FILED MARC A. LEVINSON (STATE BAR NO. 57613) malevinson@orrick.com 2 NORMAN Č. HILE (STATE BAR NO. 57299) FEB 2 5 2015 nhile@orrick.com PATRICK B. BOCASH (STATE BAR NO. 262763) pbocash@orrick.com UNITED STATES BANKRUPTCY COURT ORRICK, HERRINGTON & SUTCLIFFE LLP 4 EASTERN DISTRICT OF CALIFORNIA 400 Capitol Mall, Suite 3000 5 Sacramento, California 95814-4497 +1-916-447-9200 Telephone: +1-916-329-4900 6 Facsimile: 7 Attorneys for Debtor City of Stockton 9 UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA 10 SACRAMENTO DIVISION 11 12 Case No. 2012-32118 In re: 13 CITY OF STOCKTON, CALIFORNIA, D.C. No. OHS-25 14 Chapter 9 Debtor. 15 ORDER APPROVING CITY OF 16 STOCKTON, CALIFORNIA'S MOTION TO ASSUME LEASES WITH 17 STEPHENS MARINE AND STOCKTON SAILING CLUB 18 **NOTWITHSTANDING CONFIRMATION ORDER** 19 February 25, 2015 Date: 20 10:00 a.m. Time: Dept: Courtroom 35 21 Judge: Hon. Christopher M. Klein 22 23 24 25 26

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The Court having considered the City of Stockton, California's Motion To Assume Leases With Stephens Marine And Stockton Sailing Club Notwithstanding Confirmation Order (the "Motion"), the lessees (Stephens Marine, Inc. and Stockton Sailing Club) having consented to the assumption of the Leases, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion is granted.

IT IS FURTHER ORDERED that, pursuant to 11 U.S.C. § 365(a), and notwithstanding contrary language in the Plan [Dkt. No. 1645] and the Confirmation Order [Dkt. No. 1875], the City may assume the following leases:

- Lease, dated as of June 21, 1988, between the City, as lessor, and Stockton Sailing Club, a California corporation, as lessee, as amended by the First Amendment to Lease, dated as of August 22, 1994.
- Lease, dated as of December 27, 1974, between the City, as lessor, and Stephens Marine, Inc., a California corporation, as lessee, as amended.

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