

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

In re:	)	
	)	Case No. 20-43597-399
<b>BRIGGS &amp; STRATTON</b>	)	Judge Barry S. Schermer
<b>CORPORATION, et al.,</b>	)	Chapter 11
	)	(Jointly Administered)
Debtors.	)	
	)	<b>Hearing Date: October 14, 2020</b>
<hr/> <b>METROPOWER, INC.,</b>	)	<b>Hearing Time: 10:00 a.m.</b>
	)	<b>Answer Due: October 7, 2020</b>
Movant.	)	

**NOTICE OF HEARING ON**  
**MOTION FOR RELIEF FROM AUTOMATIC STAY**  
**FILED BY METROPOWER, INC.**

**PLEASE TAKE NOTICE**, that upon the Motion of MetroPower, Inc. ("Movant"), dated September 23, 2020, seeking that the automatic stay be terminated/modified pursuant to 11 U.S.C. §362(d)(1) and U.S.C. §362(d)(2) and that:

- (a) Movant be free to immediately take such action as is necessary to commence and prosecute its mechanic's lien action in Georgia state court to secure its claim(s) as appropriate under applicable Georgia state law;
- (b) Movant be free to immediately take such action to otherwise secure its claim(s) as permitted under applicable Georgia state law;
- (c) this Court's order granting relief not be subject to the fourteen-day stay provided in Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure; and
- (d) this Court award Movant such other and further relief as is just and proper under the circumstances,

the undersigned will move before the Honorable Barry S. Schermer in the Thomas F. Eagleton Courthouse, 111 South 10th Street, Courtroom 5 North, St. Louis, Missouri 63102, on October 14, 2020 at 10:00 a.m., or as soon thereafter as counsel can be heard for an order. Debtors, trustee, and any other party must file and serve their response by the 7<sup>th</sup> day of October, 2020.

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY**



**OCTOBER 7, 2020. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.**

**FAILURE TO FILE A RESPONSE TO THE MOTION WITHIN FIVE (5) BUSINESS DAYS BEFORE HEARING DATE MAY RESULT IN A DEFAULT ORDER BEING GRANTED.**

Respectfully submitted,  
STONE, LEYTON & GERSHMAN  
A Professional Corporation

By: /s/ Howard S. Smotkin  
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*Attorneys for MetroPower, Inc.*

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on **September 23, 2020** with the United States Bankruptcy Court, and has been served on the parties in interest via email by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed below on **September 23, 2020**:

1. Briggs & Stratton Corporation Debtor  
PO Box 702  
Milwaukee, Wisconsin 53201

/s/ Howard S. Smotkin  
Howard S. Smotkin