

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA - SOUTHERN DIVISION**

In the Matter of:

Bruno's Supermarkets, LLC	}	Case No: 09-00634-BGC11
	}	
DEBTOR(S).	}	
	}	
	}	

ORDER AND NOTICE OF HEARING

This matter came before the Court on Friday, February 06, 2009 08:30 AM, for a hearing on the following:

- 1) RE: Doc #30; Objection By Alabama Power Company To Debtor's Motion For Order Approving Adequate Assurance Of Post-Petition Pmts. To Utility Companies; Prohibiting Utility Companies From Altering, Refusing Or Disconnecting Services
- 2) RE: Doc #31; Objection By Regions Bank To Motion For Post-Petition Financing And Use Of Cash Collateral
- 3) RE: Doc# 2; Debtors' Motion Pursuant To 11 U.S.C. Sections 105 and 366 to Establish Post Petition Payments and Procedures For Determining Adequate Assurance Of Payment Of Utilities
- 4) RE: Doc #3; Debtor's Motion Authorizing Debtor to Continue and Honor Certain Pre-Petition Customer Programs
- 5) RE: Doc #4; Debtor's Motion to Extend Deadline to File Schedules or Provide Required Information
- 6) RE: Doc #5; Debtor's Motion for Order Authorizing Retention of Professionals Utilized by Debtor in Ordinary Course of Business
- 7) RE: Doc #6; Debtor's Motion for Authorization to Pay Pre-Petition Wages, Compensation, and Employee Benefits
- 8) RE: Doc #7; Debtor's Motion for Authorization to Continue Debtor's Workers' Compensation Programs, All Other Insurance Policies, All Agreements Relating Thereto, and Pay All Obligations in Respect Thereof
- 9) RE: Doc #8; Debtor's Motion for an Order Authorizing Continued Use of Existing Bank Accounts and Cash Management System
- 10) RE: Doc #9; Debtor's Application To Employ Kurtzman Carson Consultants, LLC As Notice And Claims Agent
- 11) RE: Doc #10; Debtor's Motion for an Order Establishing Omnibus Hearing Dates and Certain Notice, Case Management and Administrative Procedures
- 12) RE: Doc #14; Debtor's Motion for Interim and Final Orders (i) Authorizing Debtor (a) to Obtain Post-Petition Financing and (b) to Utilize Cash Collateral, (ii) Granting Adequate Protection to Pre-Petition Secured Parties and (iii) Scheduling Final Hearing
- 13) RE: Doc #24; Debtor's Motion for Authorization to Pay Pre-Petition Business License Taxes

Proper notice of the hearing was given and appearances were made by the following:

- Bob Rubin, attorney for Debtor
- Derek Meek, attorney for Debtor
- Marc Solomon, attorney for Debtor

Charles Denaburg, conflicts counsel for Debtor
Rita Dixon, conflicts counsel for Debtor
Eric Breithaupt, attorney for Buffalo Rock
C. Edward Dobbs, attorney for Regions Bank
Rufus T. Dorsey, attorney for Regions Bank
Jayna Lamar, attorney for Regions Bank
Eric Ray, attorney for Alabama Power Co.
Chris Hawkins, attorney for Coca Cola & Jefferson County
Bob Shields, attorney for Cardinal Health
Josiah Daniel, attorney for BI-LO
Richard Carmody, attorney for C & S Wholesale
Joel Connley, attorney for AL State Beverage, Montgomery Water Board

It is therefore ORDERED ADJUDGED and DECREED that:

1) Based on agreement of the parties, this matter is continued to February 25, 2009 at 9:00 am in courtroom number 4 of the Robert S. Vance Federal Building, 1800 5th Avenue North, Birmingham, Alabama.

2) Based on agreement of the parties, this matter is continued for a final hearing to February 25, 2009 at 9:00 am in courtroom number 4 of the Robert S. Vance Federal Building, 1800 5th Avenue North, Birmingham, Alabama.

3) Based on agreement of the parties, this matter is continued to February 25, 2009 at 9:00 am in courtroom number 4 of the Robert S. Vance Federal Building, 1800 5th Avenue North, Birmingham, Alabama.

4) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

5) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

6) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

7) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

8) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

9) Based on agreement of the parties, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

10) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

11) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

12) Based on agreement of the parties, this matter is continued for a final hearing to February 25, 2009 at 9:00 am in courtroom number 4 of the Robert S. Vance Federal Building, 1800 5th Avenue North, Birmingham, Alabama.

13) Based on arguments of counsel and the pleadings, the Motion is due to be Granted as noted on the record and Debtor's counsel is directed to submit a separate order.

Dated: 02/06/2009

/s/ BENJAMIN COHEN
BENJAMIN COHEN
United States Bankruptcy Judge

District/Off: 1126-2
 Case: 09-00634-BGC11

User: ccurry
 Form ID: pdfall

Date Created: 2/6/2009
 Total: 30

Recipients of Notice of Electronic Filing:

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TOTAL: 7

Recipients submitted to the BNC (Bankruptcy Noticing Center):

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cr	Regions Bank	c/o Jayna Partain Lamar	Maynard Cooper &Gale, PC	1901 Sixth Ave. N., Ste.
	2400	Birmingham, AL 35202		
sp	Najjar Denaburg P.C.	2125 Morris Avenue	Birmingham, AL 35203	
cr	ALABAMA POWER COMPANY	C/O ERIC RAY	P O BOX 306	BIRMINGHAM, AL 35201
aty	Josiah M Daniel	Vinson &Elkins LLP	2001 Ross Avenue Suite 3700	Dallas, TX 75201-2975
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5739634	City of Birmingham Alabama	Revenue Division	P O Box 830638	
5739633	City of Birmingham Alabama	Special Assessments Section	Room G - 100 City Hall	Birmingham
	AL 35203-2297			
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5739635	General Counsel	Dept of Industrial Relations	Montgomery AL 36102	
5739636	Jefferson County Dept of Revenue	Jefferson County Courthouse	Birmingham AL 35203	
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	1000	Atlanta GA 30326		

TOTAL: 23