

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:)
)
RED TOP RENTALS, INC.,) CAUSE NO: 09-05229-JKC-11
)
DEBTOR.)
_____)

**SECOND MOTION FOR ENLARGEMENT
OF EXCLUSIVE PERIOD TO FILE AND
GAIN ACCEPTANCE OF PLAN**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

In support of the above entitled motion (this “Motion”), Red Top Rentals, Inc., the debtor and debtor-in-possession (the “Debtor”), by counsel, states:

1. The Debtor filed its voluntary petition for relief under Title 11, Chapter 11 of the United States Code on April 20, 2009 (the “Petition Date”).

2. Since the Petition Date, the Debtor has continued in the possession of its property pursuant to §§1107 & 1108 of the U.S. Bankruptcy Code, codified at 11 U.S.C. §101, *et seq.* (the “Code”), and is a debtor-in-possession. A creditors committee has been appointed in this case.

3. Pursuant to §1121(c) of the Code, the Debtor has the exclusive right to file a plan in this case until after 120 days after the date of entry of the order for relief in this case. The exclusive period for the Debtor will expire on March 1, 2010.

4. Pursuant to §1121(c) of the Code the Court may, for cause, increase the period in which the Debtor has the exclusive right to file and gain acceptance of a plan.

5. The Debtor requires additional time to file and gain acceptance of a plan of reorganization. The Debtor just completed litigation over bidding for a mining job which was key to its reorganization. The Debtor is still liquidating excess inventory and needs to increase profitability to successfully get an exit loan which is another key to its reorganization. The Debtor continues to make verifiable, substantial progress on these items. Additionally, the Debtor needs to wait out broader economic forces that negatively affect income.

6. Under the circumstances, an enlargement of the exclusive period to file and gain acceptance of a plan for a period of ninety (90) days from the expiration dates established under §1121 of the Code is necessary and appropriate.

REQUEST FOR RELIEF

The Debtor requests that this Court enlarge the exclusive period for it to file and gain acceptance of a plan in this case and for all other just and proper relief in the premises.

Respectfully submitted,

TUCKER | HESTER, LLC

/s/ Jeffrey M. Hester

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CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system:

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I further certify that on February 26, 2010 a copy of the foregoing was mailed by first class U.S. Mail, postage prepaid, and properly addressed to the following:

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