

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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

**ORDER ESTABLISHING CERTAIN NOTICE,
CASE MANAGEMENT AND ADMINISTRATIVE PROCEDURES**

Upon the First Day Motion to Limit Notice Generally and Establish Certain Case Management and Administrative Procedures (the “Motion”) of the debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Debtor”), seeking entry of an order limiting notice generally and establishing certain case management and administrative procedures; and it appearing that the relief requested is in the best interests of the Debtor’s estate, its creditors and other parties in interest; and it appearing that this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this proceeding is a core proceeding pursuant to 28 U.S.C. § 158(a); and after due deliberation and cause appearing therefore; it is hereby

ORDERED that the Motion is granted; and it is further

ORDERED that the Court shall conduct omnibus hearings on a regular basis in this case (the "Omnibus Hearings"), and the following dates and times have been scheduled for the first three such Omnibus Hearings: May ____, 2009, at _____.m. (Eastern Standard Time); June ____, 2009, at _____.m. (Eastern Standard Time); and July ____, 2009, at _____.m. (Eastern Standard Time). Omnibus Hearings will occur thereafter as may be scheduled by the Court. Omnibus Hearings shall be heard in Courtroom ____, United States Bankruptcy Court, 46 E. Ohio Street, Indianapolis, Indiana, unless otherwise order by the Court; and it is further

ORDERED that the Debtor shall arrange with a service to be determined by the Debtor for the participation in the Omnibus Hearings by telephone conference. Any non-local party filing a pleading, including, without limitation, an objection or response thereto prior to the scheduled Omnibus Hearing Date, may participate in an Omnibus Hearing by telephone conference but may not question any sworn-in witness of offer testimony at such hearing. Any non-local party not submitting a pleading, but interested in monitoring the Court's proceedings, may participate by telephone conference in "listen only" mode. Counsel with offices within 150 miles of the location of the U.S. Courthouse in Indianapolis, Indiana are prohibited from attending an Omnibus Hearing by telephone absent prior approval of the Court. Under no circumstances may any party record or broadcast the proceedings conducted by the Court. Any costs associated with setting up this system shall be borne by Debtor as permitted by 28 U.S.C. § 156(c); and it is further

ORDERED that no later than 12:00 p.m. (EST) the day before each Omnibus Hearing, the Debtor shall file a proposed hearing agenda setting forth each matter to be heard at such hearing and the order in which such matters will be heard (the "Proposed Hearing Agenda"). The Proposed Hearing Agenda shall constitute merely a proposal for the convenience of the Court and counsel and is not determinative of the matters to be heard on that day or whether there will be a settlement or continuance. The Proposed Hearing Agenda is expected to include: (i) the docket number and title of each matter to be scheduled for hearing; (ii) the status of each matter (for example: adjourned, contested or uncontested, continued or withdrawn); (iii) Debtor's estimate of the time required for the hearing; (iv) a suggestion for the order in which the matters could be addressed; and (v) the phone number and passcode for telephonic participation. The Court is not bound in any way by the Proposed Hearing Agenda; and it is further

ORDERED that any entity submitting a motion or application for consideration at an Omnibus Hearing shall serve the applicable pleading and all supporting documentation no less than twenty three (23) days (and longer, if required by applicable rules) prior to the applicable Omnibus Hearing date. Unless otherwise ordered by the Court, the objection deadline for all matters shall be no later than the seventh calendar date before the applicable hearing date; and it is further

ORDERED that where the Debtor or another entity filing pleadings in the main bankruptcy case is either required or elects to distribute a notice, such notice (except for notices required by Bankruptcy Rule 2002(a), (b), (d) and (f)) shall be limited to the Service List and any party affected by the notice; provided, however, that all notices must be sent to the Court for approval and will be docketed by the Court if so approved. The Court will notify counsel when the notice has been docketed so that counsel may serve the notice in accordance herewith. Counsel submitting notices to the Court for docketing shall email them to _____@insb.uscourts.gov. Notices not approved and docketed shall be null and void; and it is further

ORDERED that all filing parties may, but are not required to, serve pleadings and notices by email only on the Service List (which shall include those parties that have filed proofs of claim in this case), to the extent that an email address is provided for such party on the most recent Service List filed in this case. Providing an email address of such party on the Service List shall constitute Debtor's counsels' representation to the Court that such party has authorized service by email. Similarly, removing an email address of such party shall constitute Debtor's counsels' representation to the Court that such party has no longer authorized service by email; and it is further

ORDERED that nothing herein shall prejudice: (i) the right of any entity to move the Court to further limit or expand notice of contested matters and adversary proceedings upon a showing of good cause, including without limitation the right to file a motion seeking emergency ex parte relief or relief upon shortened notice; or (ii) the right of any entity to request an enlargement or reduction of any time period under Bankruptcy Rules 9006(b) or 9006(c); and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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Requested by:

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