

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

HRI HOLDING CORP., *et al.*,¹

Debtors.

Chapter 11

Case No. 19-12415 (MFW)
(Jointly Administered)

RE: D.I. 979 and 982

**ORDER APPROVING STIPULATION BY AND BETWEEN GRIFFIN T. FERRIGAN
AND PLAN ADMINISTRATOR FOR ENTRY OF AN ORDER GRANTING RELIEF
FROM THE AUTOMATIC STAY**

UPON CONSIDERATION of *Creditor, Griffin T. Ferrigan's Motion for Relief from the Plan Injunction to Permit Resumption of Personal Injury Litigation* (the "Motion") and the *Stipulation by and Between Griffin T. Ferrigan and Plan Administrator for Entry of an Order Granting Relief from the Automatic Stay* (the "Stipulation") it is hereby ORDERED:

1. The Stipulation is approved. The automatic stay is hereby modified for the sole and limited purpose of permitting Ferrigan to pursue his state court action (the "State Court Action") and prosecute any and all claims in connection therewith or otherwise against the Debtors in name only.

2. In the event that Ferrigan obtains a judgment, award or settlement pursuant to the State Court Action (i) Ferrigan is authorized to collect such judgment, award, or settlement solely from the Debtors' applicable insurance policies (the "Insurance Policies") and any proceeds

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: HRI Holding Corp. (4677), Houlihan's Restaurants, Inc. (8489), HDJG Corp. (3479), Red Steer, Inc. (2214), Houlihan's of Ohio, Inc. (6410), HRI O'Fallon, Inc. (4539), Houlihan's Texas Holdings, Inc. (5485). On November 17, 2021, the Court entered a final decree closing certain of the original affiliated Debtors' Chapter 11 Cases [D.I. 883]. The Debtors' mailing address is HRI Holdings Corp., c/o Saccullo Business Consulting, LLC, 27 Crimson King Drive, Bear, Delaware 19701.



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thereof (the “Insurance Proceeds”); and (ii) such judgment, award or settlement shall be payable only out of applicable Insurance Proceeds to the extent any such proceeds are available.

3. Neither the Plan Administrator, the Debtors, their estates nor any successors thereto shall be obligated to pay any amounts due and owing under either (i) any judgment, award, or settlement obtained by Ferrigan pursuant to the State Court Action; or (ii) the Insurance Policies including, but not limited to, any self-insured retention, deductible or other amount on account of any judgment, award, or settlement.

4. Nothing shall impair, modify, limit or expand the rights and duties of (i) Ferrigan; (ii) the Debtors including, without limitation, the Debtors’ rights or obligations, if any, under the Insurance Policies, including the Debtors’ obligations to satisfy any amounts due and owing under the Insurance Policies; and (iii) insurers in connection with the Insurance Policies.

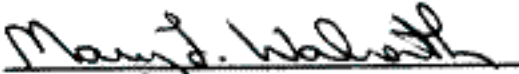
5. Except for the limited purpose of lifting the automatic stay as set forth in the Stipulation, the automatic stay shall otherwise remain in full force and effect as against Ferrigan and all other parties in interest.

6. Nothing herein is intended or shall be deemed to be a stipulation, agreement, representation, warranty, or admission by the Debtors or their estates that (a) the Debtors or their estates are liable to Ferrigan for any amounts; or (b) any causes of action, claims or damages alleged in the State Court Action are covered in whole or in part under of any of the Debtors’ Insurance Policies. Rather, any causes of action, claims or damage alleged in the State Court Action are subject to the terms conditions, exclusions and limitations of the Insurance Policies as they may or may not apply. Moreover, the aggregate limits of any of the Insurance Policies are subject to reduction, depletion and/or exhaustion by payments made thereunder with regard to any

pending or future claims, and no representations to the contrary are asserted. Any amounts necessary to collect any Insurance Proceeds shall be borne solely by Ferrigan.

7. The Bankruptcy Court shall retain jurisdiction to hear any matters or disputes arising from or relating to this Stipulation.

Dated: August 3rd, 2023
Wilmington, Delaware


MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE