

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
AT CANTON**

	X		
	:		Chapter 11
In re:	:		
	:		Case No. 10-60702
SCHWAB INDUSTRIES, INC., <i>et al.</i> <sup>1</sup>	:		(Jointly Administered)
	:		
Debtors.	:		Judge Russ Kendig
	:		
	:		
	X		

**JOINT MOTION FOR ENTRY OF AGREED ORDER PURSUANT TO  
SECTION 1121(d) OF THE BANKRUPTCY CODE EXTENDING THE  
PERIOD DURING WHICH THE DEBTORS AND THE COMMITTEE  
HAVE THE EXCLUSIVE RIGHT TO FILE A PLAN OF  
REORGANIZATION AND SOLICIT ACCEPTANCES THERETO**

Schwab Industries, Inc (“SII”), Medina Cartage Co. (“MCC”), Medina Supply Company (“MSC”), Quality Block & Supply, Inc. (“QBS”), O.I.S. Tire, Inc. (“OIS”), Twin Cities Concrete Company (“TCC”), Schwab Ready-Mix, Inc. (“SRM”), Schwab Materials, Inc. (“SMI”) and Eastern Cement Corp. (“ECC”, and together with SII, MCC, MSC, QBS, OIS, TCC, SRM and SMI, the “Debtors”), the debtors and debtors in possession in the above-captioned Chapter 11 cases (the “Cases”), and the Official Committee of Unsecured Creditors (the “Committee”), by and through their respective undersigned counsel, hereby move (the “Motion”) this Court, pursuant to Section 1121 of the Bankruptcy Code, for the entry of an agreed order, substantially in the form attached

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s tax identification number are: Schwab Industries, Inc. (2467); Medina Cartage Co. (9373); Medina Supply Company (3995); Quality Block & Supply, Inc. (2186); O.I.S. Tire, Inc. (7525); Twin Cities Concrete Company (9196); Schwab Ready-Mix, Inc. (8801); Schwab Materials, Inc. (8957); and Eastern Cement Corp. (7232).

hereto as Exhibit A, (i) extending the time period during which Debtors and the Committee have the exclusive right to file the Joint Plan (as defined in that certain Order entered June 17, 2010 [Docket No. 484] (the “First Extension Order”) and further extended pursuant to that certain Order entered July 29, 2010 [Docket No. 575] (the “Second Extension Order”)) through and including September 15, 2010 and (ii) extending the time period during which the Debtors and the Committee have the exclusive rights to solicit and obtain acceptances to the submitted Joint Plan through and including November 15, 2010.

Debtors and the Committee have diligently pursued their commitments and obligations under the First Extension Order, and the Second Extension Order. At Debtors’ request, the Court has since established a claims bar date that will facilitate the formulation of a Joint Plan. The claims bar date of August 12, 2010 having past, and Debtors and the Committee continuing their review of the filed claims, will require more time than is permitted under the Second Extension Order to formulate, prepare, negotiate and file a Joint Plan in these Cases.

For the reasons set forth above, Debtors and the Committee hereby request that the Court enter an order substantially in the form set forth on the attached Exhibit A and grant Debtors and the Committee such other and further relief as is just and proper.

Dated: August 30, 2010

Respectfully submitted,

/s/ Daniel A. DeMarco

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# **EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
AT CANTON**

----- X  
In re: : Chapter 11  
: :  
SCHWAB INDUSTRIES, INC., *et al.*<sup>1</sup> : Case No. 10-60702  
: (Jointly Administered)  
: :  
Debtors. : Judge Russ Kendig  
: :  
----- X

**AGREED ORDER PURSUANT TO SECTION 1121(d) OF THE BANKRUPTCY CODE  
EXTENDING THE PERIOD DURING WHICH THE DEBTORS AND THE  
COMMITTEE HAVE THE EXCLUSIVE RIGHT TO FILE A PLAN OF  
REORGANIZATION AND SOLICIT ACCEPTANCES THERETO**

This \_\_\_\_ day of \_\_\_\_\_, 2010, upon consideration of the *Joint Motion for Entry of Agreed Order Pursuant to Section 1121(d) of the Bankruptcy Code Extending the Period During Which the Debtors and the Committee Have the Exclusive Right*

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number are: Schwab Industries, Inc. (2467); Medina Cartage Co. (9373); Medina Supply Company (3995); Quality Block & Supply, Inc. (2186); O.I.S. Tire, Inc. (7525); Twin Cities Concrete Company (9196); Schwab Ready-Mix, Inc. (8801); Schwab Materials, Inc. (8957); and Eastern Cement Corp. (7232).

*To File a Plan of Reorganization and Solicit Acceptances Thereto* (the “Motion”); it appearing that reasonable and adequate notice of the Motion has been provided to interested parties, and no further notice being necessary; and the Court having considered representations of counsel concerning the Motion and all other proceedings in these Cases; and adequate cause appearing therefore; it is hereby

**ORDERED, ADJUDGED AND DECREED** that:

1. The relief requested in the Motion is **GRANTED**, subject to the terms of this Order.

2. Pursuant to Bankruptcy Code Section 1121(d), the time period Debtors and the Official Committee of Unsecured Creditors (the “Committee”) have the exclusive right to file the Joint Plan is extended through and including September 15, 2010 and (ii) the time period the Debtors and the Committee have to exclusively solicit and obtain acceptances to the submitted Joint Plan is extended through and including November 15, 2010.

**IT IS SO ORDERED.**

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Prepared, Submitted and Agreed to By:

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