

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

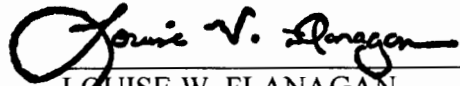
ERGS II, L.L.C.,)	
)	
Appellant,)	
)	
v.)	
)	
LICHTIN/WADE, LLC)	Case No. 5:12-cv-00688-FL
)	
)	
Appellee.)	
_____)	

ORDER DISMISSING APPEAL

It appearing to the Court that ERGS II, L.L.C. ("ERGS") has requested the dismissal of the appeal commenced by ERGS's filing of a notice of appeal in *In re Lichtin/Wade, LLC*, Case Number 12-00845-8-RDD (the "Bankruptcy Case"), pursuant to Fed. R. Bankr. P. 8001(c)(2). No cross appeal was filed by the Debtor, and during the pendency of the appeal the case was converted to chapter 7. The chapter 7 trustee is proceeding with the marketing and sale of ERGS's collateral, and ERGS no longer wishes to pursue its appeal.

WHEREFORE, the Motion of ERGS II, L.L.C. to dismiss the appeal is hereby
GRANTED.

SO ORDERED this the 25TH day of July, 2013.



LOUISE W. FLANAGAN
United States District Judge