

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(GREENBELT DIVISION)**

In re: * Chapter 11
CREATIVE HAIRDRESSERS, INC., *et al.*¹, * Case Nos. 20-14583, 20-14584-TJC
* (Jointly Administered)
Debtors. *

* * * * *

STIPULATION AND ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

Now comes the Debtors and Lora Lowery and Terry Lowery (the “Lowery’s”), by their respective undersigned counsel, and hereby agree to the within Stipulation And Order Granting Relief From The Automatic Stay on the terms and conditions hereinafter set forth:

WHEREAS, this Court has jurisdiction over this matter pursuant to 28 U.S.C. §§1334 and 157(a);

WHEREAS, venue over this matter is appropriate in the United States Bankruptcy Court for the District of Maryland pursuant to 28 U.S.C. §1409;

WHEREAS, on April 23, 2020, the Debtors filed Voluntary Petitions for Relief which cases are pending in the above captioned proceeding;

¹ The Debtors in these chapter 11 cases are: (i) Creative Hairdressers, Inc. (“CHI”) and (ii) Ratner Companies, L.C. (“RC”).

WHEREAS, on or about November 30, 2020, the Lowery's initiated an action in the U.S. District Court for the District of Maryland (Baltimore Division), Civil Case No. 20-cv-03466-SAG (the "Civil Action");

WHEREAS, on or about February 4, 2021, without relief from the automatic stay of 11 U.S.C. §362, the Lowery's filed an Amended Complaint, which among other things, named CHI, RC and Dennis F. Ratner individually and "t/a Ratner Companies L.C." as additional parties to the Civil Action;

WHEREAS, the provisions of the automatic stay of 11 U.S.C. §362 prevent the Lowery's from prosecuting the Civil Action against CHI and RC;

WHEREAS, the Lowery's seeks relief from the automatic stay provisions, solely to the extent of any and all available insurance coverage, in order that they may proceed with the aforementioned Civil Action, including any related appeals; and

WHEREAS, permitting the Lowery's to proceed with the Civil Action as against CHI and RC only in accordance with this Stipulation and Order will not interfere with the Debtors' bankruptcy proceedings, and will not result in prejudice to the Debtors or their creditors.

NOW THEREFORE IT IS AGREED, STIPULATED AND ORDERED

1. The automatic stay of 11 U.S.C. §362(a) is hereby lifted and modified to permit the Lowery's to pursue all rights and remedies permissible under applicable state law with respect to the Civil Action, with any resulting settlement or judgment to be satisfied solely from the proceeds of CHI's and RC's available insurance coverage.

2. The parties agree that the Lowery's, upon entry of this Order, are permitted to prosecute the claims in the Civil Action against CHI and RC only to final judgment and to collect any such judgment to the extent of the available insurance coverage only.

3. The parties agree that the Lowery's shall within five (5) days of the entry of this Order dismiss with prejudice Dennis Ratner individually and "t/a Ratner Companies L.C as a party in the Civil Action, in the absence of which this Stipulation And Order shall be null and void as if it had not been entered.

4. Any judgment obtained by the Lowery's against CHI and RC shall be satisfied only from available insurance coverage, and not from the assets of the Debtors' bankruptcy estates. No party to the Civil Litigation shall file a claim in the Debtors' cases, nor seek a recovery against any property of the Debtors' estates.

5. Any stay of this Order under Bankruptcy Rule 4001 or any similar rules are hereby waived for cause, and this Order shall be effective immediately upon entry by this Court.

6. This Court shall retain jurisdiction over any matters arising from or related to the implementation or interpretation of this Order.

AGREED AS TO FORM AND CONTENT:

/s/ Joel I. Sher

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Counsel for Progressive Insurance Company

**CERTIFICATE PURSUANT TO EXHIBIT A
TO ADMINISTRATION ORDER NO. 03-02**

I HEREBY CERTIFY that the terms of the copy of the stipulation and agreed order submitted to the Court are identical to those set forth in the original stipulation and agreed order; and the signatures represented by the /s/_____ on this copy reference the signatures of consenting parties on the original stipulation and agreed order.

/s/

Joel I. Sher

cc: All Parties
All Counsel of Record

END OF ORDER