

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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**In re:** : **Chapter 11**
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**TRUMP ENTERTAINMENT RESORTS,** : **Case No. 14-12103 (KG)**
**INC., et al.,**<sup>1</sup> :
:
: **Jointly Administered**
:
: **Debtors.** : **Ref. Docket No. 11**
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**ORDER, PURSUANT TO SECTIONS 105(a), 363(b), 507(a)(4) AND 507(a)(5)  
OF THE BANKRUPTCY CODE, (A) AUTHORIZING (I) PAYMENT OF  
PREPETITION EMPLOYEE WAGES, SALARIES AND OTHER COMPENSATION;  
(II) REIMBURSEMENT OF PREPETITION EMPLOYEE BUSINESS EXPENSES;  
(III) CONTRIBUTIONS TO PREPETITION EMPLOYEE BENEFIT PROGRAMS  
AND CONTINUATION OF SUCH PROGRAMS IN THE ORDINARY COURSE;  
(IV) PAYMENT OF WORKERS' COMPENSATION OBLIGATIONS;  
(V) PAYMENTS FOR WHICH PREPETITION PAYROLL DEDUCTIONS  
WERE MADE; (VI) PAYMENT OF ALL COSTS AND EXPENSES INCIDENT  
TO THE FOREGOING PAYMENTS AND CONTRIBUTIONS; AND  
(VII) PAYMENT TO THIRD PARTIES OF ALL AMOUNTS INCIDENT TO  
THE FOREGOING PAYMENTS AND CONTRIBUTIONS; AND (B) AUTHORIZING  
BANKS TO HONOR AND PROCESS CHECK AND ELECTRONIC  
TRANSFER REQUESTS RELATED THERETO**

Upon consideration of the motion (the "**Motion**")<sup>2</sup> of Trump Entertainment Resorts, Inc. and its above-captioned affiliated debtors and debtors in possession (collectively, the "**Debtors**") for the entry of an order, pursuant to sections 105(a), 363(b), 507(a)(4) and 507(a)(5) of the Bankruptcy Code, (a) authorizing, but not directing, the Debtors, in accordance with their stated policies and in their discretion, to pay, honor or

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Trump Entertainment Resorts, Inc. (8402), Trump Entertainment Resorts Holdings, L.P. (8407), Trump Plaza Associates, LLC (1643), Trump Marina Associates, LLC (8426), Trump Taj Mahal Associates, LLC (6368), Trump Entertainment Resorts Development Company, LLC (2230), TER Development Co., LLC (0425) and TERH LP Inc. (1184). The mailing address for each of the Debtors is 1000 Boardwalk at Virginia Avenue, Atlantic City, NJ 08401.

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

otherwise satisfy Employee Wages and Benefits, including amounts and obligations related to the period prior to the Petition Date, and (b) authorizing the Banks to honor and process check and electronic transfer requests related to the foregoing; and upon consideration of the Motion and all pleadings related thereto, including the First Day Declaration; and due and proper notice of the Motion having been given; and it appearing that no other or further notice of the Motion is required; and it appearing that the Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding and the Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion and provided for herein is in the best interest of the Debtors, their estates, and creditors; and after due deliberation and sufficient cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.

2. The Debtors are authorized, but not directed, in their discretion, to (i) pay, honor or otherwise satisfy amounts and obligations on account of Employee Wages and Benefits in the ordinary course of their business, including amounts and obligations related to the period prior to the Petition Date, and (ii) allow pre-petition checks on account of Unpaid Wages that were not cashed prior to the Petition Date to be honored on a post-petition basis notwithstanding the commencement of these chapter 11 cases; provided, however, that (a) no payment to any Employee on account of Unpaid Wages shall exceed, in the aggregate, the \$12,475 statutory cap provided for under section 507(a)(4) of the Bankruptcy Code, (b) the Debtors shall not pay any prepetition obligations on account of Unpaid Wages, exclusive of any amounts attributable to uncashed paychecks on account of the September 5th Payroll, or

Reimbursable Expenses in excess of \$2,690,000 in the aggregate, and (c) the Debtors shall not pay any prepetition obligations on account of Union Contributions in excess of \$2,200,000 in the aggregate.

3. Subject to Paragraph 2 of this Order, the Debtors are authorized, but not directed, in their discretion, in the ordinary course of their business, to (a) continue to pay, honor or otherwise satisfy Unpaid Wages and Reimbursable Expenses, (b) withhold and remit to the applicable third-parties Deductions and Payroll Taxes, (c) continue to remit Union Dues and Union Deductions and make Union Contributions, and (d) administer Employee Benefits and the Workers' Compensation Program.

4. The Banks are authorized, when requested by the Debtors, in the Debtors' discretion, to honor and process checks or electronic fund transfers drawn on the Debtors' bank accounts to pay prepetition obligations authorized to be paid hereunder, whether such checks or other requests were submitted prior to, or after, the Petition Date, provided that sufficient funds are available in the applicable bank accounts to make such payments. The Banks may rely on the representations of the Debtors with respect to whether any check or other transfer drawn or issued by the Debtors prior to the Petition Date should be honored pursuant to this Order, and any such Bank shall not have any liability to any party for relying on such representations by the Debtors, as provided for in this Order.

5. Nothing in this Order (a) is intended or shall be deemed to constitute an assumption of any agreement pursuant to section 365 of the Bankruptcy Code or an admission as to the validity of any claim against the Debtors, (b) shall impair, prejudice, waive or otherwise affect the rights of the Debtors and their estates with respect to the validity, priority or amount of any claim against the Debtors and their estates, or (c) shall be

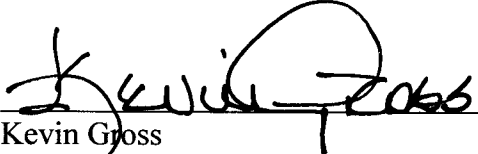
construed as a promise to pay a claim.

6. The Debtors are authorized to take any and all actions necessary to effectuate the relief granted herein.

7. The requirements of Bankruptcy Rule 6003(b) are satisfied.

8. Notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

Dated: September 10, 2014  
Wilmington, Delaware

  
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Kevin Gross  
United States Bankruptcy Judge