

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: :

DEPOSIT INSURANCE AGENCY, AS :
BANKRUPTCY ADMINISTRATOR OF :
JUGOBANKA A.D., BEOGRAD, : Case No. 02-12930-JMP

and :

DEPOSIT INSURANCE AGENCY, AS :
BANKRUPTCY ADMINISTRATOR OF :
BEOGRADSKA BANKA A.D., BEOGRAD, :

Debtors in Foreign : Case No. 02-12932-JMP
Proceedings. :

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ORDER DISMISSING PETITIONS

WHEREAS, on June 14, 2002, the Petitioner, the Deposit Insurance Agency (“DIA”) of the Republic of Serbia, f/k/a the Agency For Deposit Insurance, Rehabilitation, Bankruptcy and Liquidation of Banks, filed petitions pursuant to former § 304 of the Bankruptcy Code thereby commencing the two above-captioned ancillary proceedings as the foreign representative of Jugobanka A.D., Beograd (“Jugobanka”) and Beogradska Banka A.D., Beograd (“Beogradska”) (jointly, “the Banks”); and

WHEREAS, relief under DIA’s petitions has been opposed by the Superintendent of Banks of the State of New York (the “Superintendent”) since August 2002; and

WHEREAS, litigation between those parties has been to the U.S. District Court for the Southern District of New York (twice), and to the U.S. Court of Appeals for the Second Circuit, in the intervening five years; and

WHEREAS, on March 11, 2003, Judge Blackshear entered that certain Order for Preliminary Injunction (the “Preliminary Injunction”); and

WHEREAS, the Preliminary Injunction entered by Judge Blackshear provides in relevant part as follows:

ORDERED, that all persons and entities are enjoined from (a) transferring, relinquishing or disposing of any property in the name of the Banks located in the United States, or the proceeds of such property, to third parties; (b) commencing or continuing any action or other legal proceeding (including, without limitation, arbitration, or any judicial, quasi-judicial, administrative action, proceeding or process whatsoever), including by way of counterclaim, against the Banks, or any of the Banks’ property in the United States, or any proceeds thereof; (c) enforcing any judicial, quasi-judicial or administrative judgment, assessment or order or arbitration award against the Banks, and commencing or continuing any act or action or other legal proceeding (including, without limitation, arbitration, or any judicial, quasi-judicial or administrative action, proceeding or process whatsoever) or any counterclaim to create, perfect or enforce any lien, attachment, garnishment, setoff or other claim against the Banks, or any of the Banks’ property in the United States, or any proceeds thereof, including any action on behalf of the Banks as a judgment creditor; and it is further

ORDERED, that this injunction shall remain in effect until lifted by this Court; and it is further ...; and

WHEREAS, DIA and the Superintendent have now entered into that certain amended Stipulation of Settlement to resolve their protracted dispute (the “Amended Settlement Stipulation”); and

WHEREAS, DIA and the Superintendent have requested that the Court dismiss the Petitions and dissolve the Preliminary Injunction; and

WHEREAS, on April 23, 2009 the Court entered an Order dissolving the Preliminary Injunction.

NOW, THEREFORE, IT IS HEREBY:

ORDERED that the Petitions shall be dismissed in their entirety, and as to the Superintendent, dismissed with prejudice, and it is further

ORDERED that the Clerk of the Court shall close the above-captioned jointly administered cases in accordance with this Order.

SO ORDERED THIS 24th DAY OF APRIL, 2009

s/ James M. Peck
HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE