

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

In re:)	Chapter 11
)	Case No. 09-12200 (BLS)
PUMPKIN PATCH LLC, ¹)	
)	
Debtor.)	Re: D.I. 6

**ORDER AUTHORIZING THE PAYMENT OF CERTAIN PREPETITION
CLAIMS OF CERTAIN CRITICAL VENDORS AND FREIGHT CARRIERS**

Upon the Motion² of the above-captioned debtor and debtor-in-possession for entry of an order authorizing the Debtor, in its discretion, to pay the prepetition claims of certain Freight Carriers; and upon consideration of the Motion and all pleadings related thereto, including the Declaration; and the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and (c) notice of the Motion was due and proper under the circumstances; and it appearing that the relief requested in the Motion is in the best interests of the Debtor, its estate and creditors; and after due deliberation and good and sufficient cause appearing therefor, it is hereby:

ORDERED, that the Motion is GRANTED; and it is further

ORDERED, that the Debtor is authorized, in the Debtor's sole discretion, to pay Freight Claims in an amount not to exceed \$ 150,000 absent further order of the Court; and it is further

¹ The last four digits of Pumpkin Patch LLC's federal tax identification number are 4007. The mailing address for Pumpkin Patch LLC is 951 Mariners Island Boulevard, Suite 650, San Mateo, CA 94404.

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

ORDERED, that upon the Debtor's payment of the Freight Claims, any lien securing such Freight Claim shall be immediately released, void and of no further force and effect, without further action by the Debtor; and it is further

ORDERED, that nothing in the Motion or this Order, or the Debtor's payment of any claims pursuant to this Order, shall be deemed or construed: (a) as an admission as to the validity of any claim or lien, including, but not limited to, any claim or Lien of a Freight Carrier against the Debtor or its estate; (b) as a waiver of the Debtor's right to dispute any claim or lien, including, but not limited to, any claim or lien asserted by a Freight Carrier; (c) as approval or assumption of any agreement, contract or lease pursuant to section 365 of the Bankruptcy Code; or (d) to prejudice any of the Debtor's rights to seek relief under any section of the Bankruptcy Code on account of any amounts owed or paid to any Freight Carrier; and it is further

ORDERED, that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order; and it is further

ORDERED that notwithstanding any applicability of Federal Rule of Bankruptcy Procedure 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

Dated: Wilmington, Delaware

June 30, 2009



UNITED STATES BANKRUPTCY JUDGE