

described in the Motion; and upon consideration of the Declaration of Marshall in support of the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to (i) the U.S. Trustee for the Northern District of New York, (ii) Berkshire Bank, (iii) the creditors holding up to the 20 largest unsecured claims against the Debtor's estate, and (iv) the Debtor's secured creditors, and it appearing that no other or further notice need be provided; and the Court having determined that the relief sought in the Motion is in the best interests of the Debtor, his creditors and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Motion is granted; and it is further

ORDERED that, pursuant to Sections 105(a) and 363(b) of the Bankruptcy Code, the Debtor is authorized, but not required, to satisfy the prepetition Employee Obligations and Employee Benefits, each as defined in the Motion; and it is further

ORDERED that the Debtor is authorized, but not required, to continue to honor his practices, programs, and policies with respect to his Employees as such practices, programs, and policies were in effect as of the date of the commencement of the Debtor's Chapter 11 cases, including, but not limited to the Employee Obligations and Employee Benefits; and it is further

ORDERED that Berkshire Bank is authorized, when requested by the Debtor in the Debtor's sole discretion, to receive, process, honor, and pay any and all checks, debits, electronic or wire transfers of funds that are related to Employee Obligations and Employee Benefits, and the costs