

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:	)	Chapter 11
OAKWOOD HOMES CORPORATION, <u>et al.</u> ,	)	Case No. 02-13396 (PJW)
Debtors.	)	Substantively Consolidated
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OHC LIQUIDATION TRUST, by and through	)	
Alvarez & Marsal, LLC, the OHC Liquidation	)	
Trustee,	)	
Plaintiff,	)	Adv. Proc. No. 04-75077
v.	)	
THE LISTENER GROUP, INC.,	)	
Defendant.	)	
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CERTIFIED:  
AS A TRUE COPY:  
ATTEST:

DAVID D. BIRD, CLERK  
U.S. BANKRUPTCY COURT

BY: *Cheryl White*  
Deputy Clerk 6/16/09

**ORDER GRANTING PLAINTIFF'S MOTION  
FOR SUMMARY JUDGMENT [RE: D.I. 5B]**

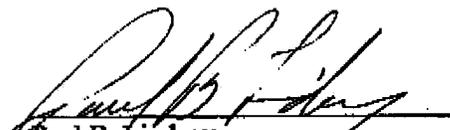
Plaintiff OHC Liquidation Trust, by and through Alvarez & Marsal, LLC, the OHC Liquidation Trustee ("Plaintiff"), having moved the Court pursuant to Rules 36 and 56 of the Federal Rules of Civil Procedure, made applicable to this proceeding by Rules 7036 and 7056 of the Federal Rules of Bankruptcy Procedure, for an order granting summary judgment in Plaintiff's favor (the "Motion For Summary Judgment"), and the pleadings, depositions, answers to interrogatories and admissions on file, together with the affidavits, if any, showing that there is no genuine issue as to any material fact and that Plaintiff is entitled to summary judgment as a matter of law,

IT IS HEREBY ORDERED THAT:

- (a) The Requests for Admission directed to The Listener Group, Inc. are deemed admitted;

- (b) The Motion For Summary Judgment is GRANTED;
- (c) Each of the Transfers set forth on Exhibit A to the Complaint filed in the above-captioned adversary proceeding is avoided;
- (d) The Plaintiff is awarded a judgment of \$143,300.00 against The Listener Group, Inc. and The Listener Group, Inc. is directed to return the amount awarded to the Plaintiff;
- (e) Any and all claims against the Debtors scheduled or filed in these cases by The Listener Group, Inc. shall be disallowed in full if The Listener Group, Inc. fails or refuses to return to the Plaintiff the amount awarded;
- (f) The Plaintiff is awarded interest on each amount for which judgment is entered at the highest legally permissible rate from October 29, 2004, the initial date the Debtors demanded payment of the amount transferred to The Listener Group, Inc. to the date of entry of judgment;
- (g) The Plaintiff is awarded interest after judgment at the highest legal rate on each amount for which judgment is entered until the amount has been fully paid; and
- (h) The Plaintiff is awarded its costs incurred in this action.

Dated: August 19, 2005

  
Paul B. Lindsey  
United States Bankruptcy Judge