

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  
 :  
 : Case No. 10-60702  
 SCHWAB INDUSTRIES, INC.,<sup>1</sup> :  
 :  
 : Judge Russ Kendig  
 Debtor. :  
 :  
 : Joint Administration Pending  
 ----- X

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

<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).

In re: : Chapter 11  
: :  
MEDINA SUPPLY COMPANY, : Case No. 10-60704  
: :  
Debtor. : Judge Russ Kendig  
: :  
: Joint Administration Pending

----- X  
In re: : Chapter 11  
: :  
QUALITY BLOCK & SUPPLY, INC., : Case No. 10-60705  
: :  
Debtor. : Judge Russ Kendig  
: :  
: Joint Administration Pending

----- X  
In re: : Chapter 11  
: :  
O.I.S. TIRE, INC., : Case No. 10-60706  
: :  
Debtor. : Judge Russ Kendig  
: :  
: Joint Administration Pending

----- X  
In re: : Chapter 11  
: :  
TWIN CITIES CONCRETE COMPANY, : Case No. 10-60707  
: :  
Debtor. : Judge Russ Kendig  
: :  
: Joint Administration Pending

----- X  
In re: : Chapter 11  
: :  
SCHWAB READY-MIX, INC., : Case No. 10-60708  
: :  
Debtor. : Judge Russ Kendig  
: :  
: Joint Administration Pending

----- X

	:	Chapter 11
In re:	:	
	:	Case No. 10-60709
SCHWAB MATERIALS, INC.,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	
	:	Chapter 11
In re:	:	
	:	Case No. 10-60710
EASTERN CEMENT CORP.,	:	
	:	Judge Russ Kendig
Debtor.	:	
	:	Joint Administration Pending
-----	X	

**ORDER (A) AUTHORIZING DEBTORS TO PAY PREPETITION WAGES, SALARIES, FEES AND COMMISSIONS TO EMPLOYEES, (B) AUTHORIZING DEBTOR TO PAY PREPETITION BENEFITS AND CONTINUE EMPLOYEE BENEFIT PROGRAMS, AND (C) DIRECTING BANKS TO HONOR PREPETITION CHECKS FOR PAYMENT OF PREPETITION EMPLOYEE OBLIGATIONS**

Upon consideration of the motion, dated February 28, 2010 (the "Motion"), 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 entry of an order authorizing, but not requiring, Debtors: to pay pre-petition wages, salaries, fees and employee benefits, to continue to honor its practices, programs and policies concerning its Employees, as such practices, programs and policies were in effect as of the Petition Date, and authorizing and directing applicable banks to receive, honor, process and pay any and all checks and transfers related to such payments and obligations; and based upon

the Affidavit of David Exley in Support of Chapter 11 Petition and First-Day Motions, 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.
2. Capitalized terms not defined herein shall have the meanings ascribed thereto in the Motion.
3. Debtors shall be, and hereby are, authorized, but not required, to make all payments required or related to the Prepetition Employee Obligations in accordance with Debtors' stated policies and standard practices, and Debtors are authorized, but not required, to pay costs and expenses incident to the payment of such Prepetition Employee Obligations, including, without limitation, processing costs, in accordance with Debtors' stated policies and standard practices, and Debtors are authorized, but not required, to continue to honor their practices, programs and policies with respect to its Employees, as such practices, programs and policies were in effect as of the Petition Date, pursuant to, among other things, section 105 of the Bankruptcy Code.

4. All applicable banks and other financial institutions shall be, and hereby are, authorized and directed to receive, process, honor and pay all checks drawn on Debtors' accounts, and all fund transfer requests, in order to pay any transfers, costs or expenses related to Prepetition Employee Obligations, whether those checks were presented prior to or after the Petition Date, provided that sufficient funds are available in the applicable accounts to make such payments.

5. Nothing in the Motion shall be deemed a request by Debtors for authority to assume, and nothing in this Order shall be deemed an authorization to assume, any executory contract pursuant to section 365 of the Bankruptcy Code.

6. Nothing in the Motion or this Order shall be construed to impair Debtors' rights to contest the validity or amount of any Prepetition Employee Obligations, including without limitation, payroll taxes that may be due to any taxing authority.

7. This Order shall be immediately effective and enforceable upon entry.

IT IS SO ORDERED.

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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 the Debtors*