debtors to (a) continue insurance policies (the “Insurance Policies”), Premium Financing Agreement, and agreements relating thereto and (b) honor certain prepetition obligations in respect thereof; and (ii) granting related relief; and upon the Brandt Declaration; and due and sufficient notice of the Motion having been given; and it appearing that no other or

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<sup>1</sup> The Debtors and the last four digits of their taxpayer identification numbers are as follows: Laboratory Partners, Inc.(3376), Kilbourne Medical Laboratories, Inc.(9849), MedLab Ohio, Inc.(9072), Suburban Medical Laboratory, Inc. (0859), Biological Technology Laboratory, Inc. (4370), Terre Haute Medical Laboratory, Inc. (1809), and Pathology Associates of Terre Haute, Inc. (6485). Certain of the Debtors do business as MEDLAB. The Debtors’ mailing address for notice in these cases is: 671 Ohio Pike, Suite K, Cincinnati, OH 45245.

<sup>2</sup> Capitalized terms used but not defined herein shall have the same meanings ascribed to such terms in the Motion.

further notice need be provided; and it appearing that the relief requested by this Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Debtors are authorized, but not directed, to maintain and continue to make all payments with respect to the Insurance Policies, the Premium Financing Agreement, and any related agreements or arrangements, including paying any premiums, self-insured retentions, deductibles, and Brokerage Fees without interruption in the ordinary course of business, in accordance with the Debtors' practices and procedures as in effect prior to the Petition Date.
3. The Debtors are authorized, but not directed, to enter into new insurance policies or programs in the ordinary course of business through the renewal of the Insurance Policies or the purchase of new insurance policies to the extent that the Debtors determine that such action is necessary or appropriate in their business judgment.
4. This order shall not create any obligation on the part of the Debtors or their officers, directors, attorneys or agents to pay any of the obligations discussed herein or in the Motion, and none of the foregoing persons shall have any liability on account of any decision by the Debtors not to pay or not to pay such obligations, and nothing in this order shall be deemed to increase, reclassify, elevate to an administrative expense status or otherwise affect such obligations to the extent they are not paid.
5. All applicable banks and other financial institutions are hereby authorized and required to receive, process, honor, and pay any and all checks and transfer requests

evidencing amounts paid by the Debtors under this Order whether presented prior to or after the Petition Date, provided that sufficient funds are on deposit in the applicable accounts to cover such payments. Such banks and financial institutions are authorized to rely on the representations of the Debtors as to which checks are issued or authorized to be paid pursuant to this Order.

6. To the extent that the Insurance Policies, the Premium Financing Agreement or any related contracts or agreements, including any agreements between the Debtors and the Brokers, are deemed executory contracts under section 365 of the Bankruptcy Code, neither the relief granted hereby nor any actions or payments made by the Debtors pursuant to this order shall be deemed an assumption or rejection of any such contract pursuant to section 365 of the Bankruptcy Code.


7. Nothing in this Order or the Motion is intended or shall be construed to constitute relief from the automatic stay pursuant to section 362 of the Bankruptcy Code.

8. The relief requested in the Motion is necessary to avoid immediate and irreparable harm to the Debtors, and timely entry of this Order is not prohibited by Bankruptcy Rule 6003(b).

9. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

10. The Court shall retain jurisdiction over any matters arising from or related to the implementation or interpretation of this Order.

Dated: Oct 29, 2013  
Wilmington, Delaware

  
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THE HONORABLE PETER J. WALSH  
UNITED STATES BANKRUPTCY JUDGE