

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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

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Counsel for Creditor, Chardell Bacon

In re:

CBRM REALTY INC.,

Debtors.³

Chapter 11

Case Number: 25-15343 (MBK)
(Jointly Administered)

¹ *Pro Hac Vice* admission pending.

² *Pro Hac Vice* admission pending.

³ 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: In re CBRM Realty Inc., et al., c/o White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020.



**EMERGENCY MOTION OF CHARDELL BACON TO TESTIFY BY REMOTE MEANS
AT DEPOSITION AND CONFIRMATION HEARING**

Chardell Bacon, creditor herein, by and through undersigned counsel, hereby submits this motion to testify by remote means at her deposition on September 3, 2025, and at the Confirmation Hearing on September 4, 2025, and respectfully states as follows:

1. Ms. Bacon is a “very low income” person within the meaning of the U.S. Housing Act, 42 U.S.C. 1437f *et seq.*, and implementing regulations of the U.S. Department of Housing and Urban Development (“HUD”).

2. As such, Ms. Bacon has been approved as an income-eligible leaseholder in the HUD-subsidized housing development currently owned by Debtor Kelly Hamilton Apts LLC which is the subject of the pending Sale Transaction. Ms. Bacon has resided in the property, in Pittsburgh, Pennsylvania, with her family since 2018.

3. Ms. Bacon timely filed a claim on July 28, 2025 in this matter, based on Debtors’ breach of her lease and violation of the Pennsylvania implied warranty of habitability.

4. On August 26, 2025, Ms. Bacon timely filed an objection to the confirmation of the currently-proposed Joint Chapter 11 Plan and Sale Transaction and a motion to certify a class of tenant objectors to the Plan.

5. On September 1, 2025, Lynd Management Group, LLC (“Lynd”), through counsel, served a notice of a deposition on Ms. Bacon, via counsel, demanding her presence, in person, at the United States Courthouse in Trenton, New Jersey, on September 3, 2025, at 3 PM.

6. Travel to New Jersey for testimony would present an extreme hardship to Ms. Bacon due to her work schedule and childcare obligations, and the costs of such travel would be impossible for Ms. Bacon to cover.

7. Ms. Bacon is scheduled to work from 9:30 AM to 6 PM on Thursday, September 4, 2025, at the Omni William Penn Hotel in downtown Pittsburgh. While she is able to schedule a break in her day to testify remotely by Zoom, missing the entire day's work would cause her financial hardship and put her employment at risk.

8. Ms. Bacon has three children, ages 12, 7, and 2, and is the sole care provider for them. Travel to New Jersey for this case would require her to obtain childcare for at least two days and one night, which she cannot financially afford or otherwise readily arrange.

9. Ms. Bacon is willing and available to provide testimony on both days by remote means, such as Zoom, consistent with the Court's rules and practices.

10. Ms. Bacon's counsel have conferred with counsel for Debtors and for Lynd on this matter, and counsel for Debtors and Lynd do not consent to this motion.

WHEREFORE, Ms. Bacon respectfully requests this Honorable Court grant her leave to testify by remote means at her deposition on September 3, 2025 and at the Confirmation Hearing on September 4, 2025.

Date: September 2, 2025

/s/ Douglas G. Leney

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Counsel for Creditor, Chardell Bacon

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CBRM REALTY INC.,

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Chapter 11

Case Number: 25-15343 (MBK)
(Jointly Administered)

**ORDER GRANTING EMERGENCY MOTION OF CHARDELL BACON TO TESTIFY
BY REMOTE MEANS AT DEPOSITION AND CONFIRMATION HEARING**

The relief set forth on the following page two (2) is hereby **ORDERED**.

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Debtors: CBRM Realty Inc., *et al.*

Case No.: 25-15343 (MBK)

Caption of Order: *Order Granting Emergency Motion of Chardell Bacon to Testify by
Remote Means at Deposition and Confirmation Hearing*

Upon review of the motion of Chardell Bacon (the “Movant”), seeking emergency relief and to testify by remote means at deposition and confirmation hearing (the “Motion”), it is hereby **ORDERED** as follows:

1. Movant may appear via Zoom or other remote means at her deposition on September 3, 2025.
2. Movant may testify via Zoom or other remote means at the Confirmation Hearing to be held by this Court beginning on September 4, 2025.