

**IT IS SO ORDERED.**

**Dated: 04:41 PM December 19 2007**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: : Case No. 06-51848  
: (Jointly Administered)  
CEP HOLDINGS, LLC, et al.,<sup>1</sup> :  
: Chapter 11  
Debtors. :  
: Honorable Marilyn Shea-Stonum  
: United States Bankruptcy Judge  
:  
: Related to Docket No. 712

**STIPULATION AND AGREED ORDER RESOLVING CLAIM OF HARTFORD FIRE  
INSURANCE COMPANY AND SPECIALTY RISK SERVICES  
(CLAIM NOS. 622, 623 AND 656)**

The CEP Liquidating Trust, as successor in interest to the above-captioned debtors-in-possession, (the "Trust") and Hartford Fire Insurance Company ("Hartford Fire") and Specialty Risk Services ("SRS" together with Hartford Fire, collectively the "Hartford Entities") hereby stipulate as follows:

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<sup>1</sup> The Debtors are: CEP Holdings, LLC; Creative Engineered Polymer Products, LLC; and Thermoplastics Acquisition, LLC.

## **RECITALS**

1. On September 20, 2006, Debtors filed with this Court its voluntary petitions for relief under Chapter 11 of the Bankruptcy Code (the “Petition Date”).

2. On February 27, 2007, SRS filed a claim in the above-captioned matter at claim number 622 as follows: (i) \$76,246.00 – secured; and (ii) \$7,299.04 (“SRS Claim No. 622”). Also, on February 27, 2007, SRS filed a claim in the above-captioned matter at claim number 623 asserting an administrative expense claim in the amount of \$5,419.78 (“SRS Claim No. 623”).

3. On April 23, 2007, Hartford Fire filed a claim in the above-captioned matter at claim number 656 asserting a general unsecured claim in an unknown amount (“Hartford Claim No. 656” together with SRS Claim No. 622 and SRS Claim No. 623, collectively, the “Hartford Filed Claims”).

4. On October 10, 2007, the Trust filed the Second Omnibus Objection to Claims (Docket 712) (the “Omnibus Claims Objection”). In the Omnibus Claims Objection, the Trust objected to Hartford Filed Claims as follows: (i) SRS Claim No. 622 – no liability; (ii) SRS Claim No. 623 – no liability; and (iii) Hartford Claim No. 656 – no liability and late filed.

5. The Trust and the Hartford Entities have reconciled the Hartford Filed Claims and hereby agree to stipulate as follows.

## **STIPULATION**

6. The Trust and SRS agree as follows: (i) SRS Claim No. 622 shall be allowed as a secured claim in the amount of \$76,246.00 and a general unsecured claim

in the amount of \$7,299.04; and (ii) SRS Claim No. 623 shall be allowed an administrative expense claim in the amount of \$5,419.78.

7. The Trust and Hartford Fire agree that Hartford Claim No. 656 shall be disallowed in its entirety.

8. To the extent necessary, SRS is granted relief from the automatic stay provisions of 11 U.S.C. § 362 retroactively in order to apply any security deposit it holds against any amounts due from the Trust, as successor in interest to the above-captioned debtors, to SRS. SRS previously applied the funds it was holding against its secured claim as a recoupment of funds.

9. Each person proposing this Stipulation represents that he or she has full authority and capacity to make the commitment contained in this Stipulation.

WHEREFORE, the Court finds that good cause exists for approving the settlement of the parties as contained in this Agreed Order.

IT IS, THEREFORE, ORDERED THAT:

1. SRS Claim No. 622 shall be allowed as a secured claim in the amount of \$76,246.00 and a general unsecured claim in the amount of \$7,299.04

2. SRS Claim No. 623 shall be allowed an administrative expense claim in the amount of \$5,419.78.

3. Hartford Claim No. 656 shall be disallowed in its entirety.

4. To the extent necessary, SRS is granted relief from the automatic stay provisions of 11 U.S.C. § 362 retroactively in order to apply any security deposit it holds against any amounts due from the Trust, as successor in interest to the above-captioned debtors, to SRS.

**IT IS SO ORDERED.**

**###**

Respectfully submitted by:

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STIPULATED AND AGREED TO BY:

HARTFORD FIRE INSURANCE COMPANY

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