

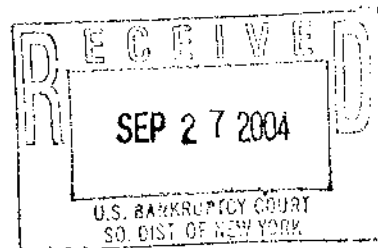
**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE )  
 ) No. 04 B 13638  
RCN CORPORATION, et al. )

**MOTION TO LIFT STAY**

The petitioner, Debra Craig, by her attorneys David L. Deratzian and Hahalis & Kounouis, PC., pursuant to Title 11, section 362(d)(1), respectfully requests this Court to modify the stay entered on May 27, 2004. The petitioner states:

1. Petitioner filed a lawsuit against RCN Corporation and various other defendants in the United States District Court for the Eastern District of Pennsylvania, on or about February 16, 2004 case number 04-cv-671.
2. The basis of the lawsuit is retaliation under Title VII of the Civil Rights Acts of 1964 and 1991.
3. RCN Corporation was named or covered by liability insurance for such claims made by the petitioner in her lawsuit.
4. Upon information and belief, the insurance referred to in paragraph 3 was issued by American International Group Insurance Company.
5. The insurance policy was in full force and effect on the date of the incident.
6. Since petitioner's claim is covered by liability insurance, and the debtor's insurer has assumed full responsibility for defending it, continuation of the Federal Court action should be permitted as the hardship to the petitioner considerably outweighs any hardship to the debtor.



7. Continuation of the Federal Court action would not effect the status of the bankruptcy estate or the debtor and would result in a resolution of the issues, In Re Abrantes Const. Corp., 132 B.R. 234(N.D.N.Y. 1991).
8. Continuation of the Federal Court case does not interfere with the bankruptcy case
9. and does not prejudice the interests of other creditors, In Re Abrantes, 132 B. R. at 237, 238.
10. Continuation of the Federal Court case is in the best interests of judicial economy
11. and the expeditious and economical resolution of litigation, In Re Abrantes, 132 B.R. at 238.
12. Petitioner moves this Honorable Court for the entry of an Order modifying the current stay in this cause so as to permit the continuation of the Federal Court action in the United States District Court for the Eastern District of Pennsylvania,

HAHALIS & KOUNOUPIS, P.C.

By: \_\_\_\_\_

DAVID L. DERATZIAN, ESQUIRE  
NANCY S. SKALANGYA, ESQUIRE  
20 East Broad Street  
Bethlehem, PA 18018  
(610) 865-2608  
Attorneys for Plaintiff,  
Debra Craig

Dated: September 21, 2004

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, on oath states that he served a true and complete copy of the foregoing pleading via email on September 21, 2004, and by mailing a copy to Mr. Neal Unger:

Mr. Richard Beheler  
2300 Main St, Ste 1000  
Kansas City, MO 64108  
rbeheler@blackwellsanders.com

Ms. Gabriela Cacuci  
NYC Law Dept  
100 Church St.  
New York, NY 10007  
gcacuci@law.nyc.gov

Mr. Vincent D'Agostino  
65 Livingston Ave.  
Roseland, NJ 07068  
vdagostino@lowenstein.com

Mr. Jason DiBattista  
1290 Avenue of the Americas  
New York, NY 10104  
jdbattista@mof.com

Mr. David Dykhouse  
1133 Avenue of the Americas  
New York, NY 10036-6710  
dwdykhouse@pbwt.com

Mr. Jay Goffman/Mr. Frederick Morris  
Four Times Square  
New York, NY 10036  
jgoffman@skadden.com/fmorris@skadden.com

Mr. Peter Goodman  
450 Lexington Ave.  
New York, NY 10017  
pgoodman@andrews-kurth.com

Mr. Alan Halperin  
555 Madison Ave., 9th Fl.  
New York, NY 10022  
ahalperin@halperinlaw.net

Mr. Darryl Laddin  
2800 One Atlantic Center  
1201 W Peachtree St.  
Atlanta, GA 30309-3450  
bkrfilings@agg.com

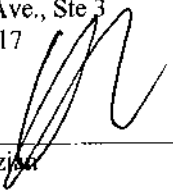
Mr. Ben Logan  
400 South Hope Street  
Los Angeles, CA 90071-2899  
blogan@omm.com

Mr. Frederick Morris  
Four Times Square  
New York, NY 10036-6522  
fmorris@skadden.com

Mr. Michael Simon  
The Chrysler Building, 405 Lexington Ave.  
New York, NY 10174  
msimon@blankrome.com

Mr. Harvey Strickon

75 E. 55th St.  
New York, NY 10022-3205  
harveystrickon@paulhastings.com  
Mr. Neal Unger  
100 Plainfield Ave., Ste 3  
Edison, NJ 08817



---

David L. Deratzin