

So Ordered.

Dated: July 24th, 2020



Frederick P. Corbit

Frederick P. Corbit
Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In Re:

PONDERAY NEWSPRINT COMPANY,

Debtor.

CASE NO. 20-01309-FPC7

**ORDER GRANTING MOTION FOR
RELIEF FROM STAY AND
ABANDONMENT AND TURNOVER
OF INTEREST**

THIS MATTER came on before the undersigned upon the motion (the "Motion") of Public Utility District No. 1 of Pend Oreille County, (the "**PUD**"), a creditor of debtor Ponderay Newsprint Company (the "**Debtor**") who moved pursuant to 11 U.S.C. §§ 362(d)(1) and (2) and 544(b), Fed. R. Bankr. P. 4001(a) and 6007, and LR 4001-1 and 6007-1. for entry of an order terminating the automatic stay to permit the PUD to exercise all of its rights and remedies with respect to certain collateral consisting of its \$10 million deposit account (the "**Collateral**") held by Wells Fargo Bank, N.A. ("**Wells Fargo**") under a certain Collateral Trust Agreement and

ORDER - 1

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1 Custody Agreement and abandoning the Collateral such that the Collateral is no longer property
2 of the estate.

3 The Court considered the Motion, the Declaration of Colin Willenbrock and exhibits
4 thereto, the Response of Trustee John Munding and the pleadings and files herein. The Court
5 finds that there was no objection to the Motion;

6 Now, therefore, it is hereby

7 ORDERED that the PUD is granted relief from stay pursuant to 11 U.S.C. § 362(d)(1)
8 and (d)(2) for the purpose of taking possession of and realizing on the Collateral; it is further

9 ORDERED that the Collateral is abandoned pursuant to 11 U.S.C. § 554 such that the
10 Collateral is no longer property of the bankruptcy estate; it is further

11 ORDERED that Wells Fargo may disburse the Collateral to the PUD in accordance with
12 the PUD's instructions to Wells Fargo; it is further

13 ORDERED that Wells Fargo may disburse the interest on the Collateral equal to the
14 amount on deposit in the account in excess of \$10,000,000.00 to the Chapter 7 Trustee in
15 accordance with the Chapter 7 Trustee's instructions and PUD's instructions to Wells Fargo; it is
16 further

17 ORDERED that the PUD and Chapter 7 Trustee shall work in good faith to provide the
18 bankruptcy estate, specifically the paper mill facility, with utilities under 11 U.S.C. §366; it is
19 further;

20 ORDERED that the Chapter 7 Trustee and the bankruptcy estate have not waived and
21 have reserve all rights to object to any proof of claim filed by P.U.D. in this proceeding; and it is
22 further

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ORDER

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