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UNITED STATES BANKRUPTCY COURT

DISTRICT OF IDAHO

In Re:

Case No. 13-41437 JDP

WALKER LAND & CATTLE, LLC,

Chapter 11

Debtor.

**STIPULATION FOR PLAN TREATMENT BETWEEN
AAAURETHANE, INC. AND WALKER LAND & CATTLE, LLC**

COME NOW AAAUrethane, Inc., a secured creditor, by and through its attorney, Stephen A. Meikle, and the above-captioned Debtor, Walker Land & Cattle, LLC, by and through its attorney of record, MAYNES TAGGART, PLLC, and stipulate as follows:

RECITALS

WHEREAS, on November 12, 2013, AAAUrethane provided the installation of insulation in the Debtor's shop, real property commonly known as 14329 W. Arco Highway, Idaho Falls, ID 83402.

WHEREAS, Debtor filed its Petition for Chapter 11 relief on November 15, 2013.

WHEREAS, Creditor previously requested relief from the automatic stay in order to file a Mechanic/Materialman's Lien pursuant to Idaho Code § 45-501, *et seq.*

WHEREAS, on or about January 30, 2014, the Court entered the Order for Relief of Stay Regarding AAAUrethane, Inc., allowing AAAUrethane to file its Mechanic/Materialman's Lien (see Dkt. No. 118).

WHEREAS, on June 2, 2014, the Debtor filed its Proposed Plan of Reorganization providing for treatment of AAAUrethane's claim (Claim No. 29) as a fully secured claim under Class 18 of the proposed Plan. (See § 3.3.16, Debtor's Chapter 11 Plan of Reorganization, p. 19 (Dkt. No. 358). Specifically AAAUrethane would be paid under the proposed Plan in equal annual installments of \$5,129.00 over a five year term with simple interest accruing at the rate of 5.0% APR.

WHEREAS, on June 5, 2014, AAA Urethane filed its Notice of Motion for Approval of Administrative Expense Claim and Opportunity to Object and For a Hearing, together with its Motion for Approval of Administrative Expense Claim (jointly filed as Dkt. No. 362) requesting that its Proof of Claim be treated as an administrative expense claimed pursuant to 11 U.S.C. §§ 503(b)(9) and 507(2).

WHEREAS, on June 26, 2014, the Official Committee of Unsecured Creditors filed its objection to Motion for Approval of Administrative Expense Claim (Dkt. No. 394) asserting that installation of insulation is not in the ordinary course of the Debtor's business, as well as the fact that "goods" cannot be readily identified in the information provided by AAAUrethane in its Proof of Claim.

WHEREAS, on June 27, 2014, the Debtor filed its Joinder in the Unsecured Creditor's Committee Objection (Dkt. No. 396).

WHEREAS, on July 15, 2014, AAAUrethane filed its Amended Motion for Approval of Administrative Expense Claim (Dkt. No. 412), which includes an invoice that itemizes the materials in the amount of \$17,864.00 and labor in the amount of \$4,315.00.

WHEREFORE, the Debtor and AAAUrethane having determined it to be in their mutual best interests to resolve the issues between them, hereby stipulate as follows:

1. The plan treatment of Class 18 shall be modified in the following plan language showing the Plan Treatment of Class 18, as follows:

3.3.16 Class 18: Secured Claim of AAA Urethane, Inc. with respect to that certain real property, commonly known as the Shop on the Arco Highway, 14329 W. Arco Highway, Idaho Falls, ID 83402, pursuant to Idaho Code § 45-501, et seq., consisting of Claim No. 29. Members of this class have expressly agreed to waive treatment under this Plan as a secured creditor, including, but not limited to, a waiver of any right to attorney's fees pursuant to 11 U.S.C. § 506 and the right to post-petition interest. In lieu of treatment as a secured creditor, each member of this class shall release the lien securing the claim upon payment of its claim pursuant to § 3.1.1 Administrative Claims under this Plan.

2. Specifically, the Debtor and AAAUrethane hereby stipulate that AAA should be allowed an Administrative Claim under 11 U.S.C. § 503(b)(9) in the amount of \$22,179.00.

3. The Debtor hereby agrees to incorporate the modified plan treatment in its Plan of Reorganization and any and amendments thereto.

4. AAAUrethane hereby agrees to consent to the terms and conditions of the Debtor's Plan of Reorganization incorporating the foregoing modified plan treatment contained herein.

5. The parties in interest acknowledge that this Stipulation is dependent on Court approval as a part of the Debtor's Chapter 11 Bankruptcy. In the event the Court does not approve AAAUrethane's claim as an administrative expense claim and the terms of this

Stipulation, AAAUrethane shall retain its right to assert its secured claim and AAAUrethane is no longer bound by the terms of this Stipulation.

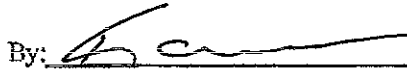
6. The Bankruptcy Court for the District of Idaho shall retain jurisdiction over the parties, the subject of this Stipulation, and the Order approving the same, and for the purpose of resolving any dispute relating to the rights and duties of the parties specified hereunder.

DATED: July 29, 2014

WALKER LAND & CATTLE, LLC
DEBTOR IN POSSESSION

AAAURETHANE, INC.

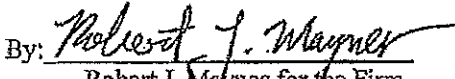
By: 
Its: Manager

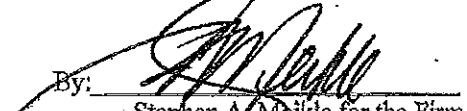
By: 
Its: President

APPROVED AS TO FORM AND CONTENT:


MAYNES TAGGART, PLLC

ADVANTAGE LEGAL SERVICES

By: 
Robert J. Maynes for the Firm
Debtor's counsel

By: 
Stephen A. Meikle for the Firm
Counsel for AAAUrethane, Inc.

DAVIDSON BACKMAN MEDEIROS, PLLC

By: 
Bruce K. Medeiros for the Firm
Counsel for Unsecured Creditors
Committee