

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

Chapter 11

In re:

Case No. 07-04746
(Jointly Administered)

Performance Transportation Services, Inc. *et al.*,¹

Debtors.

**ORDER OF COURT GRANTING THE DEBTORS' REQUEST
FOR INTERIM RELIEF FROM THE NMATA**

Upon the Motion ("Motion") of the Debtors, Performance Transportation Services, Inc., *et al.* (the "Debtors") for Interim Relief pursuant to 11 U.S.C. § 1113(e) from the NMATA; and it appearing that (a) due and sufficient notice of the Motion has been given; (b) the Court has jurisdiction to consider the relief requested pursuant to 28 U.S.C. §§ 157 and 1334; and (c) the relief requested in the Motion is essential to the continuation of the Debtors' business and to prevent irreparable damage to the Debtors' estates, and after due deliberation and sufficient cause appearing, it is hereby **ORDERED** that

1. Following an evidentiary hearing conducted by the Court on June 4, 2008 on the merits of the Motion and based upon the record contained therein, and for the additional reasons stated on the record, the Motion is granted. All capitalized terms not otherwise defined shall have the same meaning ascribed in the Motion.
2. Pursuant to 11 U.S.C. § 1113(e), and effective for all work performed on or after June 4, 2008, the Debtors are authorized to implement a 15% reduction in wages for its employees affiliated with the IBT. The 15% wage reduction shall remain in effect until the earlier of (a) July 31, 2008, (b) the effective date of the order disposing of the Debtors' motion to reject the NMATA pursuant to 11 U.S.C. § 1113(c); or as TNATINC and the Debtors may otherwise agree.

¹ The Debtors are the following fourteen entities: Performance Transportation Services, Inc.; Performance Logistics Group, Inc.; Automotive Logistics Corp.; Vehicle Logistics Associates, L.L.C.; Logistics Computer Services, Inc.; Hadley Computer Services; PLG Leasing Corp.; HFS Investments, Inc.; Florida Leaseco Company L.L.C.; Hadley Auto Transport LLC; E. and L. Transport Company L.L.C.; LAC Holding LLC; Transportation Releasing L.L.C.; and Leaseway Motorcar Transport Company LLC.



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3. Nothing herein shall be construed as a postpetition assumption or rejection of the NMATA. All of the Debtors' rights with respect to the NMATA are preserved, including the Debtors' right to seek additional modifications, to assume or to reject the NMATA.
4. Except as expressly modified herein, all other terms of the NMATA remain in full force and effect.
5. If any accord is reached between TNATINC and the NATLD, then the effect of Article 21 of the NMATA is suspended as to the Debtors through July 31, 2008 or further Order of this Court.
6. Nothing in this Order shall alter or impair any claim or defense which may be available to TNATINC or the Debtors regarding any application brought under 11 U.S.C. §1113(c).

Dated, _____, 2008
Buffalo, New York



United States Bankruptcy Judge

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