

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
OPEN ROAD FILMS, LLC, a Delaware limited liability company, <i>et al.</i> , ¹)	Case No. 18-12012-LSS
)	
Debtors.)	Related to Docket No. 238 and <u>449</u>

**ORDER GRANTING THE MOTION OF CLUNE CONSTRUCTION COMPANY, LP
FOR RELIEF FROM THE AUTOMATIC STAY**

THIS CAUSE coming on to be heard on the Motion of Clune Construction Company, L.P. for Relief From the Automatic Stay [Docket No. 238] (the "Motion"); and the Court having jurisdiction over the subject matter; and due notice of the Motion having been given; and upon consideration of the Certification of Counsel filed with respect to the Motion; and the Court finding that grounds exist under 11 U.S.C. § 362(d)(1) and (d)(2) for relief from the automatic stay, it is hereby **ORDERED**:

- (1) The Motion is GRANTED, as modified by this Order;
- (2) Pursuant to 11 U.S.C. § 362(d), Clune Construction Company, L.P., its principals, agents, successors and/or assigns (collectively, "Clune"), are granted relief from the automatic stay provisions of 11 U.S.C. § 362(a) by terminating said stay to allow Clune to exercise any and all rights and/or remedies it may have under the Owner/Contractor Agreement and/or applicable state law and to proceed to and complete foreclosure on any mechanic's lien it may have against

¹ The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: Open Road Films, LLC (4435-Del.); Open Road Releasing, LLC (4736-Del.); OR Productions LLC (5873-Del.); Briarcliff LLC (7304-Del.); Open Road International LLC (4109-Del.); and Empire Productions LLC (9375-Del.). The Debtors' address is 2049 Century Park East, 4th Floor, Los Angeles, CA 90067. They will be referred to herein collectively as the "*Debtors*".

the Leased Premises. Such relief includes, if necessary under applicable state law, naming Open Road Films, LLC as a nominal defendant in any lien preservation action;

(3) Pursuant to 11 U.S.C. § 362(d), Clune is granted relief from the automatic stay provisions of 11 U.S.C. § 362(a) to exercise any and all rights or remedies it may have under the Owner/Contractor Agreement or any other agreement or under applicable state law that it may have against Tang Media Partners, LLC, Global Road Entertainment LLC, and/or or any other non-debtor party;

(4) Notwithstanding anything herein to the contrary, Clune shall take no action to execute on, or otherwise attempt to collect, any property of the Debtors' estates, except pursuant to the filing of one or more proofs of claim in the Debtors' cases; provided, however, that for the avoidance of doubt, the Debtors do not concede the validity of any such proof(s) of claim and reserve all rights to object to, and defend against, any such proof(s) of claim;" and

(5) The 14-day stay imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3) is waived.

Dated: December 17, 2018


LAURIE SELBER SILVERSTEIN,
UNITED STATES BANKRUPTCY JUDGE