


Below is an order of the court.


PETER C. McKITTRICK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

North Pacific Cannery & Packers, Inc.,
Hermiston Foods, LLC, and NPCP Quincy,
LLC,

Debtors.

North Pacific Cannery & Packers, Inc.,
Hermiston Foods, LLC, and NPCP Quincy,
LLC,

Plaintiff,

v.

Syngenta Seeds LLC,

Defendant.

Case No. 19-62584-pcm11
LEAD CASE

(Jointly Administered with Case
Nos. 19-33102-pcm11 and
19-33103-pcm11)

Adv. Proc. No. 20-06035-pcm

**ORDER GRANTING DEBTORS'
MOTION TO SETTLE AND
COMPROMISE WITH SYNGENTA
SEEDS LLC PURSUANT TO
FED. R. BANKR. P. 9019**

THIS MATTER having come before the Court upon Debtors' Motion to Settle and
Compromise with Syngenta Seeds LLC pursuant to Fed. R. Bankr. P. 9019 (the "Motion") [ECF

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COMPROMISE WITH SYNGENTA SEEDS LLC PURSUANT TO
FED. R. BANKR. P. 9019**

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No. 17], and considering the Motion,¹ the Agreement, and the record before the Court, including publicly filed documents on the Court's docket in these Bankruptcy Cases and the Adversary Proceeding, and the Court's determination that the proposed settlement is reasonable, an appropriate exercise of Debtors' business judgment, and in the best interests of Debtors' bankruptcy estate and its creditors, and good cause appearing therefore;

IT IS HEREBY FOUND AND DETERMINED that:

A. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and this matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of this case and this matter in this district is proper under 28 U.S.C. §§ 1408 and 1409.

B. As evidenced by the certificate of service filed by Debtors with the Motion and the accompanying notice, (i) proper, timely, adequate, and sufficient notice of the Agreement has been provided in compliance with the various applicable requirements of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure; (ii) such notice was good and sufficient, and appropriate in the particular circumstances; and (iii) no other or further notice is or shall be required.

C. Approval of the Agreement is in the best interests of Debtors' estates, their creditors, and other parties in interest. The terms of the Agreement are fair and reasonable and reflect the prudent business judgment of Debtors under all of the relevant circumstances.

D. The parties to the Agreement have entered into the Agreement knowingly, voluntarily, in good-faith, and after arms-length negotiations, and the Agreement is therefore binding on those parties.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Motion is GRANTED and the Agreement is approved.

¹ All undefined capitalized terms in this Order are ascribed their meaning from the Motion.

2. Debtors and Syngenta are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order, in accordance with the Motion, including, without limitation, taking all steps necessary to effectuate the Agreement.

3. There being good cause and proper notice, this Order, once entered, is effective immediately by providing that, to the extent applicable, any potential stay, including the 14-day stay under Bankruptcy Rules 6004(h), is waived.

4. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order or the Agreement.

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I certify that I have complied with the requirements of LBR 9021-1(a).

Presented by:

TONKON TORP LLP

By /s/ Michael W. Fletcher

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