

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
**ENTERED**  
THARISA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

_____ )	
In re )	Chapter 11 Case
MIRANT CORPORATION, <u>et al.</u> , )	Case No. 03-46590-DML
)	Jointly Administered
Debtors. )	
_____ )	

**ORDER GRANTING DEBTORS' MOTION PURSUANT TO SECTION 105 OF THE  
BANKRUPTCY CODE AND FEDERAL RULE OF BANKRUPTCY PROCEDURE  
9014(a) FOR AN ORDER ESTABLISHING UNIFORM SCHEDULE FOR THE FILING  
AND SERVICE OF RESPONSES AND OBJECTIONS TO CONTESTED MOTIONS**

Came before the Court for consideration the Motion Pursuant to Section 105(a) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 9014(a) for an Order Establishing Uniform Schedule for the Filing and Service of Responses and Objections to Contested Motions (the "Motion") filed by Mirant Corporation and its above-captioned affiliated debtors (collectively, the "Debtors"), as debtors-in-possession, on December 17, 2003; and it appearing that the Court has jurisdiction over this matter and the relief requested in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that due notice of the Motion has been provided as set forth in the certificate of service attached to the Motion, and that no other or further notice need be provided; and it further appearing that the relief requested in the Motion, as modified by the Court at the hearing, is in the best interests of the Debtors, their estates, and their creditors; and upon all of the proceedings heard before the Court; and after due deliberation and sufficient cause appearing therefor, it is, therefore, hereby

**ORDERED** as follows:

1. The following schedule for the filing and service of objections and responses to motions shall be in effect in these cases as of the date of this Order:

a. Objections or responses to a motion filed and set for hearing under normal motion scheduling procedures (twenty (20) days notice or more) must be filed and served upon applicable movant's counsel, Debtors' counsel, counsel for the Official Committees, the U.S. Trustee and such other persons identified in the Certificate of Service appended to the particular motion no later than 4 o'clock p.m. (prevailing central time) three (3) business days prior to the hearing scheduled on the motion.

b. Objections or responses to a motion filed and set for hearing under expedited or emergency motion scheduling procedures (less than twenty (20) days notice) must be filed and served upon applicable movant's counsel, Debtors' counsel, counsel for the Official Committees, the U.S. Trustee and such other persons identified in the Certificate of Service appended to the particular motion no later than 4 o'clock p.m. (prevailing central time) two (2) business days prior to the hearing scheduled on the motion; provided however, that in the event a motion is filed for which an expedited or emergency hearing is set on three (3) actual days notice or less, then objections may be filed *as late as* the day of the hearing.

c. The Notice of Hearing on a motion prepared by the Debtors or such other applicable movant's counsel will recite the date and time of the hearing and the date and time of the applicable objection/response deadline.

2. The objection/response procedures for motions set forth herein will not apply to the following:

a. Objections/responses to motions for relief from the automatic stay, responses to which will continue to be due in accordance with the provisions of L.B.R. 4001.1;

b. Objections/responses to motions filed in adversary proceedings, which are subject to L.B.R. 7007.1 and Local District Court Rule 7.1 and 12.1;

c. Objections/responses to the fees and expenses of any professional retained in these administratively consolidated cases, which will continue to be due in accordance with the fee procedures orders previously entered or which may subsequently be entered by this Court;

d. Objections/responses to motions to reject executory contracts filed in accordance with the streamlined rejection procedures established pursuant to the Order Regarding Motion for Order Pursuant to Sections 365 and 554 of the Bankruptcy Code Authorizing and Approving a Procedure for the Rejection of Certain Executory Contracts signed by the Court on August 1, 2003, or any amendments thereto;

e. Objections/responses to motions filed pursuant to the procedures established in the August 1, 2003 Order Granting Motion Pursuant to 11 U.S.C. §§ 105, 363(b), (f), and 554 for Approval (i) to Sell Certain Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; (ii) of Procedures to Sell Certain Miscellaneous Assets Free and Clear of Liens, Claims, Encumbrances, and Interests; and (iii) of Procedures to Abandon and Dispose of Estate Assets that are Burdensome or of Inconsequential Value;

f. Objections/responses to motions or notices filed pursuant to the Orders entered on July 17, 2003 and August 27, 2003 Authorizing the Debtors to (i) Comply with Terms of Pre-Petition Trading Contracts, (ii) Enter into Post-Petition Trading Contracts in the Ordinary Course of Business, (iii) Provide Credit Support Relating to Both Pre- and Post-Petition Trading Contracts, and (iv) Authorizing Assumption of Pre-

Petition Trading Contracts entered;

h. Objections/responses to claim objections; and

g. Objections/responses to a motion for which a subsequent order of the Court expressly establishes its own response or objection deadline for the motion or type of motion specified therein, including, but not limited to, objections/responses to the adequacy of any disclosure statement or confirmation of any plan of reorganization.

Signed: December 19, 2003.



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**HONORABLE D. MICHAEL LYNN**  
**UNITED STATES BANKRUPTCY JUDGE**

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**ATTORNEYS FOR THE DEBTORS  
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