

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below.



/S/ RUSS KENDIG

Russ Kendig
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:) Case No. 10-60702
Schwab Industries, et al.) (Jointly Administered)
Debtors) Judge Russ Kendig
) Chapter 11

**AGREED ORDER RESOLVING MOTION OF QUICKEN LOANS ARENA
PURSUANT TO 11 U.S.C. § 365 FOR AN ORDER COMPELLING THE
ASSUMPTION OR REJECTION OF A SUITE LICENSE AGREEMENT, OR IN
THE ALTERNATIVE GRANTING MOVANT LEAVE TO MITIGATE ITS
DAMAGES**

This matter came before the Court upon the Motion of Quicken Loans Arena for an Order Compelling the Assumption or Rejection of a Suite License Agreement, or in the Alternative Granting Movant Leave to Mitigate its Damages (the "Motion"). Objections to the Motion were filed by the Debtors and the Creditors' Committee. At the hearing, counsel for the Movant and counsel for the objecting parties advised the Court that they had reached a settlement resolving the Motion on the terms set forth herein. Now, therefore, good cause appearing, it is hereby ordered as follows:

1. Movant shall have the right to enter into sublicenses for Quicken Loans Arena Suite 233 throughout the 2010 NBA playoffs. Movant shall account to the Debtors for all suite sublicenses during the playoffs, and shall pay, no later than July 1, 2010, the Debtors' estates three percent (3%) of all revenues from such sublicenses. This fee shall not include any concession revenues or other revenue generated from suite licensees.
2. Movant is deemed to have an allowed unsecured claim in the amount of \$100,000 for all prepetition claims arising out of Debtors' alleged defaults under the License (as defined in the Motion), with Debtors and all other objecting parties consenting to such allowed claim, and with Movant waiving any and all such other pre-petition claims it may have against Debtors. Movant's agreement to reduce its unsecured claim shall not affect its right to assert a larger cure amount in the event Debtors choose to assume and/or assign the License in subsequent proceedings.
3. Debtors shall file a motion to assume or reject the License within two weeks after the Court's entry of a final order authorizing the sale of Debtors' assets pursuant to the Motions filed by the Debtor to Sell Property Free and Clear of Liens that were entered by the Court on Friday, April 16, 2010 [Docket Nos. 285 and 288].
4. Movant waives any and all administrative expense claims that it may claim or assert against Debtors.

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AGREED:

/s/ Jeffrey Baddeley

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