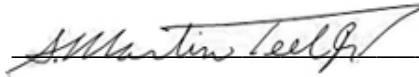


The document below is hereby signed.

Signed: October 09, 2009.




S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)
)
JOHN ARCHIE MCNAIR and GRACE) Case No. 09-00487
ELIZABETH TAYLOR-MCNAIR,) (Chapter 7)
) **Not for Publication in**
Debtors.) **West's Bankruptcy Reporter**

MEMORANDUM DECISION AND ORDER

As noted in *In re Gaylor*, 379 B.R. 413 (Bankr. D. Conn. 2007), "assumption pursuant to Section 365(p)(2) does not require court approval or other court action. *In re Walker*, No. 06-11514C-7G, 2007 WL 1297112 (Bankr. M.D.N.C. April 27, 2007); *In re Rogers*, 359 B.R. 591 (Bankr. D.S.C. 2007)." It is thus

ORDERED that the Motion is denied as unnecessary, provided, further, that the foregoing is not an adjudication of (1) the effect (if any) the Debtor's impending discharge may have in respect of the purportedly assumed Lease Agreement or (2) the enforceability of the Debtor's purported "waive[r]" of such discharge set forth in the Stipulation because neither of such issues is properly before the court.

[Signed and dated above.]

Copies to: Debtor; Debtor's attorney; Chapter 7 Trustee; Office of United States Trustee.