Docket #0026 Date Filed: 12/2/2025

Order Filed on December 2, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re: Powin, LLC, *et al.*,[1] Debtors.	
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.	Chapter 11 Case No. 25-16137 (MBK) (Jointly Administered) Adv. Proc. No. 25-01249 (MBK)

ORDER PURSUANT TO SECTION 105 OF THE BANKRUPTCY CODE AND BANKRUPTCY RULES 7023 AND 9019 (I) PRELIMINARILY APPROVING THE SETTLEMENT, (II) APPROVING THE FORM AND MANNER OF NOTICE TO CLASS MEMBERS OF THE SETTLEMENT, (III) SCHEDULING A FAIRNESS HEARING TO CONSIDER FINAL APPROVAL OF THE SETTLEMENT, AND (IV) GRANTING RELATED RELIEF

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

DATED: December 2, 2025

Honorable Michael B. Kaplan
United States Bankruptcy Judge

[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]; (xii) Powin Canada B.C. Ltd. [2239]; and (xiii) Powin EKS SellCo, LLC [9110].

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Debtors: Powin, LLC, *et al.*
Case No. 25-16137 (MBK)
Caption of Order: Order Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 (I) Preliminarily Approving the Settlement, (II) Approving the Form and Manner of Notice to Class Members of the Settlement, (III) Scheduling a Fairness Hearing to Consider Final Approval of the Settlement, and (IV) Granting Related Relief

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

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Upon consideration of the Joint Motion[2] of the Parties for entry of an order: (i) preliminarily approving the Settlement, (ii) approving the form and manner of notice to Class Members of the Settlement, (iii) scheduling a fairness hearing to consider final approval of the Settlement, and (iv) granting related relief, all as more fully set forth in the Joint Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference* from the United States District Court for the District of New Jersey dated as of September 18, 2012; and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Joint Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the preliminary relief requested in the Joint Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having determined that the legal and factual bases set forth in the Joint Motion establish just cause for the preliminary relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT**:

1. The Settlement is preliminarily approved, subject to final approval at the Fairness Hearing.

2. The Class Notice attached to the Joint Motion is hereby approved.

3. Notice to the Settlement Class Members identified in Schedule 1 attached to the Settlement by first class mail; postage prepaid, at their last known address is reasonable and the

[2] Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Joint Motion.

best notice practicable under the circumstances and constitutes due and sufficient notice to all potential Settlement Class Members in full compliance with the notice requirements of Civil Rule 23 and such mailing shall be made by Class Counsel, or their designee, within ten (10) business days following entry of this Order.

4. Settlement Class Members who wish to opt out of the Settlement must send and file any such completed opt-out form according to the instructions set forth in the Class Notice, such that it is received by Class Counsel no later than the opt-out deadline set forth in the Class Notice, which shall be set at thirty-five (35) days from the date of mailing.

5. Settlement Class Members who wish to object to the Settlement must send and file any such completed objection, according to the instructions set forth in the Class Notice, such that it is received by the Parties and the Bankruptcy Court no later than the objection deadline set forth in the Class Notice, which shall be set at thirty-five (35) days from the date of mailing.

6. The final Fairness Hearing regarding the Settlement is scheduled to be held remotely on January 22, 2026 at 11:30 a.m. The final Fairness Hearing may be continued from time to time by the Court or adjourned without further notice other than the announcement of the continued date(s) or adjournment on the docket.

7. The Court shall retain jurisdiction over all matters arising pursuant to or related to the relief granted by this Order.

8. This Order is effective immediately upon entry, and the fourteen-day stay otherwise imposed by Bankruptcy Rule 6004(h) is hereby waived.

Form order − ntcorder

UNITED STATES BANKRUPTCY COURT

District of New Jersey
402 East State Street
Trenton, NJ 08608

In Re: Powin, LLC
Debtor

Case No.: 25−16137−MBK
Chapter 11

Brian Palomino
Plaintiff

v.

Powin, LLC
Defendant

Adv. Proc. No. 25−01249−MBK

Judge: Michael B. Kaplan

NOTICE OF JUDGMENT OR ORDER
Pursuant to Fed. R. Bankr. P. 9022

Please be advised that on December 2, 2025, the court entered the following judgment or order on the court's docket in the above−captioned case:

Document Number: 26 − 20
ORDER PURSUANT TO SECTION 105 OF THE BANKRUPTCY CODE AND BANKRUPTCY RULES 7023 AND 9019 (I) PRELIMINARILY APPROVING THE SETTLEMENT, (II) APPROVING THE FORM AND MANNER OF NOTICE TO CLASS MEMBERS OF THE SETTLEMENT, (III) SCHEDULING A FAIRNESSHEARING TO CONSIDER FINAL APPROVAL OF THE SETTLEMENT, AND (IV) GRANTING RELATED RELIEF (related document:20 Motion to Approve Compromise or Settlement under Rule 9019 Filed by Lauren M. Macksoud on behalf of Powin Energy Operating Holdings, LLC, Powin Energy Operating, LLC, Powin, LLC.. (Attachments: # 1 Exhibit 1 − Settlement and Release Agreement # 2 Exhibit A − Preliminary Order Approving the Settlement # 3 Exhibit B − Class Notice # 4 Exhibit C − Notice of Dismissal # 5 Exhibit 2 − Final Settlement Order) filed by Defendant Powin, LLC, Defendant Powin Energy Operating Holdings, LLC, Defendant Powin Energy Operating, LLC).. Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 12/2/2025 (wiq)

Parties may review the order by accessing it through PACER or the court's electronic case filing system (CM/ECF). Public terminals for viewing are also available at the courthouse in each vicinage.

Dated: December 2, 2025
JAN: wiq

Jeanne Naughton
Clerk