

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF KENTUCKY  
(LEXINGTON DIVISION)

IN RE	:	Chapter 11 Proceeding
	:	
LODESTAR ENERGY, INC.	:	Case Nos. 01-50969 and 01-50972
LODESTAR HOLDINGS, INC.,	:	
	:	Jointly Administered under
Debtors.	:	Case No. 01-50969
	:	
	:	Judge Joseph M. Scott, Jr.
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LODESTAR ENERGY, INC., ET AL.	:	Adv. Proceeding No. 02-5001
	:	
PLAINTIFFS	:	
	:	
vs.	:	
	:	
THE STATE OF UTAH, ET AL.	:	
	:	
DEFENDANTS.	:	

**MOTION FOR ORDER EXTENDING EXPIRATION DATE OF  
PROTECTIVE ORDER FOR PLAINTIFFS' CONFIDENTIAL COMMERCIAL  
INFORMATION CONTAINED IN PLAINTIFFS' EXHIBIT "F"  
OF THE PLAINTIFFS' DISCLOSURE OF EXHIBITS**

Lodestar Energy, Inc. ("LEI") and Lodestar Holdings, Inc., debtors and debtors-in-possession in the above jointly administered Chapter 11 cases, and Plaintiffs in the captioned case (collectively, the "Plaintiffs"), hereby respectfully move the Court for an order extending the expiration date of the Protective Order entered January 31, 2002 (docket no. 32) (the "Protective Order").

**RECEIVED**

MAY 23 2002

DIVISION OF  
OIL, GAS AND MINING

In support of this motion, the Plaintiffs respectfully state and represent as follows:

1. On January 24, 2002, the Plaintiffs filed their Emergency Motion for Protective Order for Plaintiffs' Confidential Commercial Information Relating to Exhibit "F" of the Plaintiffs' Disclosure of Exhibits (docket no. 22) (the "Protective Motion"). In the Protective Motion, the Plaintiffs requested that the Court enter an order directing that Exhibit "F," containing confidential information, be filed with the Court under seal.

2. The Court sustained the Protective Motion by entry of the Protective Order.

3. The Protective Order contains the following provision:

"This Order shall expire 120 days from the date of its entry without prejudice to the right of Plaintiffs or any other party in interest to request a later expiration date."

Accordingly, in the absence of an extension of the expiration date, the Protective Order will expire on May 31, 2002.

4. The ground supporting entry of the Protective Order – protection from public disclosure of the confidential pricing and other information contained in the confidential documents – is as relevant and compelling at this time as it was when the Protective Motion was filed. Accordingly, the Plaintiffs must continue to be protected from the possibility of disclosure of pricing and other confidential information to their competitors.

5. The Plaintiffs submit that it is in their best interests and in the best interests of their estates and creditors that the Court extend the Protective Order for an additional 120 days.

WHEREFORE, the Plaintiffs respectfully request that the Court enter an order: (i) granting this Motion in all respects; (ii) extending the expiration date of the Protective Order for a period of 120 days; and (iii) granting to the Debtor such other relief as the Court may deem appropriate in the circumstances.

**NOTICE**

Notice is hereby given that unless any objection(s) to the forgoing is timely filed on or before Thursday, May 30, 2002, the Court may enter an Order approving same without notice or hearing.

Dated: May 20, 2002

Respectfully submitted,

**SQUIRE, SANDERS & DEMPSEY L.L.P.**

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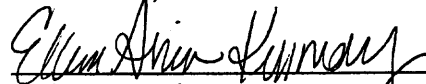
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**COUNSEL FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by email or U.S. Mail, postage pre-paid, as indicated, on this the 20 day of May, 2002 on the following parties:

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CO-COUNSEL FOR STATE OF UTAH

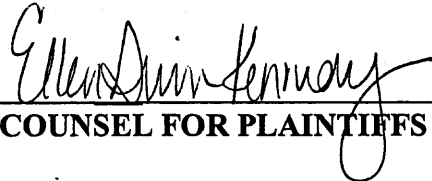
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VALENTIS INVESTORS, LLC

  
COUNSEL FOR PLAINTIFFS

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**ORDER EXTENDING EXPIRATION DATE OF  
PROTECTIVE ORDER RELATING TO CONFIDENTIAL COMMERCIAL  
INFORMATION CONCERNING EXHIBIT "F" OF  
PLAINTIFFS' DISCLOSURE OF EXHIBITS**

This matter came before the Court on the Motion for Order Extending Expiration Date of Protective Order Relating to Confidential Commercial Information Concerning Exhibit "F" of

Plaintiffs' Disclosure of Exhibits (the "Motion"), filed by Lodestar Energy, Inc. and Lodestar Holdings, Inc., (collectively, the "Plaintiffs"), requesting that the Court enter an Order extending the expiration date of the Court's Protective Order entered January 31, 2002 (docket no. 32) (the "Protective Order"); and it appearing to the Court that the good and sufficient cause exists for granting all of the relief requested by the Debtors in the Motion; now, therefore, it is hereby

ORDERED that the Protective Order shall expire 120 days from the date of entry of this Order, without prejudice to the right of the Debtors or any other party in interest to request a later expiration date.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HON. JOSEPH M. SCOTT, JR., JUDGE  
UNITED STATES BANKRUPTCY COURT

**SQUIRE, SANDERS & DEMPSEY L.L.P.**

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Jeffrey A. Marks

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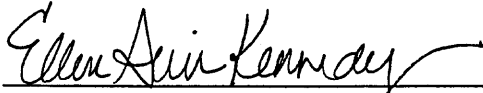
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and

**FOWLER, MEASLE AND BELL, LLP**



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**COUNSEL FOR PLAINTIFFS**

Pursuant to Local Rule 9022-1(c), Taft A. McKinstry or Ellen Arvin Kennedy shall cause a copy of this Order to be served on each of the parties designated to receive this order pursuant to Local Rule 9022-1(a) and shall file with the Court a certificate of service of the Order upon such parties within ten (10) days hereof.