

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

J T THORPE COMPANY,

Debtor.

§
02-41487-H5 11
§
Case No. 02-41487-H5-11
(Chapter 11)
§

ORDER RECOMMENDING PARTIAL WITHDRAWAL OF REFERENCE

Upon the Debtor's Motion for Recommendation of Partial Withdrawal of Reference ("Motion") to the United States Bankruptcy Court for the Southern District of Texas ("Bankruptcy Court") for an order pursuant to 28 U.S.C. § 157(d) recommending partial withdrawal of the reference with respect to certain issues (as more fully set forth in the Motion and Brief), the Court finds and concludes that: (i) the Court has jurisdiction to consider the relief requested in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and (ii) cause exists to recommend partial withdrawal of the reference. Based upon these findings and conclusions, upon the Motion and supporting papers, the files and records in this case, and the proceedings held before the Bankruptcy, and the District Court and after due deliberation and sufficient cause appearing it is therefore

ORDERED that, pursuant to 28 U.S.C. § 157(d), this Court recommends that the District Court partially withdraw the reference to permit that District Court to: (a) preside jointly with the Bankruptcy Court at the hearing with respect to the confirmation of a plan of reorganization for J T Thorpe Company; (b) ^{consider whether to} enter the permanent injunction, if any, under section 524(g) of the Bankruptcy Code in connection with confirming the plan; (c) ^{and consider whether to issue} ~~issue~~ or affirm the order, if any, confirming the plan of reorganization in this case; and it is further,

ORDERED that the entry of this Order is without prejudice to the right of J T Thorpe Company to seek a further order of this Court withdrawing the reference with respect to other issues.

Signed this the 13 day of Dec, 2002.


UNITED STATES BANKRUPTCY JUDGE