

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

J T THORPE COMPANY

Debtor.

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

**AMENDED ORDER**

On the 16th day of December, 2002 the above-styled and numbered case came on for hearing on the Debtor's request for confirmation of the Plan of Reorganization under Chapter 11 of the Bankruptcy Code. Because the Debtor's Plan of Reorganization also requested injunctive relief pursuant to 11 U.S.C. § 524(g)(2)(A), the Court orally granted a partial withdrawal of the above referenced case pursuant to 28 U.S.C. § 157(d) which provides that "[t]he district court shall, on timely motion of a party, so withdraw a proceeding if the court determines that resolution of the proceeding requires consideration of both title 11 and other laws of the United States regulating organizations or activities affecting interstate commerce."

Section 524(g)(2)(A) provides that "any proceeding that involves the validity, application, construction or modification of [an] injunction...may be commenced only in the district court in which such injunction was entered, and such court shall have exclusive jurisdiction over any such proceeding...". Thus, the hearing on the plan confirmation and related motions was heard and considered by the district court jointly with the bankruptcy court for three days beginning the 16th day of December, 2002.

The District Court, having heard and considered all the evidence, hereby adopts, affirms

or approves the following rulings made by the United States Bankruptcy Court for the Southern District of Texas, Houston Division:

Order authorizing and approving Compromise and Settlement (Instrument No. 335) with the St. Paul Fire and Marine Insurance Company.

Order authorizing and approving Compromise and Settlement (Instrument No. 334) with the CNA Service Mark Companies.

Order sustaining Debtor's Omnibus Objection to Insurers' Standing to Object to Solicitation Procedures, Disclosure Statement, and Plan of Reorganization (Instrument No. 278) as to American Motorist Insurance Company and Unigard Mutual Insurance Company only.

The Court finds that the Debtor has met all the requirements for confirmation of the plan including the requirements for injunctive relief, pursuant to 11 U.S.C. § 1129 and 11 U.S.C. § 524 (g)(2)(B). Accordingly, Debtor's request for confirmation of the Debtor's Plan of Reorganization is **GRANTED**.

The Clerk shall enter this Order and provide a copy to all parties.

Signed on this the 30<sup>th</sup> day of January, 2003, at Houston, Texas.



**VANESSA D. GILMORE**  
**UNITED STATES DISTRICT JUDGE**