



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 8, 2016


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re: § Chapter 11
§
TPP ACQUISITION, INC. d/b/a The § Case No. 16-33437-hdh-11
Picture People, §
§
Debtor. §

**ORDER PURSUANT TO 11 U.S.C. §§ 105(A) AND 363(C) AUTHORIZING
THE DEBTOR TO (I) CONTINUE ITS INSURANCE POLICIES, AND
(II) PAY INSURANCE PREMIUMS THEREON**

On September 7, 2016, the Court conducted a hearing to consider the *Debtor's* *Emergency Motion for an Order Pursuant to 11 U.S.C. §§ 105(a) and 363(c) Authorizing the Debtor to (I) Continue its Insurance Policies, and (II) Pay Insurance Premiums Thereon* (the "Motion"), filed by the above-captioned debtor (the "Debtor"). The Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief requested in the Motion is



in the best interests of the Debtor, its estate, and its creditors; (iv) proper and adequate notice of the Motion has been given and no other or further notice is necessary; and (v) upon the record herein after due deliberation thereon, good and sufficient cause exists for the granting of the relief as set forth herein.

Therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Debtor is authorized to maintain all of its existing Insurance Policies.¹
3. The Debtor may pay outstanding prepetition amounts due under the Insurance Policies, subject to the limitations in this Order, any DIP Financing Orders, and the Budget.
4. The Debtor may, in its reasonable business judgment, pay premiums under the Insurance Policies and continue, renew or obtain new Insurance Policies in the ordinary course of business to the extent they may become due and payable, subject to the limitations in this Order, any DIP Financing Orders, and the Budget.
5. Debtor's banks and other financial institutions shall be and hereby are authorized and directed to receive, process, honor and pay all prepetition and postpetition checks and fund transfers on account of the prepetition insurance obligations, provided that sufficient funds are on deposit in the applicable accounts to cover such payments. In doing so, the Debtor's banks and other financial institutions are authorized to rely on the representations of the Debtor as to which checks and fund transfers are issued or authorized to be paid pursuant to this Order.
6. The automatic stay is hereby modified solely as it relates to Workers' Compensation Claims provided that such claims are pursued in accordance with the Workers' Compensation Programs and recoveries, if any, and are limited to the proceeds from the

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

applicable Workers' Compensation Program. All other claims, including any relating to matters covered by other Insurance Programs, will remain subject to the automatic stay. To effectuate the aforementioned modification of the automatic stay, the stay of a judgment under Bankruptcy Rule 7062 and the requirements under Bankruptcy Rule 9014 relating to contested matters with respect to claims under the Workers' Compensation Programs are hereby waived to the extent necessary to permit Workers Compensation Claims to be pursued as otherwise provided in this paragraph.

7. Neither the provisions contained herein, nor any actions or payments made by the Debtor pursuant to this Order, shall be construed as: (a) an admission as to the validity of any claim against the Debtor; (b) a waiver of the Debtor's rights to dispute any claim on any grounds; (c) a promise to pay any claim; (d) an assumption or rejection of any executory contract or unexpired lease pursuant to Bankruptcy Code § 365; or (e) otherwise affecting the Debtor's rights under Bankruptcy Code § 365 to assume or reject any executory contract with any party subject to this Order.

8. Notwithstanding the relief granted in this Order, any payment to be made or authorization obtained hereunder shall be subject to the requirements imposed on the Debtor under and DIP Financing Order and the Budget.

9. To the extent necessary, the Court finds and determines that the requirements of Bankruptcy Rule 6003 are satisfied and that the relief requested is necessary to avoid immediate and irreparable harm.

10. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

11. This Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

END OF ORDER

Submitted by:

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PROPOSED ATTORNEYS FOR DEBTOR