

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below.



/S/ RUSS KENDIG

Russ Kendig
United States Bankruptcy Judge

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

----- X
 In re: : Chapter 11
 :
 SCHWAB INDUSTRIES, INC.,¹ : Case No. 10-60702
 :
 Debtor. : Judge Russ Kendig
 :
 : Joint Administration Pending
 ----- X

----- X
 In re: : Chapter 11
 :
 MEDINA CARTAGE CO., : Case No. 10-60703
 :
 Debtor. : Judge Russ Kendig
 :
 : Joint Administration Pending
 ----- X

¹ 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).

ORDER RE UTILITIES -
CLE - 2520855.1

	:	Chapter 11
In re:	:	
	:	Case No. 10-60704
MEDINA SUPPLY COMPANY,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	
	:	Chapter 11
In re:	:	
	:	Case No. 10-60705
QUALITY BLOCK & SUPPLY, INC.,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	
	:	Chapter 11
In re:	:	
	:	Case No. 10-60706
O.I.S. TIRE, INC.,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	
	:	Chapter 11
In re:	:	
	:	Case No. 10-60707
TWIN CITIES CONCRETE COMPANY,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	
	:	Chapter 11
In re:	:	
	:	Case No. 10-60708
SCHWAB READY-MIX, INC.,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	

In re: : Chapter 11
: :
SCHWAB MATERIALS, INC., : Case No. 10-60709
: :
Debtor. : Judge Russ Kendig
: :
: Joint Administration Pending

----- X
: Chapter 11
In re: : :
: Case No. 10-60710
EASTERN CEMENT CORP., : :
: Judge Russ Kendig
Debtor. : :
: Joint Administration Pending

----- X

INTERIM ORDER (A) PROHIBITING UTILITIES FROM ALTERING, REFUSING OR DISCONTINUING SERVICES ON ACCOUNT OF PREPETITION INVOICES, (B) DETERMINING THAT UTILITIES HAVE RECEIVED ADEQUATE ASSURANCE OF PAYMENT FOR FUTURE SERVICES, AND (C) ESTABLISHING PROCEDURES FOR DETERMINING REQUESTS FOR ADEQUATE ASSURANCE

Upon consideration of the motion, dated February 28, 2010 (the "Motion"), of 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"), for the entry of an order (a) prohibiting utilities from altering, refusing or discontinuing services on account of prepetition invoices, (b) determining that utilities have received adequate assurance of payment for future services, and (c) establishing procedures for determining requests for adequate assurance; and based upon the *Affidavit of David R. Exley in Support of Chapter 11 Petitions and First-Day Motions* (the "Exley Affidavit") filed concurrently with the Motion; and after due deliberation and hearing, this Court finds that: (i) it has jurisdiction over

the matters raised in the Motion under 28 U.S.C. §§157 and 1334; (ii) venue of this matter is proper under 28 U.S.C. §§1408 and 1409; (iii) this matter is a core proceeding under 28 U.S.C. §157(b)(2); (iv) the relief requested in the Motion is in the best interests of Debtors, their estates, creditors, and other parties in interest; (v) adequate and proper notice of the Motion and the hearing thereon has been given and that no other or further notice is necessary; and (vi) good and sufficient cause exists for the granting of the relief requested in the Motion as set forth herein. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED in its entirety on an interim basis, provided that if no parties object to the relief proposed and granted herein by or before March 17, 2010 this Order shall become a final Order.

2. Any parties desiring to object to the relief granted in this Motion shall file their objection with the Court on or before March 17, 2010 and serve a copy of the same on (i) counsel for the Debtors; (ii) the Office of the United States Trustee for Region IX; (iii) counsel for the Agent for the Pre-Petition Lenders; (iv) counsel for any Committee(s) formed in these Cases; and (v) counsel for EFO Financial Group, LLC. If any objection to this Motion is filed, the Court will then set a further hearing on this Motion at the next scheduled Omnibus Hearing. If no objection is filed, then this Order shall automatically become a final order granting the Motion in its entirety without further action of this Court

3. Capitalized terms not defined herein shall have the meanings ascribed to such terms in the Motion.

4. Absent any further order of the Court, no Utility Company, including without limitation, those identified on Exhibit A, shall (a) alter, refuse, or discontinue service to, or

discriminate against Debtors, solely on the basis of the commencement of this case or on account of any unpaid invoice for utility service provided prior to the Petition Date, or (b) prior to undertaking the procedures described herein, require the payment of a deposit or other security in connection with the Utility Company's continued provision of utility service, including, but not limited to, the furnishing of electricity, natural gas, water, sewer, telephone, telecommunications or any other utility of like kind furnished to Debtors.

5. Debtors shall serve this Order, together with a copy of the Motion, upon each of the Utility Companies listed on Exhibit A attached hereto, at the addresses listed thereon, by first-class mail, postage prepaid, within five (5) business days after the entry of this Order.

6. Debtors are authorized, but not required, to pay any Utility Companies, including without limitation those listed on Exhibit A an Adequate Assurance Deposit totaling Debtors' annual average obligations for one-half (1/2) of one month's service, within twenty (20) days of the Petition Date to Utilities Companies that have timely submitted a request. Any such Adequate Assurance Deposit shall constitute adequate assurance of payment under Bankruptcy Code Section 366(c)(1)(A).

7. This Order is without prejudice to the rights of any Utility Company to request from the Debtors additional adequate assurance in the form of deposits or other security; provided, however, that any such request must (i) be made in writing, and (ii) be received by Schwab Industries, Inc., P.O. Box 400, Dover, Ohio 44622 (Attention: Laurence V. Goddard, Chief Restructuring Officer), and its counsel, Hahn Loeser & Parks, LLP, 200 Public Square, Suite 2800, Cleveland, Ohio 44114-2301 (Attention: Lawrence E. Oscar, Esq.) within thirty (30) days from the date of entry of this Order (the "Deposit Request Deadline"). Any request for

additional adequate assurance of payment failing to meet these requirements shall be deemed an invalid adequate assurance request.

8. Debtors are authorized but not directed to pay outstanding prepetition amounts to any Utility Company as a method of adequate assurance of payment, upon agreement by the Utility Company.

9. If a Utility Company timely and properly requests from the Debtors additional adequate assurance, and Debtors are unable to resolve the request consensually with the Utility Company, then Debtors shall file notice for determination of adequate assurance of payment and seek a hearing thereon (the "Determination Hearing").

10. Any Utility Company having made a request for additional adequate assurance of payment shall be deemed to have adequate assurance until the Court enters a final order in connection with such a request finding that the Utility Company is not adequately assured of future payment.

11. Any Utility Company that does not make a request for additional adequate assurance on or prior to the Deposit Request Deadline pursuant to the procedures set forth herein shall be subject to the terms and conditions of this Order (including, without limitation, paragraph 2 above) and shall be deemed to have adequate assurance under Bankruptcy Code Section 366.

12. Any Utility Company not listed on Exhibit A to this Order, but subsequently identified by Debtors, shall be served with notice and a copy of this Order and the Motion and be afforded thirty (30) days from the date of service to request adequate assurance, if any, from Debtors. Such a request must otherwise comply with the requirements set forth above or shall be deemed an invalid adequate assurance request.

13. Substantially contemporaneously with the service of the notice and this Order as described in the preceding paragraph, Debtors shall file with the Court a supplement to Exhibit A adding the name of the Utility Compan(ies) so served, and this Order shall be deemed to apply to such Utility Compan(ies) from the date of such service, subject to any subsequent order of the Court in connection with any motion for determination of adequate assurance.

14. Nothing in this Order or the Motion shall be deemed to vacate or modify any other restrictions on the termination of service by a Utility Company as provided by Bankruptcy Code Sections 362 and 365 or other applicable law and nothing herein or in the Motion shall constitute postpetition assumption or adoption of any agreement pursuant to Bankruptcy Code Section 365, nor shall anything herein be deemed a waiver by Debtors or any other party of any right with respect to the assumption or rejection of any executory contract.

IT IS SO ORDERED.

###

Prepared and Submitted By,

/s/ Lawrence E. Oscar

Lawrence E. Oscar (0022696)
Daniel A. DeMarco (0038920)
Christopher B. Wick (0073126)
Christopher W. Peer (0076257)
HAHN LOESER & PARKS LLP
200 Public Square, Suite 2800
Cleveland, Ohio 44114
Telephone: (216) 621-0150
Facsimile: (216) 241-2824
E-mail: leoscar@hahnlaw.com
dademarco@hahnlaw.com
cwick@hahnlaw.com
cpeer@hahnlaw.com

Proposed Counsel to Debtors

NO OBJECTION

DANIEL M. MCDERMOTT
United States Trustee, Region 9

By:

/s/ Maria D. Giannirakis

Maria D. Giannirakis (0038220)
U.S. Department of Justice
Office of the United States Trustee
H.M. Metzenbaum U.S. Courthouse
201 Superior Avenue East, Suite 441
Cleveland, Ohio 44114-1240
Telephone: (216) 522-7800
Facsimile: (216) 522-7193

EXHIBIT A

CLE - 2247135.1

UTILITIES

SCHWAB READY-MIX, INC.

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
LCEC	P.O. Box 31477 Tampa, FL 33631-3477	762220000 9283400000 8112240000 0397910000 1219300000 6383400000 5383400000 4383400000	Electric
Waste Pro	13110 Rickenbacker Pkwy. Ft. Myers, FL 33913	005753001	Waste
Waste Pro-Ft. Myers	PO Box 79765 Baltimore, MD 21279	006745	Waste
CenturyLink	P.O. Box 96064 Charlotte, NC 28296-0064	239-267-8788-202 239-466-6715-751 941-697-5312-312 941-637-0471-644 239-574-0050-294 239-657-2416-175 941-637-9370-370 941-697-5454-575 239-598-3166-842 239-561-0536-881	Telephone
CenturyLink	PO Box 96031 Charlotte, NC 28296-0031	24381500 - K011202094 24381500 - K011202136	Telephone

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
Florida Power & Light Company	PO Box 025576 Miami, FL 33102	16776-93549 69831-56032 54328-76356 14564-39494 77992-35226 15704-05389 65878-43449 49732-41906 94312-41422 07197-55209 08570-38335 67540-03082 85558-34111 85568-32148 63482-45074	Electric
Waste Management of Sarasota	5221 State Rd. 776 Venice, FL 34293-6019	047-0010436-0487-3 047-0277550-0487-9	Waste
Waste Management	PO Box 105453 Atlanta, GA 30348-5453	221-0020477-2212-5 336-0011155-0336-7 033-0015285-0332-7	Waste
DayStar Communications	PO Box 22045 Tampa, FL 33622	2039	Telephone
Immokalee Water & Sewer District	PO Box 12047 Naples, FL 34101	1119060702	Water
City of Punta Gorda Utility Billing	126 Harvey St., 2 nd Floor City Hall Annex Punta Gorda, FL 33950	1345-1155	Water
Manatee County Utilities	Post Office Box 25010 Bradenton, FL 34206-5010	161533-53511	Waste
Collier County Public Utilities Division	4420 Mercantile Avenue Naples, FL 34104	04900630200	Water

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
Sprint	PO Box 8077 London, KY 40742	435845717	Telephone
Verizon Wireless	PO Box 105378 Atlanta, GA 30348	313441019-00001	Cellular Telephones
Qwest	PO Box 856169 Louisville, KY 40285-6169	75923367	Long Distance
GE Capital	PO Box 740428 Atlanta, GA 30374-0428	90134998034	Telephone
Synergy Networks	10970 S. Cleveland Ave., Suite 406 Fort Myers, FL 33907	1242915734	Telephone
T3 Communications	2401 First Street Fort Myers, FL 33901-2941	10936	Telephone
Lee County Solid Waste	10550 Buckingham Road Ft. Myers, FL 33905		Disposal
Goodwill Services of SWFL Inc.	4940 Bayline Drive N. Fort Myers, FL 33917	319732	Disposal
Embarq Communications Inc.	PO Box 870911 Kansas City, MO 64187	825344	Communications

CLE - 2246998.1

QUALITY BLOCK & SUPPLY, INC.

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
American Messaging	PO Box 5749 Carol Stream, IL 60197-5749	Y1-187341	Telephone
CenturyLink	PO Box 4300 Carol Stream, IL 60197-4300	302088682	Telephone
First Communications, LLC	PO Box 182854 Columbus, OH 43218-2854	22***7825489	Telephone
Verizon	PO Box 9688 Mission Hills, CA 91346-9688	27 2413 2607032873 07 27 2413 2669351 794 04 27 2414 2607058821 02 27 2414 2670086714 10	Telephone
American Electric Power	PO Box 24002 Canton, OH 44701	075-850-019-0-7 074-021-073-0-9 072-131-117-0-6 075-123-918-0-1	Electric
Dominion East Ohio	PO Box 26785 Richmond, VA 23261	0 3300 0000 1817 4 5000 3179 0405	Gas
Interstate Gas Supply, Inc.	PO Box 631919 Cincinnati, OH 45263	9420900342742	Gas
J&J Refuse - Dover	PO Box 448 Dover, OH 44622	017434	Waste
Northeast Ohio Natural Gas Corp.	PO Box 94824 Cleveland, OH 44101	901751	Gas
Republic Services	2800 South Erie Street Massillon, OH 44646	3-0870-1023626	Refuse
Waste Management of Ohio, Inc.	48797 Alpha Drive, Ste. 150 Wixom, MI 48393	455 0003092 1783 4	Waste
Northeast Ohio Natural Gas Corp.	PO Box 94824 Cleveland, OH 44101	901751	Gas

CLE - 2246998.1

TWIN CITIES CONCRETE COMPANY

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
First Communications	PO Box 182854 Columbus, OH 43218	22****894624837	Telephone
Verizon	PO Box 9688 Mission Hills, CA 91346	27 2304 2647534160 03 27 2304 2603128361 09 27 2401 2691490297 09 27 2101 2678531910 01 27 2101 2641531917 04 27 2101 2619490324 03 27 2414 2613531762 05 27 2401 2605072576 07 27 2304 2601490330 02	Telephone
American Electric Power	PO Box 24002 Canton, OH 44701	071 035 526 0 5 078 825 526 0 2 072 839 996 0 0 077 278 327 0 6 073 972 571 0 1 075 939 996 0 5 078 031 042 0 2	Electric
Village of Cadiz Water and Sewer Departments	128 Court Street PO Box 153 Cadiz, OH 43907	B01 02670 00 B01 02680 00 B01 02690 00	Water
Village of Carrollton Water and Sewer Departments	80 2 nd Street, SW Carrollton, OH 44615	B08 00646 00	Water
Columbia Gas of Ohio	200 Civic Center Drive Columbus, OH 43215	11096858 001 0005 00016848 000 000 6	Gas
Dover Municipal Utilities	122 East Third Street Dover, OH 44622	001-05001020-01 001-05001018-01	Electric/Water
Dominion East Ohio	PO Box 26785 Richmond, VA 23261	6 4210 0044 8066	Gas
Interstate Gas Supply, Inc.	PO Box 631919 Cincinnati, OH 45263	14447166-001 6421000448066	Gas
J&J Refuse, Inc.	PO Box 448 Dover, OH 44622	012261 019709 016782	Waste

EASTERN CEMENT CORP.

Vendor Name	Address	Account Nos.	Service Provided
Florida Power & Light Company	PO Box 025576 Miami, FL 33102	50361-36785 41401-33721	Electric
Verizon Florida LLC	PO Box 920041 Dallas, TX 75392	15 4221 0697610225 06 15 4221 0673083322 10 15 4221 0664630537	Telephone
Manatee County Utilities Customer Service	Post Office Box 25101 4410 66 th Street West Bradenton, FL 34206	60241-60054 60240-60053	Water
Sprint	13250 Eastern Avenue Palmetto, FL 34221	13153616	Telephone

SCHWAB INDUSTRIES, INC.

Vendor Name	Address	Account Nos.	Service Provided
Aircell Bus. Aviation Svcs LLC	Department 1371 Denver, CO 80256	000612	Internet
First Communications	PO Box 182854 Columbus, OH 43218	22 8888724922	Telephone
Matrix Business Technologies	PO Box 660780 Dallas, TX 75266	5201516741-0001	Telephone
Qwest	PO Box 52187 Phoenix, AZ 85072	66742987 62166841	Telephone
Verizon North	PO Box 9688 Mission Hills, CA 91346	27 2401 2605178668 09	Telephone
Verizon Wireless	PO Box 25505 Lehigh Valley, PA 18002	7382124500-00001 983204493-00001	Telephone
Data Energy Services, LLC	2674 Federated Blvd. Columbus, OH 43235	11275	Gas
Dover Municipal Utilities	122 East Third Street Dover, OH 44622	003-25001530-02	Electric/Water
Dominion East Ohio	PO Box 26785 Richmond, VA 23261	6 3300 0000 1966	Gas
J&J Refuse	PO Box 448 Dover, OH 44622	016507	Waste

MEDINA SUPPLY COMPANY

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
Allied Waste Services	PO Box 9001099 Louisville, KY 40290	3 0223 2014538	Waste
Constellation NewEnergy-Gas	PO Box 2059 Carol Stream, IL 60132	4567	Gas
Columbia Gas of Ohio	200 Civic Center Dr. Columbus, OH 43215	00009592 000 000 8 12435673 006 000 9 12435674 008 000 5 12444703 003 000 6 12444704 003 000 4 12558903 002 000 6 12444703 002 000 7	Gas
City of Cuyahoga Falls Utility Billing Office	Municipal Building 2310 2 nd Street Cuyahoga Falls, OH 44221	303575 328460 217725 246170 217725 247340 217725 245910 217725 217460	Waster Electric Water Water Water
Dominion East Ohio	PO Box 26785 Richmond, VA 23261	0 4218 0027 9068 7 5000 0336 7375 7 4416 0037 3600	Electric
Dominion East Ohio	PO Box 26225 Richmond, VA 23260	85247	Electric
City of Cleveland Division of Water	1201 Lakeside Avenue Cleveland, OH 44114	8846340000 3788420000	Water
The Illuminating Company	PO Box 3638 Akron, OH 44309	11002720145 110026877081	Electric
Metro Disposal, LLC	10330 Brecksville Road Cleveland, OH 44141	004373	Fuel Recovery
Medina County Sanitary Engineers	791 W. Smith Road PO Box 542 Medina, OH 44258	M110 0378706 J210 9749499 J210 9901012 J210 9603480 J200 9932409 J210 9602851 J210 9752198	Sewer

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
City of Medina	132 North Elmwood Avenue PO Box 703 Medina, OH 44258	M01 00064 00 M11 00574 00 A02 00020 00 M01 00483 00 M01 00545 01 M01 00544 01 B12 00180 00	Water
North Ridgeville Dept. of Utilities	7307 Avon Belden Road North Ridgeville, OH 44039	0104-1237-00 0104 1237 01	Water
Northeast Ohio Regional Sewer District	11 Berea Commons Berea, OH 44017	302 6167N I	Sewer
Ohio Edison	PO Box 3637 Akron, OH 44309	11 00 10 3264 0 0 11 00 10 2713 0 9 11 00 53 6457 1 6 11 00 12 7165 0 9 11 00 10 3549 3 1 11 00 09 6517 7 6 21000000198	Gas
Republic Services	2800 South Erie Street Massillon, OH 44646	3 0870 1013339	Refuse
AT&T		440 234 1321 530 9 330 928 9777 806 5 330 773 1990 603 4	Telephone
First Communications	PO Box 182854 Columbus, OH 43218	22***633462	Telephone
Matrix Business Technologies	PO Box 660780 Dallas, TX 75266	5201516741-0004	Telephone
Nextel	PO Box 8077 London, KY 40742	627274224	Telephone
Ohio.net	37 E. Marion Street Doylestown, OH 44230	994-1228	Telephone
Verizon	PO Box 9688 Mission Hills, CA 91346	27 5405 2667167458 01 27 4505 2699128067 03 27 5405 2680076479 04 27 5405 2628361140 10	Telephone
Verizon Wireless	PO Box 25505 Lehigh Valley, PA 18002	2327516054	Telephone

CLE - 2246998.1

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
Windstream	PO Box 9001908 Louisville, KY 40290	001 284 297 999 001 170 268 999	Telephone
City of Berea Water	11 Berea Commons Berea, OH 44017	302 6167-1	Water

CLE - 2246998.1

SCHWAB MATERIALS, INC.

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
CenturyLink	PO Box 96064 Charlotte, NC 28296	239-657-2440-990	Telephone

CLE - 2246998.1

O.I.S. TIRES, INC.

<u>Vendor Name</u>	<u>Address</u>	<u>Account Nos.</u>	<u>Service Provided</u>
American Electric Power	PO Box 24002 Canton, OH 44701	078 562 482 0 3 077 034 300 0 4	Electric
Dominion East Ohio	PO Box 26225 Richmond, VA 2326	80746	Gas
Interstate Gas Supply, Inc.	PO Box 631919 Cincinnati, OH 45263-1919	01997	Gas
Tuscarawas County Water & Sewer	9944 Wilkshire Blvd. NE Bolivar, OH 44612	015-3460-00	Water

CLE - 2246998.1