



Order Filed on February 18, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

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

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Co-Counsel to the Debtor and Debtor in Possession

In re:

CCA Construction, Inc.,¹

Debtor.

Case No. 24-22548 (CMG)

Chapter 11

Judge: Christine M. Gravelle

DATED: February 18, 2025



Honorable Christine M. Gravelle
United States Bankruptcy Judge

¹ The last four digits of CCA's federal tax identification number are 4862. CCA's service address for the purposes of this chapter 11 case is 445 South Street, Suite 310, Morristown, NJ 07960.



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Case 24-22548-CMG Doc 185 Filed 02/20/25 Entered 02/21/25 00:18:46 Desc
(Page | 2) Imaged Certificate of Notice Page 2 of 9
Debtor: CCA Construction, Inc.
Case No.: 24- 22548 (CMG)
Caption of Order: Final Order (I) Authorizing the Debtor to (A) Continue to Use its
Bank Accounts and Maintain Existing Business Forms, (B) Honor
Certain Prepetition Obligations Related Thereto, and (C) Continue
to Perform Intercompany Transactions, and (II) Granting Related
Relief

**FINAL ORDER (I) AUTHORIZING THE DEBTOR TO
(A) CONTINUE TO USE ITS BANK ACCOUNTS AND MAINTAIN
EXISTING BUSINESS FORMS, (B) HONOR CERTAIN PREPETITION
OBLIGATIONS RELATED THERETO, AND (C) CONTINUE TO PERFORM
INTERCOMPANY TRANSACTIONS, AND (II) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through seven (7), is

ORDERED.

Upon CCA's motion filed on the Petition Date [Docket No. 5] (the "**Motion**")² pursuant to sections 105(a), 345, 363, 1107 and 1108 of the Bankruptcy Code, for entry of an order (i) authorizing CCA to (a) continue to use its Bank Account and maintain existing business forms, (b) honor certain prepetition obligations related thereto, and (c) continue to perform intercompany transactions, whether relating to the prepetition or postpetition period, in the ordinary course of business, and (ii) granting related relief, all as more fully set forth in the Motion; and upon consideration of the First Day Declarations; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 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 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 CCA's 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 relief granted herein and that such relief is in the best interests of CCA, its estate, its creditors, and all parties in interest, and is necessary to avoid immediate and irreparable harm to CCA and

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

its estate; 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. CCA is authorized pursuant to sections 363(c) and 105(a) of the Bankruptcy Code, to (a) continue to manage its cash in its Bank Accounts in the same manner as prior to the Petition Date, (b) collect, concentrate, and disburse cash in the ordinary course of business, and (c) make ordinary course changes to its Bank Accounts, including opening and closing bank accounts (provided that any new bank account opened by CCA is (i) with a bank that is insured with the FDIC and (ii) designated as an authorized depository by the Office of the United States Trustee for Region 3). CCA shall provide the U.S. Trustee and any statutory committee appointed in this case with not less than three business days' notice prior to making any material changes to its Bank Accounts. CCA shall give notice to the U.S. Trustee within five days after opening any new bank account or closing any existing bank account. The U.S. Trustee and any statutory committee appointed in this chapter 11 case will have 14 days (or until such later date as may be extended by the Court or agreed to between CCA, the U.S. Trustee or any statutory committee appointed in this case) from receipt of such notice to file any objection with regard to the opening or closing of a bank account. Any new debtor in possession bank account must bear the designation "Debtor in Possession" and be designed as "Debtor in Possession" accounts with the case number.
3. CCA is further authorized, on the terms set forth in this Final Order to (a) designate, maintain, and continue to use its existing Bank Accounts, in the names and with

the account numbers existing immediately before the Petition Date, (b) deposit funds in, and withdraw funds from, such Bank Accounts by all usual means, including checks, wire transfers, automated clearing house transfers, and other debits, and (c) pay any Bank Fees or other charges associated with the Bank Accounts, whether arising before or after the Petition Date

4. CCA is authorized to continue to use, in their present form, all preprinted correspondence and business forms (including letterhead, checks, purchase orders and invoices) without reference to its status as a debtor in possession; *provided, however*, that once CCA's existing checks have been used, CCA shall, when reordering checks, require the designation "Debtor in Possession" and the corresponding bankruptcy case number on all checks.

5. To the extent required, CCA is authorized, pursuant to section 363(c) of the Bankruptcy Code, to continue the Shared Services Program and to perform under and honor Intercompany Transactions, whether arising under or relating to the prepetition or postpetition period, in the ordinary course of business and pursuant to the terms of the applicable Shared Services Agreements, so long as such Intercompany Transactions are materially consistent with CCA's operation of its business in the ordinary course during the prepetition period.

6. CCA shall maintain accurate and detailed records of all transfers, including but not limited to Intercompany Transactions, so that all transactions may be readily ascertained, traced, recorded properly, and distinguished between prepetition and post-petition transactions.

7. CCA is authorized to issue postpetition checks or to effect postpetition fund transfer requests in replacement of any checks or fund transfer requests that are dishonored or rejected as a consequence of the commencement of CCA's chapter 11 case with respect to

prepetition amounts owed in connection with the relief granted herein, provided that CCA shall only instruct or request HSBC to pay or honor any check, draft or other payment as authorized by an order of the Court.

8. Notwithstanding anything in this Order to the contrary, in the event HSBC Bank USA, N.A. ceases to be an approved depository with the Office of the United States Trustee during the pendency of this chapter 11 case, the rights of all parties are fully reserved.

9. Notwithstanding the relief granted herein and any actions taken hereunder, nothing contained in the Motion or this Final Order or any payment made pursuant to this Final Order shall constitute, nor is it intended to constitute: (a) an admission as to the amount, basis, or validity of any particular claim against CCA; (b) a waiver of CCA's rights to dispute any particular claim on any grounds; (c) a promise or requirement to pay any particular claim; (d) an implication or admission that any particular claim is of a type specified or defined in the Motion; (e) a request or authorization to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) an admission relating to any lien, security interest or other encumbrance on property of CCA's estate; or (g) a waiver or limitation of any of CCA's rights under the Bankruptcy Code or other applicable law.

10. Under the circumstances of this chapter 11 case, notice of the Motion is adequate, and the notice requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

11. A copy of this Final Order shall be served on all required parties pursuant to Local Rule 9013-5(f).

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

13. The requirements set forth in Bankruptcy Rule 6003(b) have been satisfied.

14. Notwithstanding any applicability of Bankruptcy Rule 6004(h), this Final Order shall be immediately effective and enforceable upon its entry.

15. CCA is authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Final Order.

16. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the interpretation, implementation, or enforcement of this Final Order.

In re:
CCA Construction, Inc.
Debtor

Case No. 24-22548-CMG
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Feb 18, 2025

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 20, 2025:

Recip ID	Recipient Name and Address
db	+ CCA Construction, Inc., 445 South Street, Suite 310, Morristown, NJ 07960-6475

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 20, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 18, 2025 at the address(es) listed below:

Name	Email Address
Andrew Behlmann	on behalf of Interested Party CSCEC Holding Company Inc. abehlmann@lowenstein.com
Brett S. Theisen	on behalf of Creditor BML Properties Ltd. btheisen@gibbonslaw.com, nmitchell@gibbonslaw.com
Felice R. Yudkin	on behalf of Debtor CCA Construction Inc. fyudkin@coleschotz.com, fpisano@coleschotz.com
Fran B. Steele	on behalf of U.S. Trustee U.S. Trustee Fran.B.Steele@usdoj.gov
Kyle McEvilly	on behalf of Creditor BML Properties Ltd. kmcevilly@gibbonslaw.com
Michael A. Kaplan	on behalf of Interested Party CSCEC Holding Company Inc. mkaplan@lowenstein.com, dclaussen@lowenstein.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Feb 18, 2025

Form ID: pdf903

Total Noticed: 1

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Robert Malone

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Savanna Bierne

on behalf of U.S. Trustee U.S. Trustee savanna.bierne1@usdoj.gov

Shella Borovinskaya

on behalf of Interested Party Certain Non-Debtor Affiliates of CCA Construction Inc sborovinskaya@ycst.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13