

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

	§	Chapter 11
<b>In re:</b>	§	
	§	Case No. 20-43597-399
<b>BRIGGS &amp; STRATTON</b>	§	
<b>CORPORATION, et al.,</b>	§	(Jointly Administered)
	§	
<b>Debtors.</b>	§	Related Docket No. 2121

**ORDER SUSTAINING THE PLAN ADMINISTRATOR’S  
APPLICATION FOR AN ORDER PURSUANT TO 11 U.S.C. § 502(c)  
ESTIMATING THE GENERAL UNSECURED CLAIM VALUE  
OF PROOFS OF CLAIM NUMBERED 466 AND 468**

Upon the application (the “**Application**”)<sup>1</sup> of the Plan Administrator in the above-captioned chapter 11 cases for entry of an order pursuant to section 502(c) of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007(C) estimating Claim Nos. 466 and 468 and as more fully set forth in the Application; and upon the *Declaration of Alan D. Halperin In Support of Plan Administrator’s Application for an Order Pursuant to 11 U.S.C. § 502(c) Estimating the General Unsecured Claim Value of Certain Litigation Claims* (attached to the Objection as **Exhibit A**); and this Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Application 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 the Plan Administrator having represented that adequate and proper notice of the Application has been given in accordance with the Omnibus Objection Procedures; and that no other or further notice need be given; and this Court having reviewed the Application; and this Court having held a hearing to consider the relief

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



requested in the Application; and this Court having determined that the legal and factual bases set forth in the Application establish just cause for the relief granted herein; and it appearing that the relief requested in the Application is in the best interests of the Plan Administrator and creditors; 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 Application is GRANTED in that:**

1. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, the amount of Claim Nos. 466 and 468 are each estimated to be \$0 for purposes of distribution by the Wind-Down Estates.

2. The Plan Administrator is authorized to estimate each of the Litigation Claims at \$0, solely for purposes of fixing distributions to all creditors in these Chapter 11 cases, with such distributions to be made in accordance with the Plan. In the event the Wind-Down Estates are proven to have liability for the Litigation Claims in excess of \$0, any Litigation Claim shall, nonetheless, each be capped at \$0 for distribution purposes.

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


4. Nothing contained in the Application or this Order is intended to be or shall be deemed as (i) an admission as to the validity of any claim against the Debtors or the Wind-Down Estates, (ii) a waiver of rights to dispute the amount of, basis for, or validity of any claim, (iii) a waiver of rights under the Bankruptcy Code or any other applicable nonbankruptcy law, (iv) an agreement or obligation to pay any claims, (v) a waiver of any claims, defenses or causes of action which may exist against any creditor or interest holder, or (vi) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code.

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

6. 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: October 12, 2022  
St. Louis, Missouri

cke

  
Barry S. Schermer  
United States Bankruptcy Judge

**Order Prepared By:**

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