

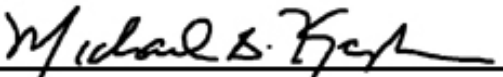


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| UNITED STATES BANKRUPTCY COURT<br>DISTRICT OF NEW JERSEY  |   |
| Outten & Golden, LLP<br>3 Park Avenue<br>New York, NY 10016<br>(212) 245-1000<br>Attorneys for Plaintiff Robert Kearney and the putative class<br>Gail L. Chung (Bar No. 036752001)<br>Jack A. Raisner ( <i>Pro Hac Vice Application Pending</i> )<br>René S. Roupinian ( <i>Pro Hac Vice Application Pending</i> ) |   |
| In re:  | Case No. 14-22093 (MBK)<br>(Jointly Administered)<br><br>Judge: Michael B. Kaplan<br>Chapter: 7 |
| NEW CENTURY TRANSPORTATION, INC.<br>NORTHWIND LOGISTICS, LLC<br>WESTERN FREIGHTWAYS, LLC,<br><br><p style="text-align: center;">Debtors.</p>  |   |
| ROBERT KEARNEY, on behalf of himself and all others similarly situated,<br><br><p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> NEW CENTURY TRANSPORTATION, INC.,<br><br><p style="text-align: center;">Defendant.</p>   | Adv. Pro. No. 14-01530 (MBK)  |

**[PROPOSED] ORDER APPOINTING INTERIM CLASS COUNSEL**

The relief set forth on the following page is hereby **ORDERED**.

**DATED: 9/24/2014**

  
 \_\_\_\_\_  
 Honorable Michael B. Kaplan  
 United States Bankruptcy Judge

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Debtor: New Century Transportation, Inc., Northwind Logistics, LLC, and Western Freightways, LLC

Case No: 14-22093 (MBK) (Jointly Administered)

Adversary: Robert Kearney v. New Century Transportation, Inc.

Adv. Pro. No.: 14-01530 (MBK)

Caption: [Proposed] Order Appointing Interim Class Counsel

Upon consideration of *Plaintiff's Motion for Appointment of Outten & Golden LLP as Interim WARN Class Counsel Pursuant to Fed. R. Civ. P. 23(g)*(the "Motion") (Docket No. 4), the Trustee's Response thereto, (Docket No. 6), no objections having been filed, and the hearing held on September 8, 2014,

**NOW THEREFORE**, it is hereby

**ORDERED** that Plaintiff's Motion is GRANTED and the Court appoints Outten & Golden LLP to serve as interim class counsel on behalf of the putative WARN class, pursuant to the provisions and criteria of Fed. R. Civ. P. 23(g), made applicable to this proceeding by Bankruptcy Rule 7023; and it is further

**ORDERED** that interim class counsel shall have authority to act on behalf of the putative class in the above-captioned adversary proceeding for the purpose of safeguarding and furthering the interests of the putative class and its members in this bankruptcy case, including the preparation and submission to this Court of all documents and materials necessary and appropriate for this Court's consideration of class certification under Fed. R. Civ. P. 23, made applicable by Bankruptcy Rule 7023; and it is further

**ORDERED** that this order stands until further order of this Court with respect to the appointment of class counsel, if any.

Dated: \_\_\_\_\_, 2014

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Honorable Michael B. Kaplan  
United States Bankruptcy Judge