

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:

NEW WEI, INC., et al.

**Case No. 15-02741-TOM7
Chapter 7**

Debtor(s)

**ORDER APPROVING STIPULATION BETWEEN ANDRE M. TOFFEL,
TRUSTEE, AND ARCH INSURANCE COMPANY**

Upon consideration of the Motion to Approve Stipulation between Andre M. Toffel, Trustee, and Arch Insurance Company (“Arch”) [Doc. 3813] (the “Motion”); and it appearing to the Court that all of the requirements of Bankruptcy Rule 9019 have been satisfied; and it further appearing that the stipulation and compromise detailed in the Motion is in the best interests of the estate; and this Court having jurisdiction to consider the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b) and a related proceeding pursuant to 28 U.S.C. § 157(a); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and that due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and hearing no objections; and after due deliberation and sufficient cause appearing therefor; it is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED and the Parties’ Stipulation is APPROVED.
2. As provided in the Stipulation, Arch shall remit \$94,534.61 of the Remaining LOC Proceeds (as defined in the Motion) to the Trustee, without prejudice to and without recourse by any party to Arch.



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3. As provided in the Stipulation, Arch shall also provide the Trustee with an itemization of its costs and expenses incurred that have not otherwise been reimbursed, and Arch's proposed reimbursement. Upon agreement by Arch and the Trustee, which may be evidenced by email confirmation between counsel, or if the parties cannot agree, by subsequent order of this Court, Arch shall remit the then remaining balance of the Remaining LOC Proceeds to the Trustee without prejudice to Arch, and without recourse to Arch by any party to Arch.

4. As provided in the Stipulation, upon the delivery of the Remaining LOC Proceeds to the Trustee pursuant to paragraphs 2 and 3 above, each of the proof of claims filed by Arch in these bankruptcy cases (and as identified in the Motion) will be deemed satisfied, and otherwise withdrawn, with prejudice, and Arch shall be released of any from any and all liability and/or any claims of any kind by any party, including, without limitation, the Trustee, the bankruptcy estates, and the Liquidating Trust, in respect of the Arch Bonds, its indemnity agreement, its collateral, including the Arch LOC and its proceeds, and the Chapter 11 and Chapter 7 cases.

5. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: October 17, 2023

/s/ Tamara O. Mitchell
Tamara O. Mitchell
United States Bankruptcy Judge

Notice Recipients

District/Off: 1126-2
Case: 15-02741-TOM7

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