

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

PEAK BROADCASTING, LLC, *et al.*,<sup>1</sup>

Debtors.

)  
) Chapter 11

)  
) Case No. 12-10183 (PJW)

)  
) Jointly Administered

)  
) Re: Docket No. 71 ¶ 108

**ORDER APPROVING THE FCC TRUST AGREEMENT  
AND RELATED DOCUMENTS AND AUTHORIZING THE  
APPOINTMENT OF THE TRUSTEE OF THE FCC TRUST**

Upon the motion (the "Motion")<sup>2</sup> of the Debtors for entry of an order (this "Order"), pursuant to sections 105(a) and 363(b) of the Bankruptcy Code, approving the FCC Trust Agreement, including exhibits thereto and any related documents and agreements, and authorizing the appointment of the Trustee; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and the Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion was appropriate and no other notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: Peak Broadcasting, LLC (3946); Peak Broadcasting of Boise, LLC (1578); Peak Broadcasting of Fresno, LLC (9637); Peak Broadcasting of Boise Licenses, LLC (6983); and Peak Broadcasting of Fresno Licenses, LLC (9730). The mailing address for the Debtors is 1071 West Shaw Ave., Fresno, CA 93711.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings set forth in the Motion.

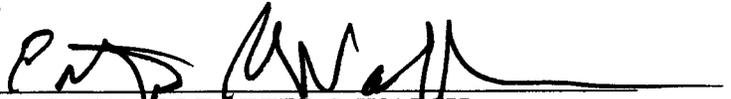
deliberation and sufficient cause appearing therefore, it is HEREBY ORDERED THAT:

1. The Motion is granted.
2. The FCC Trust Agreement is approved.
3. The Debtors are authorized, without any further notice or action, order, or approval of this Court, to execute, deliver, and perform, as applicable, all agreements, documents, instruments and certificates relating to the FCC Trust Agreement, including, without limitation, the Time Brokerage Agreement.
4. The establishment of the FCC Trust is approved in accordance with the terms and conditions of the FCC Trust Agreement.
5. The Debtors are authorized, but not directed, to appoint Claudia Siegle Horn as Trustee of the FCC Trust, to serve in such position in accordance with the terms and conditions of the FCC Trust Agreement.
6. This Court expressly retains jurisdiction over the Trustee's exercise of its decision making authority pursuant to this Order and the FCC Trust Agreement.
7. Upon the Debtors obtaining the appropriate FCC approvals and confirmation and the Effective Date of the Plan, the FCC Trust will take possession and control of (a) the FCC License Assets and (b) certain other assets of the Debtors as set forth on Schedule B attached to the FCC Trust Agreement.
8. Nothing in the Motion or this Order shall prejudice the rights of Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A., "Rabobank International", New York Branch with respect to the Disclosure Statement for the Joint Plan of Reorganization of Peak Broadcasting, LLC, et al. [Doc. No. 13] or Joint Plan of Reorganization of Peak Broadcasting, LLC, and Its Debtor Affiliates Under Chapter 11 of the Bankruptcy Code [Doc. No. 11].

9. This Order shall be immediately effective and enforceable upon its entry.

10. The Debtors are authorized to take all actions necessary or appropriate to effectuate the relief granted pursuant to this Order.

Date: Feb 2 2012  
Wilmington, Delaware

  
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THE HONORABLE PETER J. WALSH  
UNITED STATES BANKRUPTCY JUDGE