

THE HONORABLE SAMUEL J. STEINER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re  
DELOITTE & TOUCHE, INC.  
as Foreign Representative of  
EVERGREEN GAMING CORP., et al.  
Debtors in a Foreign Proceeding,

Chapter 15  
Case No. 09-13567 (SJS)  
STIPULATED ORDER EXTENDING  
INTERIM ORDER GRANTING FOREIGN  
REPRESENTATIVE’S EMERGENCY  
REQUEST FOR RELIEF UNDER 11 U.S.C.  
§§ 1519, 105 AND 362(a)

THIS MATTER came before the Court upon the Emergency Motion of the Foreign Representative for Interim Relief Under 11 U.S.C. §§1519, 105(a), 361, and 362 (the “Emergency Motion”) of Deloitte & Touche, Inc., the court-appointed Monitor in the CCAA Proceeding<sup>1</sup> that the Debtors commenced in British Columbia, Canada on April 15, 2009 under the Canadian Companies’ Creditors Arrangement Act, R.S. C. 1985, c.C-36, as amended, (the “CCAA”) and the Business Corporations Act, S.B.C. 2002, c.57, and the Chapter 15 petition and Application for Recognition of Foreign Main Proceeding, seeking

<sup>1</sup> Capitalized Terms not defined herein shall have the same meaning as in the Emergency Motion.

STIPULATED ORDER EXTENDING  
EMERGENCY RELIEF – 1

70919-0001/LEGAL15949775.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

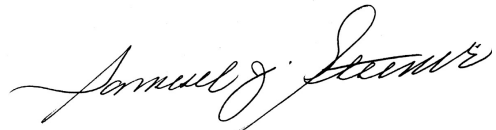
1 entry of an emergency order granting interim relief under 11 U.S.C. §§ 105, 362 and 1519  
2 staying actions of creditors affecting the Debtors' assets located in the United States.  
3

4  
5 A hearing was held on April 16, 2009 and appearances were made and noted on the  
6 record, and on April 17, the Court entered an interim order (the "First Interim Order")  
7 granting the relief requested but providing that, as to Fortress only, the automatic stay would  
8 expire at 5:00 p.m. Pacific Daylight Time on April 21, 2009 unless extended by further  
9 order of the Court. Fortress, the Debtors and the Monitor HEREBY STIPULATE AS  
10  
11  
12  
13  
14  
15 FOLLOWS:

- 16 1. Except as expressly modified herein, the relief granted and the adequate  
17 protection provisions established under the First Interim Order shall continue  
18 in full force and effect as provided therein;  
19
- 20 2. The relief granted in the First Interim Order with respect to Fortress is hereby  
21 extended until April 24, 2009 at 5:00 p.m.  
22  
23  
24  
25

26  
27 SO ORDERED this 22nd day of April, 2009.  
28

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47



---

Honorable Samuel J. Steiner  
United States Bankruptcy Court Judge

1 Stipulated and Approved as to form.  
2

3  
4 Perkins Coie LLP

5  
6 By: /s/ Bruce G. MacIntyre  
7 Bruce G. MacIntyre, WSBA No. 18984  
8 Attorneys for Foreign Representative Deloitte & Touche, Inc.  
9

10  
11 CAIRNCROSS & HEMPELMANN, P.S.

12  
13 By: s/s John R. Rizzardi  
14 John R. Rizzardi, WSBA No. 9388  
15 Attorneys for Debtors, Evergreen Gaming Corporation, et al.  
16  
17

18  
19 K & L GATES LLP

20  
21 By: /s/ Michael J. Gearin  
22 Michael J. Gearin, WSBA No.20982  
23 Attorneys for Fortress Credit Corporation  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

STIPULATED ORDER EXTENDING  
EMERGENCY RELIEF – 3

70919-0001/LEGAL15949775.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000