

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

In re:

AHERN RENTALS, INC.,

Debtor.

3:12-cv-00676-LRH-VPC

BK-N-11-53860 (BTB)  
Chapter 11

AHERN RENTALS, INC.,

Appellant,

vs.

ORDER MODIFYING STAY ORDER

GOLDMAN SACHS PALMETTO STATE  
CREDIT FUND, L.P., LIBERTY HARBOR  
MASTER FUND I, L.P., SPHERE CAPITAL,  
LLC - SERIES B, DEL MAR MASTER  
FUND LTD., FEINGOLD O'KEEFFE  
CAPITAL MANAGEMENT, LLC,  
NOMURA CORPORATE RESEARCH &  
ASSET MANAGEMENT INC., OCH-ZIFF  
CAPITAL MANAGEMENT GROUP,  
WAZEE STREET CAPITAL  
MANAGEMENT, LLC,

Appellees.

Upon the motion (the "Motion to Modify Stay Order") of the Ahern Rentals, Inc. (the "Debtor" or "Appellant") for an order modifying the order entered by this Court on December 21, 2012 (the "Stay Order") (Docket No. 5); and due and sufficient notice of the Motion to Modify Stay Order having been given under the circumstances; and it appearing that no other or further notice need the provided; and upon the record herein; and it appearing that the relief requested by the Motion to Modify Stay Order is in the best interest of Debtor's estate and creditors; and the Court having determined that sufficient cause exists to stay the effect of the *Order Terminating the Debtor's Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)* (the "Termination Order"),

1 pursuant to which the United States Bankruptcy Court for the District of Nevada (the  
2 "Bankruptcy Court") terminated the Debtor's exclusive period for filing a plan of reorganization  
3 (the "Exclusive Plan Filing Period") and the period for securing acceptance of the plan of  
4 reorganization (the "Exclusive Plan Solicitation Period," and together with the Exclusive Plan  
5 Filing Period, the "Exclusive Periods"); and after due deliberation thereon and good and  
6 sufficient cause appearing therefor;

7 IT IS HEREBY ORDERED THAT:

- 8 1. The Emergency Motion to Modify Stay Order (#18) is GRANTED.
- 9 2. The proceedings of the Chapter 11 Case, as related to the Exclusive Periods, the  
10 Debtor Plan and any competing plans, are stayed effective as of December 7, 2012.
- 11 3. The Termination Order shall be stayed pending further order of the court.
- 12 4. Notwithstanding any federal or local rule to the contrary, this Order shall take  
13 effect immediately upon its entry.
- 14 5. A status hearing shall be held on Friday, January 11, 2013 at 10:00 am before the  
15 Honorable Larry R. Hicks in Courtroom Number 5, Reno, Nevada.

16  
17 IT IS SO ORDERED.

18 DATED this 21st day of December, 2012.



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20 LARRY R. HICKS  
21 UNITED STATES DISTRICT JUDGE  
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