

**IT IS SO ORDERED.**

**Dated: 10:59 AM February 12 2008**



**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, 724 and 725

**STIPULATION AND AGREED ORDER RESOLVING CLAIMS  
OF KAUTEX INC. (CLAIM NO. 598)**

The CEP Liquidating Trust, as successor in interest to the above-captioned debtors-in-possession, (the "Trust") and Kautex Inc. ("Kautex") 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**

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

B. On March 1, 2007, Kautex filed a proof of claim at Claim No. 598 asserting a bifurcated unsecured claim against CEP Holdings, LLC, a predecessor in interest to the Trust, in the following amounts (i) \$109,060.00 administrative expense claim pursuant to 11 U.S.C. § 503(b)(9) (the "Kautex Filed Administrative Claim"); and (ii) \$141,302.98 general unsecured claim (the "Kautex Filed General Unsecured Claim").

C. 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 the Kautex Filed Administrative Claim and the Kautex Filed General Unsecured Claim on the basis that it should be disallowed due to a lack of any liability displayed in the Debtors' records.

D. The Trust and Kautex have reconciled the Trust's liabilities to Kautex and have agreed to the following treatment of the Kautex Filed Administrative Claim and Kautex Filed General Unsecured Claim under the terms set forth below.

## **STIPULATION**

E. The Trust and Kautex agree the Kautex Filed Administrative Claim and the Kautex Filed General Unsecured Claim shall be treated as follows:

- i. The Kautex Filed Administrative Claim shall be allowed in the amount of \$17,860.00 as an administrative expense claim pursuant to 11 U.S.C. § 503(b)(9).
- ii. The Kautex Filed General Unsecured Claim shall be allowed in the amount of \$232,502.98 as a general unsecured claim.

F. 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. The Kautex Filed Administrative Claim and the Kautex Filed General Unsecured Claim are hereby allowed as follows:

- i. The Kautex Filed Administrative Claim shall be allowed in the amount of \$17,860.00 as an administrative expense claim pursuant to 11 U.S.C. § 503(b)(9).
- ii. The Kautex Filed General Unsecured Claim shall be allowed in the amount of \$232,502.98 as a general unsecured claim.

**IT IS SO ORDERED.**

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Respectfully submitted by:

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