Docket #0017 Date Filed: 9/29/2025

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In re: POWIN, LLC, *et al.*,[1] Debtors.	Chapter 11 Case No. 25-16137 (MBK) (Jointly Administered)
BRIAN PALOMINO, on behalf of himself and all others similarly situated, Plaintiff, v. POWIN, LLC, POWIN ENERGY OPERATING HOLDINGS, LLC, and POWIN ENERGY OPERATING, LLC, Defendants.	Adv. Proc. No. 25-01249 (MBK)

THIRD STIPULATION AND AGREED ORDER EXTENDING DEFENDANTS' TIME TO ANSWER

The relief set forth on the following pages, numbered three (3) through four (4), is **ORDERED.**

[1] The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: (i) Powin Project LLC [1583]; (ii) Powin, LLC [0504], (iii) PEOS Holdings, LLC [5476], (iv) Powin China Holdings 1, LLC [1422], (v) Powin China Holdings 2, LLC [9713], (vi) Charger Holdings, LLC [5241], (vii) Powin Energy Ontario Storage, LLC [8348], (viii) Powin Energy Operating Holdings, LLC [2495], (ix) Powin Energy Operating, LLC [6487] (x) Powin Energy Storage 2, Inc. [9926]; (xi) Powin Energy Ontario Storage II LP [5787]; and (xii) Powin Canada B.C. Ltd. [2239]. The Debtors' mailing address is 20550 SW 115th Avenue Tualatin, OR 97062.

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Debtors:	Debtors: Powin, LLC, *et al.*
Bankruptcy Case No.:	25-16137 (MBK)
Adversary Proceeding:	Palomino v. Powin, LLC, *et al.*
Adversary Proceeding No.:	25-01249 (MBK)
Caption of Order:	Third Stipulation and Agreed Order Extending Defendants' Time to Answer

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Debtors:	Debtors: Powin, LLC, *et al.*
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This stipulation and agreed order (the "Stipulation") is entered into between Brian Palomino, on behalf of himself and all others similarly situated ("Plaintiff"), and Powin, LLC, Powin Energy Operating Holdings, LLC, and Powin Energy Operating, LLC (collectively "Defendants," and collectively with Plaintiff, the "Parties"), debtors and debtors in possession in the above-captioned chapter 11 cases and defendants in the above-captioned adversary proceeding (the "Adversary Proceeding"):

WHEREAS, on June 12, 2025, Plaintiff commenced the Adversary Proceeding against Defendants by filing a complaint [Adv. Pro. Docket No. 1] (the "Complaint") in the United States Bankruptcy Court for the District of New Jersey (the "Bankruptcy Court") seeking, among other things, certification of the Adversary Proceeding as a class action and the recovery of certain alleged unpaid wages in accordance with the Worker Adjustment and Retraining Notification Act, 29 U.S.C. § 2101 *et seq.*; and

WHEREAS, on June 13, 2025, the clerk of the Bankruptcy Court issued a summons in the Adversary Proceeding [Adv. Pro. Docket No. 2]; and

WHEREAS, on July 8, 2025, the Parties entered into the Stipulation and Agreed Order Extending Defendants' Time to Answer [Adv. Pro. Docket No. 3];

WHEREAS, on August 29, 2025, the Parties entered into a Second Stipulation and Agreed Order Extending Defendants' Time to Answer [Adv. Pro. Docket No. 14];

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NOW, THEREFORE, after good-faith arms' length negotiations, it is hereby stipulated and agreed that:

1. The foregoing recitals are incorporated by reference herein.

2. The time within which Defendants may file an answer or otherwise move with respect to the Complaint in the Adversary Proceeding is extended to and includes November 14, 2025.

3. The pre-trial conference, currently scheduled for October 27, 2025 is continued to November 26, 2025 at 11:00 a.m. prevailing Eastern Time.

4. The deadline to exchange initial disclosures, currently set for November 3, 2025 is continued to December 12, 2025.

5. The entry of this Stipulation is without prejudice to the rights of each Party including the right to seek further extensions of the time by which Defendant must file an answer or otherwise move with respect to the Complaint, either on consent or an order of the Court upon an appropriate motion and notice. The Debtors reserve all rights and defenses to class certification with the limited exception that the Debtors will not raise the bar date as a basis to oppose class certification of the Plaintiff's WARN claims.

IN WITNESS WHEREOF, and in agreement herewith, the Parties have executed and delivered this Stipulation as of the date set forth below.

Dated: September 26, 2025

RAISNER ROUPINIAN LLP
By:

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