


SO ORDERED: November 6, 2020.




Robyn L. Moberly
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-09108-RLM-11

**ORDER AUTHORIZING THE DEBTOR
TO ENTER INTO NEW HEADQUARTERS LEASE**

This matter came before the Court on the *Debtor's Motion For Authority To Enter Into New Headquarters Lease* (the "**Motion**"), filed by USA Gymnastics as debtor and debtor in possession (the "**Debtor**"), for the entry of an order pursuant to section 363(b)(1) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "**Bankruptcy Code**"), and Rule 6004 of the

¹The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

Federal Rules of Bankruptcy Procedure; and the Court finds that (i) it has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; (ii) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (M); (iii) the relief requested in the Motion constitutes a sound exercise of the Debtor's business judgment and is in the best interests of the Debtor, its estate, and creditors; and after due deliberation, and good and sufficient cause appearing therefore, the Court hereby determines the Motion should be GRANTED.

IT IS HEREBY ORDERED:

1. The Motion is granted as set forth herein.
2. The Debtor is authorized to enter into the new headquarters lease with Volunteers of America of Ohio and Indiana, Inc. ("VOA"), attached to the Motion as Exhibit 2 (the "**New Headquarters Lease**"), pursuant to section 363(b)(1) of the Bankruptcy Code.
3. If before the earlier of (i) the entry of an order confirming a chapter 11 plan in this case (that order having become a final order no longer subject to appeal) and (ii) the entry of an order closing this chapter 11 case, VOA or Landmark Acquisitions LLC (the "**Landlord**") believes that it is owed indemnification by the Debtor under the New Headquarters Lease, including without limitation the advancement of defense costs or other attorneys' fees, VOA or the Landlord must file an application in this Court, and the Debtor may not pay any such amounts to VOA or the Landlord before the entry of an order by this Court approving the payment. This paragraph is intended only to specify the period of time during which this Court shall have jurisdiction over any request by VOA or the Landlord for indemnification and is not a provision limiting the duration of the Debtor's obligation to indemnify.
4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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