




James K. Coachys
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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

**ORDER GRANTING MOTION TO ASSUME
EXECUTORY CONTRACT WITH
MACALLISTER MACHINERY CO., INC.**

The Court, having reviewed the Debtor’s Motion to Assume Executory Contract with MacAllister Machinery Co., Inc. (the “Motion”), filed by the Debtor on April 20, 2009; finding that the Debtor has provided a timely copy of the Motion to the parties appearing on the initial service list; having reviewed the docket, and noting that no response or objection to the Motion has been

filed with the Clerk or been made known to the Court; having conducted a hearing held on May 22, 2009 on the Motion; no parties having raised an objection to the Motion at the hearing; finding that good cause exists for the entry of this Order on the Motion without further delay or notice; and being duly advised in the premises, finds and it is hereby;

ORDERED:

1. Capitalized terms used in this Order but not otherwise defined herein, shall have the meanings given to them in the Motion and all exhibits attached thereto.

2. The Motion is granted.

3. The Debtor is hereby authorized and empowered to assume the executory contract with MacAllister Machinery Co., Inc.

4. The provisions of this Order shall become effective immediately. There is no just reason for delay in the entry of a final order as to all of the issues before the Court on the Motion and the Court hereby directs that this order be entered as a Final Order in this case in accordance with the terms stated herein.

5. This Court shall retain jurisdiction with respect to any matters, claims, rights, or disputes arising from or related to the implementation of this Order.

###

Prepared by:

William J. Tucker

Jeffrey M. Hester

Niccole R. Sadowski

TUCKER | HESTER, LLC

Pennsylvania Center, Suite 100

429 North Pennsylvania Street

Indianapolis, Indiana 46204-1816

317.833.3030 / 317.833.3031 (f)

Jeff@tucker-hester.com