

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

<i>In re:</i>	:	
	:	Chapter 11
PILLOWTEX CORPORATION, et al.,	:	Jointly Administered
	:	
Debtors.	:	Case No. 03-12339 (PJW)
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	:	
JOHN WAHOSKI, as Liquidating Trustee of Pillowtex Corporation	:	Adv. Proc. No. 05-30182 (KJC)
	:	
Plaintiff,	:	
	:	
v.	:	(Related D.I. 33)
	:	
CLASSIC PACKAGING COMPANY,	:	
	:	
Defendant.	:	
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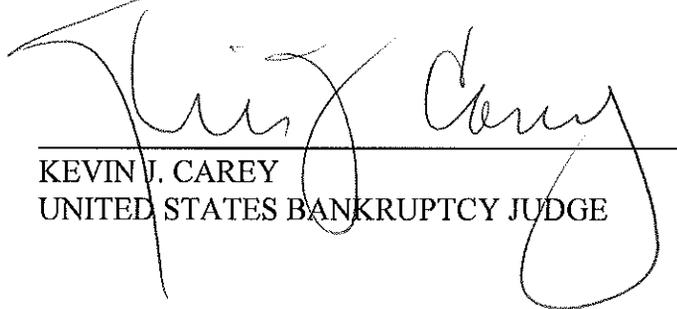
ORDER

AND NOW, this 14th day of April, 2010, upon consideration of the Motion for Summary Judgment and Motion to Dismiss filed by the Defendant (D.I. 33), the parties' briefs and relevant filings, and after oral argument, and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** and **DECREED** that:

1. Classic's motion for summary judgment on Count One and Count Three of the Complaint is hereby **DENIED**, and

2. Classic's motion to dismiss Count Two of the Complaint is hereby **GRANTED**, with leave to the Trustee to file, within fourteen (14) days of this Order, an amendment to Count Two setting forth adequate facts to support a fraudulent transfer claim.

BY THE COURT:



KEVIN J. CAREY
UNITED STATES BANKRUPTCY JUDGE

cc: William H. Sudell, Jr., Esquire ¹

¹Counsel shall serve a copy of this Order and the accompanying Opinion on Confirmation upon all interested parties and file a Certificate of Service with the Court.