



ENTERED
03/04/2008

IN THE UNITED STATES BANKRUPTCY COURT
OF THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

In re:	§	Case No. 05-21207
	§	
ASARCO LLC, <u>et al.</u> ,	§	Chapter 11
	§	
Debtors.	§	Jointly Administered
	§	

**ORDER DIRECTING APPOINTMENT OF EXAMINER
UNDER 11 U.S.C. §§ 1104(c) AND 1106**

The Court has considered the Motion of ASARCO Incorporated for an Order Appointing An Examiner and Granting Certain Related Relief (the "Examiner Motion") (Docket No. 6681) pursuant to 11 U.S.C. §§ 1104(c) and 1106, and it appearing to the Court that adequate notice has been given; and the Court having held a hearing on the Examiner Motion on February 8, 2008; and the Court, for reasons stated on the record at the hearing held on February 28, 2008, having determined that the legal and factual bases set forth in the Examiner Motion establish that the appointment of an examiner is mandatory; and the Court having further determined that the Court has discretion as to the scope of the duties of the examiner; and the Court having concluded that no current matter in the case warrants the attention of an examiner; it is hereby

ORDERED that the Examiner Motion is hereby granted; to the extent set forth herein; and it is further

ORDERED that an examiner (the "Examiner") shall be appointed in accordance with 11 U.S.C. § 1104(c)(2); and it is further

ORDERED that the scope of investigation proposed in the Examiner Motion is denied; and it is further

ORDERED that the Examiner shall not have any current duties; and it is further

ORDERED that any party has the right to ask the Court to assign specific duties to the Examiner at any time; and it is further

ORDERED that the Court shall retain jurisdiction over any matters arising from or relating to the implementation or interpretation of this Order.

SO ORDERED this 4th day of March, 2008.



UNITED STATES BANKRUPTCY JUDGE