

IT IS SO ORDERED.

Dated: 12:12 PM April 01 2008



**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:) CASE NO. 06-51848
) (Jointly Administered)
CEP Holdings, LLC, et al.,)
) CHAPTER 11
DEBTOR(S))
)
) JUDGE MARILYN SHEA-STONUM
)
)
) **ORDER SCHEDULING**
) **EVIDENTIARY HEARING AND**
) **SETTING FILING AND**
) **SUBMISSION DEADLINES**
) **RELATIVE THERETO**
)

The Court held a telephonic pre-hearing conference on March 31, 2008 at 4:00 p.m. with respect to matters set for hearing on April 1, 2008 at 10:00 a.m. As pertains to the Application of Integrys Energy Services of NY For The Allowance Of An Administrative Expense Claim ("Application")[docket #767] and the Objection of the CEP Liquidating Trust to the Application [docket #797], the parties shall resolve said matters by way of evidentiary hearing. Based upon the foregoing:

1. Unless the matter is otherwise reported to the Court as settled, an evidentiary

hearing shall be held on **May 27, 2008 at 10:00 am**, in the Bankruptcy Courtroom, Second Floor, U.S. Courthouse and Federal Building, 2 South Main Street, Akron, Ohio.

2. By not later than **May 13, 2008**, counsel shall have jointly filed with the Court a list of all matters which are not in dispute in this case and which can be the subject of stipulations including any documentary evidence upon which the parties intend to rely in prosecution of their respective cases.
3. By not later than **May 20, 2008**, the parties are to *exchange with each other* **[BUT NOT FILE WITH THE COURT]** all documents which they intend to introduce into evidence at the evidentiary hearing. Documents of the Debtor are to be marked “Debtor’s Exhibits” and identified by *letters*, and documents of Creditor/Applicant are to be marked “Creditor’s Exhibits” or “Applicant’s Exhibits” and identified by *numbers*. Documents to which the parties have stipulated are to be marked “Joint Exhibits” and identified by either *number or letter*.
4. For the evidentiary hearing in this matter, the parties shall, in addition to the actual copies or originals of documents to be introduced into evidence, have copies of tabbed and clearly identified exhibits for use and review by the judge, the judge’s law clerk and the testifying witness.
5. By not later than **May 20, 2008** the parties are to have filed with the Court and to have actually served upon each other, the names and addresses of all witnesses they intend to call at the evidentiary hearing.
6. By not later than **May 20, 2008**, the parties are to **FILE WITH THE COURT** proposed findings of fact and conclusions of law. Such conclusions of law must include, at a minimum, citations to Supreme Court and Sixth Circuit case law, if any, that may be binding upon this Court. Further, as to any non-bankruptcy issues that will be addressed, the conclusions of law must also include citations to law from the applicable jurisdiction.
7. Each party’s proposed findings of fact and conclusions of law shall be docketed as a “Support Document” and the docket entry shall include the party’s affiliation (e.g., plaintiff’s) plus the the descriptive language “Proposed Findings of Fact and Conclusions of Law.” Additionally, the proposed findings of fact and conclusions of law shall be linked to the Order setting evidentiary hearing.
8. Any objections to evidence made by the parties at the hearing of this matter must identify the appropriate rule of the Federal Rules of Evidence on which

such objection is based.

9. *If a party fails to comply with the requirements of this Order regarding timely filing of witness lists and the timely exchange of exhibit lists, then the Court, at its discretion, may preclude that party from introducing exhibits and/or calling witnesses.*

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