

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

In re:	:	Chapter 11
	:	
S-TRAN HOLDINGS, INC.,	:	Case Nos. 05-11391 (KJC)
<i>et al.,</i>	:	
	:	
Debtors.	:	
<hr/>		
S-TRAN HOLDINGS, INC., SERVICE	:	
TRANSPORT, INC. and DIXIE	:	
TRUCKING, INC.,	:	Adversary Proceeding No.
Plaintiffs	:	07-51341 (KJC)
	:	
v.	:	
	:	
PROTECTIVE INSURANCE CO.	:	
Defendant	:	
<hr/>		

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

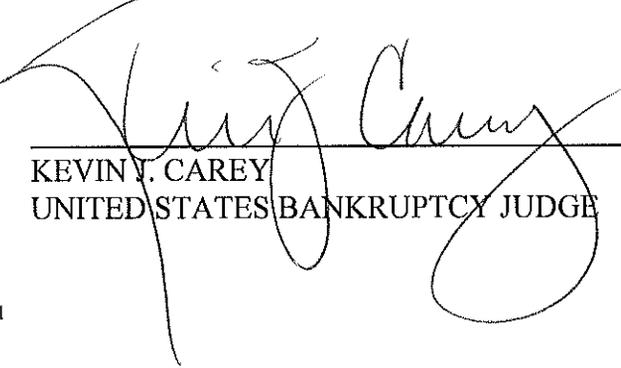
AND NOW, this 5th day of October, 2009, upon review of the Plaintiffs' Motion for Partial Summary Judgment (docket no. 42), the Defendant's response thereto and related filings, after oral argument, and for the reasons set forth in the foregoing Memorandum, it is hereby **ORDERED** and **DECREED** that

1. The Plaintiffs' Motion for Partial Summary Judgment is **GRANTED**, in part, as follows: Excess LOC Proceeds and the Deposit, as defined in the accompanying Memorandum, are property of the estate pursuant to Bankruptcy Code §541.

2. the Plaintiffs' Motion for Partial Summary Judgment is hereby otherwise **DENIED**.

3. The parties shall be prepared to discuss their remaining pre-trial needs at the status hearing presently fixed for Tuesday, October 6, 2009, at 4:00 p.m.

BY THE COURT:



KEVIN Y. CAREY
UNITED STATES BANKRUPTCY JUDGE

cc: Laura Davis Jones, Esquire¹

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