

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

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| In re: | § | Chapter 11 |
| | § | |
| BRIGGS & STRATTON CORPORATION, et al., | § | Case No. 20-43597-399 |
| | § | |
| | § | (Jointly Administered) |
| | § | |
| Debtors. | § | Related Docket No. 2124 |

**ORDER CLOSING CERTAIN CHAPTER 11
CASES AND GRANTING RELATED RELIEF**

Upon the application (the “**Application**”)¹ of Alan D. Halperin, as the Plan Administrator (the “**Plan Administrator**”), as successor in interest to the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), for entry of an order, pursuant to sections 105(a) and 350(a) of title 11 of the United States Code, Rule 3022 of the Federal Rules of Bankruptcy Procedure, and Rule 3022(A) of the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the Eastern District of Missouri, closing certain chapter 11 cases; and it appearing that the Court has jurisdiction over this matter; and it appearing that the notice of the Application as set forth therein is sufficient, and that no other or further notice need be provided; and it further appearing that the relief requested in the Application is in the best interests of the Wind-Down Estates, their beneficiaries, and all other parties-in-interest; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor, it is hereby **ORDERED, ADJUDGED, and DECREED that:**

1. The relief sought by the Application is **GRANTED** to the extent set forth herein.

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Application.



2. The chapter 11 cases of (1) *In re Briggs & Stratton Corporation* (Case No. 20-43597) is designated as the surviving bankruptcy case and shall remain open pending the entry of final decree(s) or order(s) by this Court.

3. The chapter 11 cases of (1) Case No. 20-10575 (*In re Billy Goat Industries, Inc.*), and (2) Case No. 20-43598 (*In re Allmand Bros., Inc.*) (the “**Closing Cases**”) are closed.

4. The closing of the Closing Cases by this Order shall have no effect on the allowance or disallowance of claims filed in the Closing Cases, and the Court shall continue to have jurisdiction over claims filed in the Closing Cases including, for the avoidance of doubt, all unresolved cure claims and Administrative Claims.

5. The requirement of the Plan Administrator to file further post-Confirmation quarterly reports for the Closing Cases shall be and hereby is waived without prejudice to further Order of this Court; *provided, however*, that the Plan Administrator shall (a) within twenty (20) business days after the entry of this Order, file a final post-Confirmation quarterly report acceptable to the U.S. Trustee through the date of entry of this Order solely for the Closing Cases, and (b) as soon as reasonably practicable after the date of entry of this Order, to the extent not already paid, pay the fees that have accrued as of the date hereof for the Closing Cases that are required to be paid to the U.S. Trustee pursuant to 28 U.S.C. § 1930(a)(6). Subject to the foregoing or unless otherwise directed by this Court, as of the date of entry of this Order, no further quarterly fees or other amounts assessable under 28 U.S.C. § 1930(a)(6) or 31 U.S.C. § 3717 shall be assessed against, or otherwise become due and payable by or on account of, disbursements made by the Plan Administrator. For the avoidance of doubt, except for disbursements made pursuant to the terms of the Plan, no disbursements made by any of the Closing Cases after the date of this Order shall be included in subsequent quarterly reports filed by the Plan Administrator.

6. A docket entry shall be made in each of the Closing Cases that reflects entry of this Order.

7. Entry of this Order is without prejudice to the rights of the Debtors, the Plan Administrator, or any other party in interest, to seek to reopen the Closing Cases for good cause shown in accordance with 11 U.S.C. § 350(b). Upon the reopening of any of the Closing Cases, quarterly fees would be imposed and paid pursuant to 28 U.S.C. § 1930(a)(6), calculated based upon all disbursements made during the period of reopening.

8. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order.


9. Entry of this Order and the closing of the Closing Cases is for administrative purposes only and shall not create a right, claim, or cause of action by a creditor or other party in interest in any other regard.

10. The relief granted pursuant to this Order is based upon the unique facts of these chapter 11 cases and is not intended to create precedence for any subsequently filed or unrelated cases, nor should it limit or restrict any party, including the United States Trustee, from opposing a request for similar relief in any subsequently filed or unrelated cases.

11. 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

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Barry S. Schermer
United States Bankruptcy Judge

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