



**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-2(c)

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In re:

TCI 2 HOLDINGS, LLC, et al.,¹

Debtors.



Judith H. Wizmur, Chief Judge
United States Bankruptcy Court

DATED: 2/19/2009

Chapter 11
Case No.: _____
(Jointly Administered)

¹ 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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Case No.: 09-____ ()

CAPTION OF ORDER: ORDER (A) AUTHORIZING THE DEBTORS TO (1) PAY PREPETITION EMPLOYEE WAGES, SALARIES, BONUSES AND RELATED ITEMS, (2) REIMBURSE PREPETITION EMPLOYEE BUSINESS EXPENSES, (3) MAKE PAYMENTS FOR WHICH PAYROLL DEDUCTIONS WERE MADE, (4) MAKE PREPETITION CONTRIBUTIONS AND PAY BENEFITS UNDER EMPLOYEE BENEFIT PLANS (5) PAY PREPETITION INSURANCE PREMIUMS, AND (6) PAY ALL COSTS INCIDENTAL TO THE FOREGOING PAYMENTS AND CONTRIBUTIONS AND (B) AUTHORIZING AND DIRECTING APPLICABLE BANKS AND OTHER FINANCIAL INSTITUTIONS TO RECEIVE, PROCESS, HONOR AND PAY ANY AND ALL CHECKS DRAWN ON THE DEBTORS' ACCOUNTS FOR SUCH PURPOSES

ORDER (A) AUTHORIZING THE DEBTORS TO (1) PAY PREPETITION EMPLOYEE WAGES, SALARIES, BONUSES AND RELATED ITEMS, (2) REIMBURSE PREPETITION EMPLOYEE BUSINESS EXPENSES, (3) MAKE PAYMENTS FOR WHICH PAYROLL DEDUCTIONS WERE MADE, (4) MAKE PREPETITION CONTRIBUTIONS AND PAY BENEFITS UNDER EMPLOYEE BENEFIT PLANS, (5) PAY PREPETITION INSURANCE PREMIUMS, AND (6) PAY ALL COSTS INCIDENTAL TO THE FOREGOING PAYMENTS AND CONTRIBUTIONS AND (B) AUTHORIZING AND DIRECTING APPLICABLE BANKS AND OTHER FINANCIAL INSTITUTIONS TO RECEIVE, PROCESS, HONOR AND PAY ANY AND ALL CHECKS DRAWN ON THE DEBTORS' ACCOUNTS FOR SUCH PURPOSES

The relief set forth on the following page, numbered three (3) through six (6) is hereby **ORDERED**

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A motion (the "Motion")² of the Debtors for an Order (A) Authorizing the Debtors to (1) Pay Prepetition Employee Wages, Salaries, Bonuses and Related Items, (2) Reimburse Prepetition Employee Business Expenses, (3) Make Payments for Which Payroll Deductions Were Made, (4) Make Prepetition Contributions and Pay Benefits Under Employee Benefit Plans (5) Pay Prepetition Insurance Premiums, and (6) Pay All Costs Incidental to the Foregoing Payments and Contributions and (B) Authorizing and Directing Applicable Banks and Other Financial Institutions to Receive, Process, Honor and Pay Any and All Checks Drawn on the Debtors' Accounts for Such Purposes was filed by the above captioned 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 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, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and (c) notice of the Motion given by the Debtors was sufficient under the

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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Case No.: 09-____ ()

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circumstances; and the Court being fully 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 Motions and Applications, 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 hereby authorized and empowered, but not directed, (i) to pay and/or honor, in accordance with the policies and practices established prior to the Petition Date, to or on behalf of their Employees, all Employee Compensation, Benefits and Deductions including, without limitation, any and all accrued employee wages, salaries, bonuses, expenses, and benefits (including, without limitation, payments under the Debtors' various medical, executive medical, vision and dental insurance, business travel, life and accidental death and dismemberment insurance, short- and long-term disability insurance, 401(k) retirement savings plan, certain reimbursement policies, a supplemental benefits program for executives, prepetition insurance premiums, workers compensation, severance plan, vacation and personal/sick leave

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policies and all other similar plans and policies) that have been earned and accrued by virtue of the services rendered by the Employees prior to the Petition Date; (ii) to perform and honor all other obligations, practices and policies in accordance with the foregoing; and (iii) to pay all costs and processing fees in connection with payments made or other benefits provided pursuant to this Order.

3. Notwithstanding anything herein to the contrary, the relief granted in this Order shall be limited to the statutory caps set forth in 11 U.S.C. §§ 507(a)(4) and (a)(5).

4. The Debtors' banks are authorized and directed to honor (i) all checks to (or on behalf of) the Employees and (ii) all fund transfer requests, in either such case, pursuant to, or as may otherwise be authorized as a result of, this Order regardless of whether or not the checks or transfer requests were issued prior to or after the Petition Date, to the extent that sufficient funds are on deposit or the Debtors arrange to have sufficient funds deposited. To the extent that the banks have honored any prepetition payroll checks prior to the entry of this Order, such honoring is ratified.

5. The Debtors' banks are authorized and directed to rely upon the Debtors' representations that a particular payment is authorized under this Order.

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6. The Debtors are authorized to reissue checks to cover amounts owing on any checks covered by this Order that have been dishonored and to reimburse Employees for any resulting charges.

7. This Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

8. The Debtors are hereby authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

9. 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

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