

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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In re:	:	Chapter 11
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EXIDE TECHNOLOGIES,	:	Case No. 13-11482 (KJC)
	:	
Debtor. ¹	:	Related Docket No. <u>12</u>
	:	

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ORDER GRANTING DEBTOR’S MOTION FOR ORDER PURSUANT TO 11 U.S.C. §§ 105, 361, 362, 363, 1107 AND 1108 AND FED. R. BANKR. P. 6003 AUTHORIZING DEBTOR TO (I) MAINTAIN EXISTING INSURANCE POLICIES AND PAY ALL INSURANCE OBLIGATIONS ARISING THEREUNDER AND (II) RENEW, REVISE, EXTEND, SUPPLEMENT, CHANGE OR ENTER INTO NEW INSURANCE POLICIES

Upon the motion (the “Motion”)² of the Debtor for an order, pursuant to sections 105, 351, 362, 363, 1007, and 1008 of title 11 of the United States Code (the “Bankruptcy Code”), and Rule 6003 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) authorizing, but not directing, the Debtor to (i) maintain existing insurance policies and pay all insurance obligations arising thereunder; (ii) renew, revise, extend, supplement, change or enter into new insurance coverage and insurance premium financing as needed in their business judgment; and (iii) continue to honor insurance premium financing obligations; and upon the First Day Declaration; and due and sufficient notice of the Motion having been given under the particular circumstances; and it appearing that no other or further notice need be provided; and it appearing that the relief requested by the Motion is in the best interests of the Debtor, its estate, its creditors, its stakeholders, and other parties in interest; and after due deliberation thereon, and

¹ The last four digits of the Debtor’s taxpayer identification number are 2730. The Debtor’s corporate headquarters are located at 13000 Deerfield Parkway, Building 200, Milton, Georgia 30004.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED that:

1. The Motion is GRANTED as set forth herein.
2. The Debtor is authorized, but not directed, to maintain its Insurance Policies and to pay the Insurance Obligations and Premium Financing Obligations arising under or in connection with the Insurance Policies as such Insurance Obligations and Premium Financing Obligations become due. The Debtor is authorized, but not directed, to pay of all Insurance Obligations and Premium Financing Obligations attributable to the prepetition period.
3. Without further order of this Court, the Debtor is authorized, but not directed, to renew, revise, extend, supplement, change or enter into new insurance coverage and premium financing agreements as needed in its business judgment.
4. The Debtor is authorized, but not directed, to continue its insurance premium financing and to pay its regular monthly installment payments under the PFAs as the same become due.
5. All applicable banks and other financial institutions are authorized to rely on the Debtor's direction to pay amounts in accordance with this Order provided that there are sufficient good funds standing in the Debtor's credit in the applicable accounts to make the payments and all applicable banks shall not have any liability to any party for relying on the Debtor's direction.
6. Neither the provisions contained herein, nor any actions or payments made by the Debtor pursuant to this order, shall be deemed an admission as to the validity of the underlying obligation or a waiver of any rights the Debtor or any other party in interest may have to subsequently dispute such obligation on any ground that applicable law permits.

7. Nothing in this order or the Motion shall be deemed to constitute postpetition assumption or adoption of any agreement under Bankruptcy Code section 365. Notwithstanding the relief granted herein and any actions taken hereunder, nothing herein shall create, nor is intended to create, any rights in favor of, or enhance the status of any claim held by, any person.

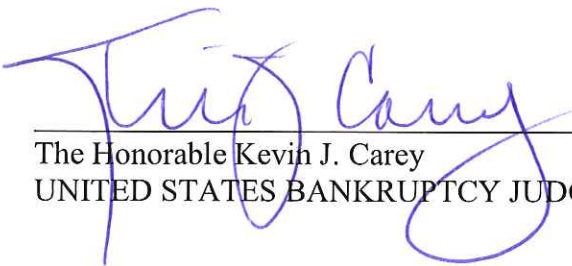
8. To the extent that there may be any inconsistency between the terms of the interim or final order approving the proposed debtor in possession financing, if and when entered, and this Order, the terms of the interim or final order approving the proposed debtor in possession financing, as applicable, shall govern.

9. 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 arising from or related to the implementation or interpretation of this order.

Dated: Wilmington, Delaware
June 11, 2013


The Honorable Kevin J. Carey
UNITED STATES BANKRUPTCY JUDGE