

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

HOYT TRANSPORTATION CORP.,

Case No. 13-44299-NHL

Debtor.

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**ORDER GRANTING DEBTOR’S MOTION TO PURCHASE
THE ASSETS OF ATLANTIC QUEENS BUS CORP.
AND OTHER SELECT ROUTES AND BUSES**

Upon the motion (the “Motion”) (ECF #94) of Hoyt Transportation Corp. (the “Debtor”) seeking final approval of its bids to purchase the assets of Atlantic Queens Bus Corp. (“Atlantic Queens”) and other select routes and buses of Amboy Bus Corp. (“Amboy”) (collectively, the “Acquisition”), pursuant to various asset purchase agreements and related sale orders entered by the Hon. Sean H. Lane as ECF #s 459, 463 and 464 in the Chapter 11 case of In re Metro Affiliates et al., 13-13591 (SHL) (the “Metro Hoyt Sale Orders”); and the Debtor having filed a supplement to the Motion on December 20, 2013 containing the final versions of the respective asset purchase agreements (the “APAs”) and related Metro Hoyt Sale Orders (ECF No. 101); and this Court having scheduled a hearing to consider the Motion on shortened notice (the “Scheduling Order”) (ECF #96); and good and sufficient notice of the Motion having been given in compliance with the Scheduling Order as evidenced by the Affidavit of Service filed herein (ECF # 97); and no objections having been filed in connection with the Motion; and it appearing that the Department of Education (“DOE”) approves of the Acquisition; and a hearing having been held before the Hon. Nancy Hershey Lord on

December 23, 2013; and based upon the record compiled at the hearing, at which time counsel for Local 1181 indicated the Union's support of the Acquisition; and the Court having found that the Acquisition constitutes a proper exercise of the Debtor's business judgment, and the Acquisition is in the best interests of the Debtor's estate and its creditors; it is

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

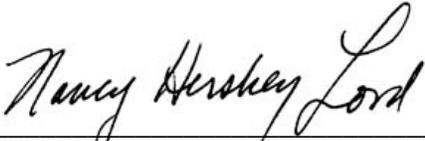
ORDERED, that the Debtor is hereby authorized to close and consummate the Acquisition of the assets of Atlantic Queens and select routes and buses of Amboy, pursuant to the terms of the final versions of the APAs and related Metro Hoyt Sale Orders; and it is further

ORDERED, that the Debtor is hereby authorized to execute any documents necessary to effectuate the Acquisition at the closing thereon; and it is further

ORDERED, that while Judge Lane shall retain jurisdiction to enforce and/or determine any disputes involving or relating to the Metro Hoyt Sale Orders, this Court shall retain jurisdiction over all other matters involving the Debtor consistent with its overall jurisdiction.

Dated: December 26, 2013
Brooklyn, New York





Nancy Hershey Lord
United States Bankruptcy Judge