



Order Filed on October 1, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

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*Proposed Counsel to the Debtors and  
Debtors-in-Possession*

In re:

Duro Dyne National Corp., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

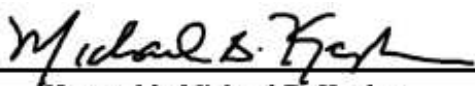
Case No. 18-27963 (MBK)

(Jointly Administered)

**FINAL ORDER (I) AUTHORIZING, BUT NOT DIRECTING, THE DEBTORS TO  
HONOR CERTAIN PREPETITION OBLIGATIONS TO CUSTOMERS AND  
CONTINUE, RENEW, REPLACE, MODIFY, IMPLEMENT OR TERMINATE  
CUSTOMER PROGRAMS IN THE ORDINARY COURSE OF BUSINESS, AND  
(II) AUTHORIZING AND DIRECTING FINANCIAL INSTITUTIONS TO HONOR ALL  
RELATED CHECKS AND ELECTRONIC PAYMENT REQUESTS**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby  
**ORDERED.**

**DATED: October 1, 2018**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number, are: Duro Dyne National Corp. (4664); Duro Dyne Machinery Corp. (9699); Duro Dyne Corporation (3616); Duro Dyne West Corp. (5943); and Duro Dyne Midwest Corp. (4662).

Debtors: Duro Dyne National Corp., et al.

Case No: 18-27963 (MBK)

Caption: Final Order (I) Authorizing, But Not Directing, the Debtors to Honor Certain Prepetition Obligations to Customers and Continue, Renew, Replace, Modify, Implement or Terminate Customer Programs in the Ordinary Course of Business, and (II) Authorizing and Directing Financial Institutions to Honor all Related Checks and Electronic Payment Requests

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Upon consideration of the motion (the “Motion”)<sup>2</sup> of the above captioned debtors and debtors-in-possession (collectively, the “Debtors”) for entry of a final order (the “Final Order”) (i) authorizing, but not directing, the Debtors to honor certain prepetition obligations to customers and continue, renew, replace, modify, implement or terminate Customer Programs in the ordinary course of business, and (ii) authorizing and directing financial institutions to honor all related checks and electronic payment requests as more fully described in the Motion; and upon consideration of the First Day Declaration; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, dated September 18, 2012 (Simandle, C.J.); and venue being proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and an *Interim Order (I) Authorizing, But Not Directing, The Debtors To Honor Certain Prepetition Obligations to Customers and Continue, Renew, Replace, Modify, Implement or Terminate Customer Programs in the Ordinary Course of Business, and (II) Authorizing and Directing Financial Institutions to Honor All Related Checks and Electronic Payment Requests* having been entered on September 11, 2018; and notice of the Motion being sufficient under the circumstances; 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 Debtors, their estates and creditors; and after due deliberation and sufficient cause appearing therefor;

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

Debtors: Duro Dyne National Corp., et al.

Case No: 18-27963 (MBK)

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**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** on a final basis as set forth herein.
2. The Debtors are authorized to continue to administer the Customer Programs in effect and honor any prepetition obligations related to the Customer Programs, in each case, in the ordinary course of business on a post-petition basis.
3. The Debtors are hereby authorized to continue, renew, replace, modify, implement new and/or terminate such of the Customer Programs as they deem appropriate, in their sole discretion, and in the ordinary course of business, without further order of this Court.
4. Each of the Banks at which the Debtors maintain their accounts are hereby authorized and directed to receive, process, honor, and pay any and all checks and fund transfer requests evidencing amounts to be paid by the Debtors relating to Customer Programs, consistent with past practices in the ordinary course of business, whether presented prior to or after the Petition Date, to the extent the Debtors have sufficient funds on deposit in such accounts. Such Banks are authorized to rely on the representations of the Debtors as to which checks or fund transfer requests are issued or authorized to be paid pursuant to this Final Order without any further inquiry and without liability for following the Debtors' instructions.
5. The Debtors are authorized to issue post-petition checks and to affect post-petition fund transfer requests to replace any checks or fund transfer requests in respect of Customer Programs that are dishonored or rejected post-petition.
6. Notwithstanding the relief granted herein, nothing in this Final Order, or any actions taken pursuant to this Final Order, shall be deemed: (i) as impairing the Debtors' or any

Debtors: Duro Dyne National Corp., et al.

Case No: 18-27963 (MBK)

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authorized party's right to contest the amount or validity of any claim; (ii) an admission as to the validity of any claim against the Debtors; (iii) a waiver of the Debtors' rights to dispute any claim on any grounds; (iv) a promise or requirement to pay any claim; (v) an implication or admission that any particular claim is of a type specified or defined in the Motion; (vi) a request or authorization to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (vii) a waiver of the Debtors' rights under the Bankruptcy Code or any other applicable law.

7. Notwithstanding anything in this Final Order to the contrary, any authority granted to the Debtors herein to make any payment shall be subject to any orders authorizing the Debtors to use cash collateral or access post-petition financing.

8. Notice of the Motion, the Interim Order, the Objection Deadline, and the Final Order as provided is good and sufficient notice of the Motion, the Interim Order, the Objection Deadline, and the Final Order, and no further or alternative notice need be given, and the requirements of Bankruptcy Rule 6004(a) are satisfied by such notice.

9. To the extent applicable, the requirements of Bankruptcy Rule 6004(a) are hereby waived.

10. Pursuant to Bankruptcy Rule 6004(h), this Final Order shall be immediately effective and enforceable upon its entry.

11. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Order.

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Debtors: Duro Dyne National Corp., et al.

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12. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation and enforcement of this Final Order.

In re:  
Duro Dyne National Corp.  
Debtor

Case No. 18-27963-MBK  
Chapter 11

### CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

Date Rcvd: Oct 01, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 03, 2018.

db +Duro Dyne National Corp., 100 Horizon Center Boulevard, Hamilton, NJ 08691-1903

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 03, 2018

Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 1, 2018 at the address(es) listed below:

Christina Salem on behalf of Interested Party The North River Insurance Company  
christina.salem@kennedyscmk.com  
Christina Salem on behalf of Interested Party Hartford Accident and Indemnity Company  
christina.salem@kennedyscmk.com  
Jeffrey A. Cooper on behalf of Creditor 4 Site, LLC jcooper@rltlawfirm.com,  
cooperatty@aol.com;rgaydos@rltlawfirm.com  
Jeffrey D. Prol on behalf of Debtor Duro Dyne Machinery Corp. jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Debtor Duro Dyne National Corp. jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Midwest jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Corporation jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Machinery jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Debtor Duro Dyne Corporation jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Other Prof. Getzler Henrich & Associates, LLC  
jprol@lowenstein.com, tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Interested Party Duro Dyne West jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Debtor Duro Dyne West Corp. jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey D. Prol on behalf of Debtor Duro Dyne MidWest Corp. jprol@lowenstein.com,  
tfreedman@lowenstein.com;dclaussen@lowenstein.com  
Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov,  
jeffrey.m.sponder@usdoj.gov  
John A. Fialcowitz on behalf of Creditor Committee Official Committee of Asbestos Claimants  
john@fialcowitzlaw.com  
Karl J. Norgaard on behalf of Unknown Role Type Undisclosed Interested Party  
knorgaard@norgaardfirm.com,  
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com  
Mark S. Lichtenstein on behalf of Interested Party Federal Insurance Company  
mlichtenstein@crowell.com, mplevin@crowell.com;tyoon@crowell.com  
Matthew B. Heimann on behalf of Creditor Mestek, Inc. and Mestek Machinery, Inc.  
mheimann@mccarter.com  
Mitchell Hausman on behalf of U.S. Trustee U.S. Trustee Mitchell.B.Hausman@usdoj.gov  
Sean M. Beach on behalf of Other Prof. Lawrence Fitzpatrick bankfilings@ycst.com  
Stephen Forte on behalf of Interested Party Hartford Accident and Indemnity Company  
sforte@goodwin.com, bankruptcy@goodwin.com;bankruptcyparalegal@goodwin.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

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User: admin  
Form ID: pdf903

Page 2 of 2  
Total Noticed: 1

Date Rcvd: Oct 01, 2018

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

TOTAL: 22