

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re : **Chapter 11**  
 :  
CRABTREE & EVELYN, LTD., :  
 :  
 : **Case No. 09-14267 (BRL)**  
Debtor. :  
 :  
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**ORDER PURSUANT TO SECTION 365(d)(4) OF THE  
BANKRUPTCY CODE EXTENDING THE PERIOD WITHIN  
WHICH THE DEBTOR MAY ASSUME OR REJECT UNEXPIRED  
LEASES OF NONRESIDENTIAL REAL PROPERTY**

Upon the motion, dated September 25, 2009 (the “Motion”),<sup>1</sup> of Crabtree & Evelyn, Ltd., as debtor and debtor in possession (the “Debtor”),<sup>2</sup> for an order pursuant to section 365(d)(4) of title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”) to extend the period within which the Debtor is required to assume or reject Real Estate Leases of nonresidential real property (the “Real Estate Leases”), to and including January 27, 2010, and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Referral of Cases to Bankruptcy Judges of the District Court for the Southern District of New York, dated July 19, 1984 (Ward, Acting C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to (i) the Office of the United States Trustee for the Southern District of New York (Attn: Serene Nakano,

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

<sup>2</sup> The last four digits of the Debtor’s federal tax identification number are 1685.

Esq.) (the “U.S. Trustee”), (ii) SilvermanAcampora LLP, 100 Jericho Quadrangle, Suite 300, Jericho, New York 11753 (Attn: Ronald J. Friedman, Esq.) as counsel for Kuala Lumpur Kepong Berhad, (iii) Hahn & Hessen LLP, 488 Madison Avenue, 15<sup>th</sup> Floor, New York, New York 10022 (Attn: Mark Indelicato, Esq.), as counsel for the Committee, and (iv) parties in interest who have filed notices of appearance in this case, and it appearing that no other or further notice need be provided; and the Court having determined that the relief requested in the Motion being in the best interests of the Debtor, its creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is hereby:

ORDERED that the Motion is granted as provided herein; and it is further

ORDERED that the time within which the Debtor may assume or reject the Real Estate Leases pursuant to section 365(d)(4) of the Bankruptcy Code is hereby extended to and including the earlier of (i) January 27, 2010; or (ii) the date of the entry of an order confirming a plan of reorganization; provided, however, that the assumption or rejection of Real Estate Leases pursuant to a plan of reorganization confirmed prior to January 27, 2010 may become effective on the effective date of a plan of reorganization (which assumption or rejection of Leases shall not be later than January 27, 2010 or such later deadline as may agreed upon by each applicable landlord pursuant to section 365(d)(4)(B)(ii) of the Bankruptcy Code); and it is further

ORDERED that nothing contained herein shall be deemed to (i) authorize the assumption or rejection of any of the Real Estate Leases or (ii) determine whether any of the Debtor’s contracts or leases is an unexpired lease of nonresidential real property within the meaning of section 365(d) of the Bankruptcy Code; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.

Dated: October 19, 2009  
New York, New York

/s/Burton R. Lifland  
HONORABLE BURTON R. LIFLAND  
UNITED STATES BANKRUPTCY JUDGE