

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
          ) )  
DG LIQUIDATION CORP., *et al.*,<sup>1</sup> ) Case No. 08-10601 (CSS)  
          ) )  
Debtors. ) Jointly Administered  
          ) )  
          ) **Ref. Docket No. 489, 518, 534, 535**

**ORDER AUTHORIZING ASSUMPTION AND ASSIGNMENT OF CERTAIN UNEXPIRED LEASES OF NONRESIDENTIAL REAL PROPERTY**

Upon consideration of the First Omnibus Motion of the Debtors for an Order authorizing assumption and assignment of certain unexpired leases of nonresidential real property and pursuant to section 365 of the Bankruptcy Code (the "Motion")<sup>2</sup> filed by DG Liquidation Corp. f/k/a Diamond Glass, Inc. ("DG Liquidation") and DT Subsidiary Corp., a wholly-owned subsidiary of DG Liquidation ("DT Subsidiary") (collectively, the "Debtors," and each individually, a "Debtor"); and upon the Limited Objection of Richard Rutta & Kenneth Levine Real Estate Partnership to Assumption and Assignment of Certain Leases of Non-Residential Real Property (the "Rutta/Levine Objection") [Docket No. 518], the informal objection of LIT/Hodges Industrial Trust (the "Hodges Objection"), the Reply of Belron US Inc. (A) in Response and Opposition to Limited Objection of Richard Rutta & Kenneth Levine Real Estate Partnership to Assumption and Assignment of Certain Leases of Non-Residential Real Property and (B) in Support of Debtors' First Omnibus Motion for Order Authorizing Assumption and

<sup>1</sup> The Debtors in these proceedings are: DG Liquidation Corp., f/ka/ Diamond Glass, Inc. (Tax ID No. XX-XXX8853); and DT Subsidiary Corp., a wholly owned subsidiary of DG Corp. (Tax ID No. XX-XXX3494), each with a mailing address of 220 Division Street, Kingston, PA 18704.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Motion.

Assignment of Certain Unexpired Leases of Nonresidential Real Property Pursuant to Section 365 of the Bankruptcy Code (the "Belron Reply") [Docket No. 534] and the Debtors' Joinder to Reply of Belron US Inc. (A) in Response and Opposition to Limited Objection of Richard Rutta & Kenneth Levine Real Estate Partnership to Assumption and Assignment of Certain Leases of Non-Residential Real Property and (B) in Support of Debtors' First Omnibus Motion for Order Authorizing Assumption and Assignment of Certain Unexpired Leases of Nonresidential Real Property Pursuant to Section 365 of the Bankruptcy Code (the "Debtors' Joinder") [Docket No. 535]; and the Court having been advised that the Hodges Objection has been consensually resolved; and the Court having entered an order [Docket No. 549] adjourning the hearing to consider the Motion solely as it relates to properties located at 220 Division Street, Kingston, Pennsylvania and 540 Wyoming Avenue, Scranton, Pennsylvania (the "Adjourned Leased Locations") and the Rutta/Levine Objection, the Belron Reply and the Debtors' Joinder as they relate to the Adjourned Leased Locations; and due and proper notice of this Motion having been given; and it appearing that no other or further notice is required; and it appearing that the Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding and this Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested is in the best interest of the Debtors, their estates, and creditors and after due deliberation, and sufficient cause appearing therefor, it is hereby

**ORDERED**, that the Motion is granted to the extent set forth herein; and it is further

**ORDERED**, that the Hodges Objection is hereby deemed withdrawn;

**ORDERED**, that the Debtors are authorized to assume the Assumed and Assigned Leases identified on Exhibit A attached hereto, and assign same to the Purchaser; and it is further

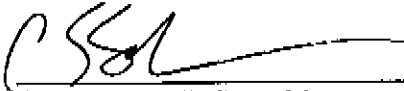
**ORDERED**, that the Debtors are authorized and directed to enter into an omnibus assignment and assumption of lease agreement in order to effectuate the assumption and assignment of the leases identified on Exhibit A; and it is further

**ORDERED**, that all persons are barred from asserting as against the Debtors and/or the Purchaser any default or unpaid obligation allegedly arising or occurring before the date of assumption and assignment of the Assumed and Assigned Leases other than those set forth on Exhibit A; and it is further

**ORDERED**, that notwithstanding the provisions of Bankruptcy Rule 6006(d), this Order shall not be stayed for ten (10) days after the entry hereof, but shall be effective and enforceable immediately upon issuance hereof; and it is further

**ORDERED**, that this Court shall retain jurisdiction over an any and all matters arising from or related to the implementation or interpretation of this Order.

Dated: Wilmington, Delaware  
October 17, 2008

  
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Christopher S. Sontchi  
United States Bankruptcy Judge