

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|---|---------------------------------------|----------------|-----------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | RELEASE BY SECURED PARTY | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| MANUFACTURERS AND TRADERS TRUST COMPANY | | 03/15/2012 | CORPORATION: NEW YORK |
| RECEIVING PARTY DATA | | | |
| Name: | New Enterprise Stone & Lime Co., Inc. | | |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 | | |
| City: | New Enterprise | | |
| State/Country: | PENNSYLVANIA | | |
| Postal Code: | 16664 | | |
| Entity Type: | CORPORATION: DELAWARE | | |
| Name: | Martin Limestone, Inc. | | |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 | | |
| City: | New Enterprise | | |
| State/Country: | PENNSYLVANIA | | |
| Postal Code: | 16664 | | |
| Entity Type: | CORPORATION: PENNSYLVANIA | | |
| Name: | Valley Quarries, Inc. | | |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 | | |
| City: | New Enterprise | | |
| State/Country: | PENNSYLVANIA | | |
| Postal Code: | 16664 | | |
| Entity Type: | CORPORATION: PENNSYLVANIA | | |
| Name: | New Enterprise Transportation, Inc. | | |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 | | |
| City: | New Enterprise | | |
| State/Country: | PENNSYLVANIA | | |

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| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | Star Carriers, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|------------------------------------|
| Name: | Blair-Bedford Paving Company, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | NESL Buffalo Holdings, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: DELAWARE |

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|-----------------|--------------------------------|
| Name: | ABC Paving Co., Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: NEW YORK |

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|-----------------|--------------------------------|
| Name: | 2544 Clinton, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: NEW YORK |

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|-----------------|--------------------------------|
| Name: | E.R.S.C., Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
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|----------------|-----------------------|
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: NEW YORK |

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|-----------------|--------------------------------|
| Name: | Gateway Trade Center Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: NEW YORK |

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|-----------------|--------------------------------|
| Name: | Buffalo Crushed Stone Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: NEW YORK |

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|-----------------|--------------------------------|
| Name: | Stabler Companies Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | Protection Services Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | SCI Products Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | Work Area Protection Corp. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: ILLINOIS |

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|-----------------|--------------------------------|
| Name: | Eastern Industries, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|------------------------------|
| Name: | Stabler Development Company |
| Street Address: | 12 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|---------------------------------------|
| Name: | Elco-Hausman Construction Corporation |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | EII Transport Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: PENNSYLVANIA |

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|-----------------|--------------------------------|
| Name: | Precision Solar Controls Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
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Entity Type: CORPORATION: TEXAS

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| Name: | ASTI Transportation Systems, Inc. |
| Street Address: | 3912 Brumbaugh Road, PO Box 77 |
| City: | New Enterprise |
| State/Country: | PENNSYLVANIA |
| Postal Code: | 16664 |
| Entity Type: | CORPORATION: DELAWARE |

PROPERTY NUMBERS Total: 5

| Property Type | Number | Word Mark |
|----------------------|---------|---------------------------|
| Registration Number: | 1137896 | DIAMOND-TEX. |
| Registration Number: | 2408437 | DIAMOND TEX |
| Registration Number: | 3354961 | SMART CUSHION |
| Registration Number: | 3354960 | SMART CUSHION INNOVATIONS |
| Registration Number: | 2483562 | ULTRALITE |

CORRESPONDENCE DATA

Fax Number: (412)281-0717
Phone: 412-454-5000
Email: docketingpgh@pepperlaw.com
Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.
Correspondent Name: Pepper Hamilton LLP
Address Line 1: 500 Grant Street
Address Line 2: 50th Floor
Address Line 4: Pittsburgh, PENNSYLVANIA 15219

ATTORNEY DOCKET NUMBER: 39310.4

NAME OF SUBMITTER: Jody L. Burtner

Signature: /Jody L. Burtner/

Date: 03/16/2012

Total Attachments: 3

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**NOTICE OF RELEASE OF SECURITY INTERESTS
IN INTELLECTUAL PROPERTY
(TRADEMARKS)**

This Release of Security Interest in Intellectual Property is made this 15th day of March, 2012, by Manufacturers and Traders Trust Company, in its capacity as agent for itself and the other Secured Parties (as that term is defined in the Security Agreement referenced below) (together with its successors and permitted assigns, "Assignor"), in favor of the Assignees (as referenced below).

WHEREAS, in connection with that certain Amended and Restated Intellectual Property Collateral Agreement dated January 11, 2008 (the "Security Agreement") by and among the Assignor and New Enterprise Stone & Lime Co., Inc., Martin Limestone, Inc., Valley Quarries, Inc., New Enterprise Transportation, Inc., Star Carriers, Inc., Blair-Bedford Paving Company, Inc., NESL Buffalo Holdings, Inc., ABC Paving Co., Inc., 2544 Clinton, Inc., E.R.S.C., Inc., Gateway Trade Center Inc., Buffalo Crushed Stone Inc., Stabler Companies Inc., Protection Services Inc., SCI Products Inc., Work Area Protection Corp., Eastern Industries, Inc., Stabler Development Company, Elco-Hausman Construction Corporation, EII Transport Inc., Precision Solar Controls Inc. and ASTI Transportation Systems, Inc. (together with their successors and assigns in such capacity, collectively "Assignees"), said Security Agreement being recorded at the United States Patent and Trademark Office on January 31, 2008, at reel/frame 3708/0917, Assignees granted to Assignor a security interest in their Marks (as defined in the Security Agreement), including those listed on Exhibit 1 attached hereto; and

WHEREAS, Assignees have fully paid the Secured Obligations (as defined in the Security Agreement) to Assignor under the Security Agreement, and Assignor desires to release and discharge its security interest in the Marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, Assignor hereby releases, discharges and remits to Assignees any and all right, title and interest in and to the Marks arising in connection with the Security Agreement, including the Marks listed on Exhibit 1 attached hereto, and hereby authorizes Assignees or Assignees' authorized representative to record this Release of Security Interest in Intellectual Property with the United States Patent and Trademark Office.

IN WITNESS WHEREOF, Manufacturers and Traders Trust Company, as agent for itself and the other Secured Parties, duly executes this Release of Security Interest in Intellectual Property by its duly authorized officer as of the day and year first above written.

Manufacturers and Traders Trust Company

By: 

Name: Stephen A. Foreman

Title: Regional Executive

TRADEMARK RELEASE (FIRST LIEN)

TRADEMARK
REEL: 004737 FRAME: 0972

EXHIBIT 1

| MARK | REGISTRATION NUMBER |
|---------------------------|------------------------|
| DIAMOND-TEX. | 1137896 |
| DIAMOND TEX and Design | 2408437 |
| SMART CUSHION | 3354961 |
| SMART CUSHION INNOVATIONS | 3354960 |
| ULTRALITE | 2483562 |

TRADEMARK RELEASE (FIRST LIEN) EXHIBIT 1