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**IT IS SO ORDERED.**

**Dated: June 09, 2005**

  
Charles M. Caldwell  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re

UNITED PRODUCERS, INC.

Debtor and Debtor-in-Possession

Case No. 05-55272

Joint Administration

Chapter 11

Judge: Charles M. Caldwell

Re: Dkt No. 103

**ORDER GRANTING MOTION OF UNITED PRODUCERS, INC. AND AUTHORIZING  
DEBTOR TO ASSUME CERTAIN LIVESTOCK EXECUTORY CONTRACTS**

Before the Court is the Motion of United Producers, Inc., debtor and debtor-in-possession in the above-captioned case (hereinafter, the "Debtor" or "UPI"), moving this Court for an order pursuant to 11 U.S.C. § 365(d) authorizing Debtor to assume certain livestock related executory contracts (collectively, the "Contracts") (the "Motion"). The Motion and Notice of Motion was filed and served on May 9, 2005. More than 20 days have passed since the service of this Motion and no responses or objections have been made to the Motion. Upon review of the Motion, the Court finds as follows:

1. The Contracts were each entered into pre-petition. UPI has continued to perform under the Contracts since the Petition Date. The Contracts generally provide for the delivery of livestock to UPI, the feeding and care of livestock by UPI, the purchase of livestock by UPI, the marketing of livestock by UPI and/or the sale of livestock by UPI. Because the Contracts have different performance dates, certain of the Contracts that existed on the Petition Date have been completed. Further, during the time that this Motion has been pending, other of the Contracts have been completed. The Contracts listed on Exhibits A-1, B-1, C-1, D-1, E-1, F-1, G and H attached to the Motion constitute the Contracts that existed on the Petition Date and that remained open as of May 4, 2005.

2. The Contracts fall into these following general categories:

- a. Feeder Preference Marketing Agreements.
- b. Packer Contracts.
- c. Livestock Delivery Agreements and Livestock Purchase Contracts.
- d. Production Contracts and Livestock Finishing Agreements.
- e. Long Term Marketing Agreements.
- f. Marketing Agent Agreements.

3. A listing of the Contracts are attached to the Motion.

IT IS THEREFORE ORDERED that UPI is authorized to assume the Contracts as more fully described in its Motion.

SO ORDERED.

cc: Core Service List No. 3

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