

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

In re:	§	Chapter 11
	§	
BRIGGS & STRATTON	§	Case No. 20-43597-399
CORPORATION, <i>et al.</i> ,	§	
	§	(Jointly Administered)
	§	
Debtors.	§	Related Docket No. 1944

**CONSENT ORDER SUSTAINING THE PLAN ADMINISTRATOR'S  
TWENTY-SIXTH OMNIBUS OBJECTION AS TO CLAIM NOS. 988, 989, 990 AND 992  
ON GROUNDS OF NO LIABILITY (WORKERS' COMPENSATION)**

Upon the objection (the "**Objection**")<sup>1</sup> of the Plan Administrator in the above-captioned chapter 11 cases for entry of an order pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007(C) disallowing the claims listed herein; and as more fully set forth in the Objection; and upon the *Declaration of Alan D. Halperin in Support of the Plan Administrator's Twenty-Sixth Omnibus Objection to Claims on Grounds of No Liability (Workers' Compensation)* (attached to the Objection as Exhibit B); and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor, **it is hereby ORDERED that the Objection is SUSTAINED in that:**

1. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, each No Liability Claim listed below is disallowed with respect to the Wind-Down Estates as each

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.



is duplicative of one or more of the allowed claims of Missouri Private Sector Individual Self-Insurers Guaranty Corporation (the “**Guaranty Corporation**”):

- a) Claim No. 988 of Anita Hupp in the amount of \$200,000 filed as a general unsecured claim;
- b) Claim No. 989 of Hupp, Anita in the amount of \$200,000 filed as a general unsecured claim;
- c) Claim No. 990 of Hupp, Anita in the amount of \$600,000 filed as a general unsecured claim;
- d) Claim No. 992 of Royer, Jennie in the amount of \$600,000 filed as a general unsecured claim.

2. Nothing herein shall prejudice Anita Hupp and Jennie Royer from seeking to recover against any non-debtor party, including but not limited to, the Guaranty Corporation and/or the bonding company that provided the bond(s) to cover liability for worker compensation claims against Debtor Briggs & Stratton Corporation.


3. The terms and conditions of this Order are effective immediately upon entry.

4. The Plan Administrator is authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.

5. Not later than two (2) business days after the date of this Order, the Plan Administrator shall serve a copy of the Order and shall file a certificate of service no later than twenty-four (24) hours after service.

DATED: December 3, 2021  
St. Louis, Missouri

cke

  
Barry S. Schermer  
United States Bankruptcy Judge

**So Consented:**

By: /s/ J. Talbot Sant, Jr.  
Date: December 1, 2021

**BECK & SANT, LLC**

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By: /s/ Robert E. Eggmann  
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-and-

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By: /s/ J. Talbot Sant, Jr.  
Date: December 1, 2021

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