

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Eastern Division)**

In re:)	
)	
MODERN CONTINENTAL)	Chapter 11
CONSTRUCTION CO., INC.,)	
)	Case No. 08-14558 (WCH)
Debtor.)	

**ORDER APPROVING MOTION BY DEBTOR AND DEBTOR-IN-POSSESSION
TO (A) PAY PREPETITION WAGES, SALARIES, EXPENSES, AND BENEFITS;
AND (B) USE EXISTING PAYROLL ACCOUNTS AND BUSINESS FORMS**

Upon the motion (the "Motion")⁶ of the above-captioned debtor and debtor-in-possession (the "Debtor") for entry of an order pursuant to sections 507(a)(4), 507(a)(5), 363(b) and 105(a) of the Bankruptcy Code authorizing the Debtor to pay prepetition wages, salaries, expenses, and benefits, and to use existing payroll accounts and business forms; and due and proper notice of the Motion having been given; and after due deliberation and sufficient cause appearing therefor; and no party in interest being unduly prejudiced thereby; it is hereby:

ORDERED, that the Motion is granted; and it is further

ORDERED, that the Debtor is authorized, but not directed, to pay the Prepetition Wage Obligations as they may come due on or after the Petition Date; and it is further

ORDERED, that the Debtor is authorized (a) to permit the employees to use prepetition accrued and unpaid vacation time and sick leave; and it is further

ORDERED, that the Debtor is authorized to pay the employees' prepetition reimbursable business expenses in the ordinary course of business and to continue such program consistent with

⁶ Capitalized terms not otherwise defined in this Order shall have the meanings given to them in the Motion.

prepetition practice; and it is further

ORDERED, that the Debtor is authorized to remit all Deductions made in the ordinary course of business and related to Employee Benefits to the fund, account, person, or entity entitled to receive them; and it is further

ORDERED, that the Debtor is authorized to make accrued prepetition contributions relating to Employee Benefits and is authorized to continue postpetition its prepetition Employee Benefits; and it is further

ORDERED, that the Debtor's bank is hereby authorized and directed to honor the Debtor's and/or its insurers' prepetition checks for the payment of Prepetition Wage Obligations, Employee Benefits and other prepetition employee obligations as set forth in the Motion; and it is further


ORDERED, that nothing in this Order shall be deemed to be an assumption or adoption of any agreement or policy; and it is further

ORDERED, that notwithstanding Rules 4001 and 6004(g) of the Federal Rules of Bankruptcy Procedure, this Order shall become effective upon its entry; and it is further

ORDERED, that this Court shall retain jurisdiction to construe and enforce the terms of this Order.

Dated: June 25, 2008

500399-v1


The Honorable William C. Hillman
United States Bankruptcy Judge