



<p>UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY</p> <p>Caption in compliance with D.N.J. LBR 9004-2(c)</p> <p><b>McCARTER &amp; ENGLISH, LLP</b> Charles A. Stanziale, Jr. Joseph Lubertazzi, Jr. Lisa S. Bonsall Jeffrey T. Testa Four Gateway Center, 100 Mulberry Street Newark, NJ 07102 Telephone: (973) 622-4444/Facsimile: (973) 624-7070</p> <p><b>and</b></p> <p><b>WEIL, GOTSHAL &amp; MANGES LLP</b> Michael F. Walsh Philip Rosen Ted S. Waksman 767 Fifth Avenue New York, NY 10153 Telephone: (212) 310-8000/Facsimile: (212) 310-8007</p> <p><i>Proposed Co-Counsel for Debtors and Debtors in Possession</i></p>
<p>In re: TCI 2 HOLDINGS, LLC, <u>et al.</u>, Debtors.</p>

Chapter 11  
Case No.: 09-13654 (JHW)  
(Jointly Administered)

**ORDER (A) AUTHORIZING CONTINUED USE OF EXISTING BUSINESS FORMS AND RECORDS AND MAINTENANCE OF EXISTING CORPORATE BANK ACCOUNTS AND CASH MANAGEMENT SYSTEMS, AND (B) APPROVING INVESTMENT GUIDELINES**

The relief set forth on the following pages, numbered two (2) through six (5), is hereby **ORDERED**.

**DATED: 2/19/2009**

  
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Judith H. Wizmur, Chief Judge  
United States Bankruptcy Court

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Debtors: TCI 2 HOLDINGS, LLC, et al.,  
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A motion (the “Motion”)<sup>1</sup> of the Debtors<sup>2</sup> for an Order under sections 105(a), 363(b) and 345(b) of Title 11 of the United States Code (the “Bankruptcy Code”) seeking an order (A) authorizing the continued use of existing business forms and records and maintenance of existing corporate bank accounts and cash management systems, and (B) approving the current investment practices was filed by the debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “Debtors”). After reviewing the Motion which has been designated by counsel as requiring expedited consideration, and for good cause shown and having heard the statements of counsel in support of the relief requested therein at a hearing thereon (the “Hearing”); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); the Court finding that notice of the Motion given by the Debtors was sufficient under the circumstances; and it appearing that the cash management system as described in the Motion is reasonable and necessary to account for and control the Debtors’ receipts and disbursements and that creditors will not be prejudiced by the Debtors’ continued use of their prepetition business forms and good and sufficient cause appearing therefor, and the Court being fully

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

<sup>2</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: TCI 2 Holdings, LLC (0526); Trump Entertainment Resorts, Inc. (8402); Trump Entertainment Resorts Holdings, L.P. (8407); Trump Entertainment Resorts Funding, Inc. (8405); Trump Entertainment Resorts Development Company, LLC (2230); Trump Taj Mahal Associates, LLC, d/b/a Trump Taj Mahal Casino Resort (6368); Trump Plaza Associates, LLC, d/b/a Trump Plaza Hotel and Casino (1643); Trump Marina Associates, LLC, d/b/a Trump Marina Hotel Casino (8426); TER Management Co., LLC (0648); and TER Development Co., LLC (0425).

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advised in the premises and having determined that the legal and factual bases set forth in the Motion and at the Hearing on the Motion establish just cause for the relief herein granted; upon the Motion, the Declaration of John P. Burke, in Support of First Day Applications and Motions and all of the proceedings had before the Court; and after due deliberation,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Debtors are authorized to maintain and continue using their existing prepetition cash management system as described in the Motion.
3. The requirement that the Debtors establish new bank accounts as of the Petition Date is dispensed with and waived.
4. The Debtors shall be, and hereby are, authorized and empowered to maintain and continue to use all of their corporate bank accounts in existence on the Petition Date and identified in Exhibit A to the Motion (collectively, the "Accounts").
5. All banks at which the Accounts are maintained, including, without limitation, those set forth on Exhibit A to the Motion, are authorized and directed to continue to service and administer the Accounts as accounts of the Debtors as debtor-in-possession, without interruption and in the ordinary course, and to receive, honor and pay any and all checks and drafts drawn on the Accounts, provided, however, that no checks or drafts issued on these Accounts prior to the Petition Date shall be honored by said banks except as otherwise ordered by this Court, provided however, that prepetition checks for employee wages, salaries, bonuses and related items

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outstanding as of the Petition Date shall be honored and paid in the ordinary course of business, subject to the statutory caps set forth in 11 U.S.C. 507(a)(4) and 507(a)(5).

6. The Debtors are hereby authorized to continue to use their existing business forms, checks and records without alteration or change.

7. The Debtors are hereby authorized to open any additional postpetition accounts with a bank or financial institution, and to close any existing account(s), as the Debtors may deem necessary and appropriate, and the banks and financial institutions are authorized and directed to honor the Debtors' request to open or close, as the case may be, such accounts or additional accounts. In the event that the Debtors open any new postpetition bank accounts or create new business forms, such accounts or new forms will bear the debtor-in-possession designation.

8. The application of the deposit guidelines set forth in section 345 of the Bankruptcy Code is hereby waived. Nothing contained herein shall prejudice the rights of the Debtors or any other party in interest to seek at any time a modification of this Order.

9. The Debtors are authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order.

10. The provisions of this Order shall expire ninety (90) days after entry unless the United States Trustee shall agree in writing that this Order may become a final order in which case this Order shall not expire and shall become final without any further action by the Debtors or this Court; provided, however, that the Debtors may schedule a hearing seeking a further

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extension of this order upon not less than three days written notice to the United States Trustee without the need for further pleadings.

11. The Office of the United States Trustee shall have sixty (60) days from the date that this Order is entered, such time period to be extended for cause shown, to file an objection to the relief requested, including but not limited to the Debtors continued use of existing business forms and records and maintenance of existing corporate bank accounts and cash management system.

12. The requirement pursuant to D.N.J. LBR 9013-2 that the Debtors file a memorandum of law in support of the Motion is hereby waived.

13. Notwithstanding Bankruptcy Rules 6003 and 6004, this Order shall be effective and enforceable immediately upon entry. The Court expressly finds that there is no reason for delay in the implementation of this Order.

## General Information

<b>Court</b>	United States Bankruptcy Court for the District of New Jersey; United States Bankruptcy Court for the District of New Jersey
<b>Docket Number</b>	1:09-bk-13654
<b>Status</b>	Closed