

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1**

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In re:

CBRM Realty Inc. *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 25-15343 (MBK)  
(Joint Administration Requested)

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: CBRM Realty Inc. (2420), Crown Capital Holdings LLC (1411), Kelly Hamilton Apts LLC (1115), Kelly Hamilton Apts MM LLC (0765), RH Chenault Creek LLC (8987), RH Copper Creek LLC (0874), RH Lakewind East LLC (6963), RH Windrun LLC (0122), RH New Orleans Holdings LLC (7528), and RH New Orleans Holdings MM LLC (1951). The location of the Debtors' service address in these chapter 11 cases is: 4499 Pond Hill Road, San Antonio Texas 78231.



**DEBTORS' MOTION FOR ENTRY OF INTERIM AND FINAL ORDERS  
(I) AUTHORIZING THE DEBTORS TO (A) FILE A CONSOLIDATED LIST  
OF THE DEBTORS' 30 LARGEST UNSECURED CREDITORS, AND (B) FILE A  
CONSOLIDATED LIST OF CREDITORS IN LIEU OF SUBMITTING A SEPARATE  
MAILING MATRIX FOR EACH DEBTOR, (II) APPROVING THE FORM  
AND MANNER OF NOTIFYING CREDITORS OF THE CHAPTER 11 CASES  
AND OTHER INFORMATION, AND (III) GRANTING RELATED RELIEF**

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The above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) respectfully state as follows in support of this motion (this “**Motion**”):

**Relief Requested**

1. The Debtors seek entry of orders, substantially in the forms attached hereto as **Exhibit A** and **Exhibit B** (the “**Interim Order**” and “**Final Order**,” respectively): (a) authorizing the Debtors to (i) file a consolidated list of the Debtors’ thirty (30) largest unsecured creditors in lieu of filing separate creditor lists for each Debtor, and (ii) file a consolidated list of creditors in lieu of submitting a separate mailing matrix for each Debtor; (b) approving the form and manner of notifying creditors of the chapter 11 cases; and (c) granting related relief. In addition, the Debtors request that the Court schedule a final hearing within approximately 21 days of the commencement of these chapter 11 cases to consider entry of the Final Order.

**Jurisdiction and Venue**

2. The United States Bankruptcy Court for the District of New Jersey (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey*, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.). This matter is a core proceeding under 28 U.S.C. § 157(b). The Debtors confirm their consent to the entry of a final order by the Court.

3. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The predicates for the relief requested herein are sections 105(a) and 342(c)(1) of the Bankruptcy Code, rules 1015(b) and 2002 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and rules 9013-1 and 9013-5 of the Local Bankruptcy Rules for the District of New Jersey (the “**Local Rules**”).

### **Background**

5. On May 19, 2025 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code commencing the above-captioned chapter 11 cases. The Debtors continue to operate their business and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. The Debtors are requesting procedural consolidation and joint administration of these chapter 11 cases pursuant to Bankruptcy Rule 1015(b). No request for the appointment of a trustee or examiner has been made in these chapter 11 cases, and no official committees have been appointed or designated.

### **Basis for Relief**

#### **I. Cause Exists to Authorize the Debtors to Prepare a Consolidated List of Creditors**

6. The Debtors are required to file a Consolidated Creditor Matrix (as defined below). Section 521(a)(1) of the Bankruptcy Code states that “[t]he debtor shall[] file[] a list of creditors . . . .” 11 U.S.C. § 521(a)(1). Section 521(a)(1) of the Bankruptcy Code is implemented by Bankruptcy Rule 1007(a)(1), which requires the debtor in a voluntary case to “file with the petition a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H as prescribed by the Official Forms.” Fed. R. Bankr. P. 1007(a)(1).

7. The Debtors submit that permitting them to maintain a single consolidated list of creditors (the “**Consolidated Creditor Matrix**”), in lieu of maintaining a separate creditor matrix for each Debtor, is warranted. Requiring the Debtors to segregate and convert their computerized

records to a Debtor-specific creditor matrix format would be an unnecessarily redundant task because the Debtors' creditors may overlap. Because the preparation of separate lists of creditors for each Debtor would be expensive, time consuming, and administratively burdensome, the Debtors respectfully request authority to file one Consolidated Creditor Matrix for all Debtors.

8. The Court has authority to grant the relief requested in this Motion under section 105(a) of the Bankruptcy Code, which empowers bankruptcy courts to enter "any order, process, or judgment that is necessary or appropriate" to carry out the provisions of the Bankruptcy Code. 11 U.S.C. § 105(a). Section 105(a) codifies the "equitable power" of bankruptcy courts and provides "broad authority" to accomplish tasks important to the implementation of the Bankruptcy Code.

## **II. Cause Exists to Authorize the Debtors to Prepare a Consolidated List of the Thirty Largest Unsecured Creditors**

9. Pursuant to Bankruptcy Rule 1007(d), a debtor shall file "a list containing the name, address and claim of the creditors that hold the 20 largest unsecured claims, excluding insiders[.]" Fed. R. Bankr. P. 1007(d). This list is primarily used by the Office of the United States Trustee for the District of New Jersey (the "**U.S. Trustee**") to evaluate the types and amounts of unsecured claims against the debtor and, thus, identify potential candidates to serve on an official committee of unsecured creditors appointed in the debtor's case (if any). Similar to the Consolidated Creditor Matrix, the Debtors request authority to file a consolidated list of their thirty (30) largest general unsecured creditors (the "**Consolidated Top 30 Creditors List**"). The Consolidated Top 30 Creditors List will help alleviate administrative burden, costs, and the possibility of duplicative service, and assist efforts to communicate with these creditors. For the avoidance of doubt, the Debtors are not requesting authority in this Motion to (a) file consolidated

schedules of assets and liabilities and statements of financial affairs or (b) substantively consolidate the Debtors' chapter 11 cases.

### **III. Service of Required Notices to Creditors**

10. Bankruptcy Rule 2002(a) provides, in relevant part, that “the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees at least 21 days’ notice by mail of: the meeting of creditors under § 341 or § 1104(b) of the Code.” Fed. R. Bankr. P. 2002(a). Subsection (f) provides that notice of the order for relief shall be sent by mail to all creditors. *See id.* 2002(f).

11. The Debtors propose to have their claims and noticing agent (the “**Proposed Claims and Noticing Agent**”), undertake all mailings directed by the Court or the U.S. Trustee as required by section 342(a) of the Bankruptcy Code and Bankruptcy Rules 2002(a) and (f), including the notice of commencement of these chapter 11 cases, substantially in the form attached hereto as **Exhibit C** (the “**Notice of Commencement**”), on all parties listed on the Consolidated Creditor Matrix including via email if available. Service of the Notice of Commencement on the Consolidated Creditor Matrix will not only avoid confusion among creditors but will also prevent the Debtors’ estates from incurring unnecessary costs associated with serving multiple notices to the parties listed on the Debtors’ voluminous Consolidated Creditor Matrix. Accordingly, service of the Notice of Commencement is warranted.

12. The Debtors believe that using the Proposed Claims and Noticing Agent to promptly provide notices to all applicable parties will maximize efficiency in administering these chapter 11 cases and will ease administrative burdens that would otherwise fall upon the Court and the U.S. Trustee. Additionally, the Proposed Claims and Noticing Agent will assist the Debtors in preparing creditor lists and mailing or electronic mailing initial notices, and, therefore,

it is more efficient to authorize the Proposed Claims and Noticing Agent to mail the notice of commencement of these chapter 11 cases. Accordingly, the Proposed Claims and Noticing Agent should undertake such mailings

**Waiver of Memorandum of Law**

13. The Debtors respectfully request that the Court waive the requirement to file a separate memorandum of law pursuant to Local Rule 9013-1(a)(3) because the legal basis upon which the Debtors rely is set forth herein and the Motion does not raise any novel issues of law.

**No Prior Request**

14. No prior request for the relief sought in this Motion has been made to this or any other court.

**Notice**

15. The Debtors will provide notice of this Motion to the following parties and/or their respective counsel, as applicable: (a) the office of the United States Trustee for the District of New Jersey; (b) the DIP Lender; (c) Lynd Living; (d) the Ad Hoc Group of Holders of Crown Capital Notes; (e) the United States Attorney's Office for the District of New Jersey; (f) the Internal Revenue Service; (g) the attorneys general in the states where the Debtors conduct their business operations; (h) the U.S. Department of Housing and Urban Development; and (i) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Debtors request that the Court enter the Interim and Final Orders, substantially in the forms submitted herewith, granting the relief requested in this Motion and such other and further relief as the Court deems appropriate under the circumstances.

Dated: May 20, 2025

Respectfully submitted,

/s/ Andrew Zatz

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*Proposed Co-Counsel to Debtors and  
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**EXHIBIT A**

**Proposed Interim Order**



UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY <b>Caption in Compliance with D.N.J. LBR 9004-1</b>
In re:  CBRM REALTY INC. <i>et al.</i> ,  Debtors. <sup>1</sup>

Chapter 11

Case No. 25-15343 (MBK)  
(Joint Administration Requested)

**INTERIM ORDER (I) AUTHORIZING THE DEBTORS  
TO (A) FILE A CONSOLIDATED LIST OF THE DEBTORS' 30  
LARGEST UNSECURED CREDITORS, AND (B) FILE A CONSOLIDATED  
LIST OF CREDITORS IN LIEU OF SUBMITTING A SEPARATE MAILING  
MATRIX FOR EACH DEBTOR, (II) APPROVING THE FORM AND MANNER  
OF NOTIFYING CREDITORS OF THE CHAPTER 11 CASES AND OTHER  
INFORMATION, AND (III) GRANTING RELATED RELIEF**

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The relief set forth on the following pages, numbered 2 through 5, is hereby **ORDERED**.

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: CBRM Realty Inc. (2420), Crown Capital Holdings LLC (1411), Kelly Hamilton Apts LLC (1115), Kelly Hamilton Apts MM LLC (0765), RH Chenault Creek LLC (8987), RH Copper Creek LLC (0874), RH Lakewind East LLC (6963), RH Windrun LLC (0122), RH New Orleans Holdings LLC (7528), and RH New Orleans Holdings MM LLC (1951). The location of the debtors' service address in these chapter 11 cases is: 4499 Pond Hill Road, San Antonio Texas 78231.

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Debtors: CBRM REALTY INC., *et al.*

Case No. 25-15343

Caption of Order: INTERIM ORDER (I) AUTHORIZING THE DEBTORS TO (A) FILE A CONSOLIDATED LIST OF THE DEBTORS' 30 LARGEST UNSECURED CREDITORS, AND (B) FILE A CONSOLIDATED LIST OF CREDITORS IN LIEU OF SUBMITTING A SEPARATE MAILING MATRIX FOR EACH DEBTOR, (II) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF THE CHAPTER 11 CASES AND OTHER INFORMATION, AND (III) GRANTING RELATED RELIEF

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Upon the motion (the “**Motion**”)<sup>2</sup> of the above-captioned debtors and debtors-in-possession (collectively, the “**Debtors**”) for entry of an order (this “**Interim Order**”) (a) authorizing the Debtors to (i) file a consolidated list of the Debtors’ 30 largest unsecured creditors in lieu of filing separate creditors lists for each Debtor, and (ii) file a consolidated list of creditors in lieu of submitting a separate mailing matrix for each Debtor; (b) approving the form and manner of notifying creditors of the chapter 11 cases; (c) scheduling a final hearing to consider approval of the Motion on a final basis; and (d) granting related relief, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey*, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.) and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors’ notice of the Motion was appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion establish

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

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Debtors: CBRM REALTY INC., *et al.*

Case No. 25-15343

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just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED on an interim basis as set forth herein.
2. The final hearing (the "**Final Hearing**") on the Motion shall be held on \_\_\_\_\_, **2025**, at \_\_:\_\_ **.m., prevailing Eastern Time**. Objections or responses to entry of a final order on the Motion shall be filed **on or before 4:00 p.m., prevailing Eastern Time, on \_\_\_\_\_, 2025**. If no objections are filed to the Motion, this Court may enter an order approving the relief requested in the Motion on a final basis without further notice or hearing.
3. The Debtors are authorized pursuant to section 105(a) of the Bankruptcy Code, Bankruptcy Rule 1007(d), and Local Rule 1007-1 to submit a Consolidated Creditor Matrix; *provided* that if any of these chapter 11 cases converts to a case under chapter 7 of the Bankruptcy Code, each applicable Debtor shall file its own creditor mailing matrix within fourteen (14) days of any such conversion.
4. The Debtors are authorized, on an interim basis, to submit a single consolidated list of their thirty (30) largest unsecured creditors in lieu of a separate list for each Debtor.
5. The Debtors shall cause the Consolidated Creditor Matrix to be made available in readable electronic format (or in non-electronic format) upon reasonable request by parties in interest.

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Debtors: CBRM REALTY INC., *et al.*

Case No. 25-15343

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6. The Debtors, through the Proposed Claims and Noticing Agent, are authorized, on an interim basis, to serve all pleadings and papers, including the Notice of Commencement, on all parties listed on the Consolidated Creditor Matrix (including via email if available).

7. The Debtors and the Independent Fiduciary are authorized to take all actions necessary to effectuate the relief granted pursuant to this Interim Order in accordance with the Motion.

8. Any relief granted to the Debtors pursuant to this Interim Order shall mean the Debtor, acting at the direction of the Independent Fiduciary.

9. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Rules and Local Rules are satisfied by such notice.

10. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

11. The Debtors shall serve by regular mail or email a copy of this Interim Order and the Motion on all parties required to receive such service pursuant to Local Rule 9013-5(f) within two (2) business days after the entry of this Interim Order.

12. Any party may move for modification of this Interim Order in accordance with Local Rule 9013-5(e).

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Debtors: CBRM REALTY INC., *et al.*

Case No. 25-15343

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13. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

**EXHIBIT B**

**Proposed Final Order**

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY <b>Caption in Compliance with D.N.J. LBR 9004-1</b>
In re:  CBRM REALTY INC. <i>et al.</i> ,  Debtors. <sup>1</sup>

Chapter 11

Case No. 25-15343 (MBK)  
(Joint Administration Requested)

**FINAL ORDER (I) AUTHORIZING THE DEBTORS  
TO (A) FILE A CONSOLIDATED LIST OF THE DEBTORS' 30  
LARGEST UNSECURED CREDITORS, AND (B) FILE A CONSOLIDATED  
LIST OF CREDITORS IN LIEU OF SUBMITTING A SEPARATE MAILING  
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INFORMATION, AND (III) GRANTING RELATED RELIEF**

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The relief set forth on the following pages, numbered 2 through 4, is hereby **ORDERED**.

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: CBRM Realty Inc. (2420), Crown Capital Holdings LLC (1411), Kelly Hamilton Apts LLC (1115), Kelly Hamilton Apts MM LLC (0765), RH Chenault Creek LLC (8987), RH Copper Creek LLC (0874), RH Lakewind East LLC (6963), RH Windrun LLC (0122), RH New Orleans Holdings LLC (7528), and RH New Orleans Holdings MM LLC (1951). The location of the debtors' service address in these chapter 11 cases is: 4499 Pond Hill Road, San Antonio Texas 78231.

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Debtors: CBRM REALTY INC., *et al.*

Case No. 25-15343

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Upon the motion (the “**Motion**”),<sup>1</sup> of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”), for entry of a final order (this “**Final Order**”) (a) authorizing the Debtors to (i) file a consolidated list of the Debtors' 30 largest unsecured creditors in lieu of filing separate creditors lists for each Debtor, and (ii) file a consolidated list of creditors in lieu of submitting a separate mailing matrix for each Debtor; (b) approving the form and manner of notifying creditors of the chapter 11 cases; and (c) granting related relief, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.) and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the

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relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor **IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED on a final basis as set forth herein
2. The Debtors are authorized, pursuant to section 105(a) of the Bankruptcy Code, Bankruptcy Rule 1007(d), and Local Rule 1007-1 to submit a Consolidated Creditor Matrix; *provided* that if any of these chapter 11 cases converts to a case under chapter 7 of the Bankruptcy Code, each applicable Debtor shall file its own creditor mailing matrix within fourteen (14) days of any such conversion.
3. The Debtors are authorized, on a final basis, to submit a single consolidated list of their thirty (30) largest unsecured creditors in lieu of a separate list for each Debtor.
4. The Debtors are authorized, on a final basis, to file one Consolidated Creditor Matrix for all Debtors.
5. The Debtors shall cause the Consolidated Creditor Matrix to be made available in readable electronic format (or in non-electronic format) upon reasonable request by parties in interest.
6. The Debtors, through the Proposed Claims and Noticing Agent, are authorized, on a final basis, to serve all pleadings and papers, including the Notice of Commencement, on all parties listed on the Consolidated Creditor Matrix (including via email if available).

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Debtors: CBRM REALTY INC., *et al.*

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7. The Debtors and the Independent Fiduciary are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Order in accordance with the Motion.

8. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Rules and Local Rules are satisfied by such notice.

9. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

10. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Final Order.