

are collectively referred to as the “Employee Benefits”). The Debtor directly deducts specified amounts from certain Employees’ wages in connection with certain of the Employee Benefits, such as medical insurance.

Vacation/Personal/Sick Time

14. Under the PTO Plans, Eligible Employees, in certain circumstances, receive their full wages for, among other things, vacation, personal days, and sick time.

Insurance Benefits

15. Certain employees may obtain health and other insurances through the Debtor, in which case, premiums for such policies may be deducted from an employee’s pay check.

16. By this motion, the Debtor seeks authority to remit any amounts that may have been withheld from an employee’s pay to the insurance providers or to otherwise honor its obligations under the insurance programs to its employees.

RELIEF REQUESTED

17. By this Motion, pursuant to sections 105(a) and 363(b) of the Bankruptcy Code, the Debtors request that the Court (A) authorize, but not require the Debtor to (i) pay, in its sole discretion, Wage Obligations, Expense Reimbursements, Payroll Taxes, and Employee Benefits (collectively, the “Employee Obligations”), (ii) maintain and continue to honor its practices, programs, and policies for its employees (the “Employee Benefits”) as they were in effect on the Petition Date, and as such may be modified, amended, or supplemented from time to time in the ordinary course, and (B) authorize Berkshire Bank to receive, honor, process, and pay any and all checks or wire transfers drawn on the Debtor’s accounts in satisfaction of Employee Obligations and Employee Benefits.