

DEBEVOISE & PLIMPTON LLP

M. Natasha Labovitz (admitted *pro hac vice*)
Sidney P. Levinson (admitted *pro hac vice*)
Elie J. Worenklein
66 Hudson Boulevard
New York, NY 10001
Telephone: (212) 909-6000
Facsimile: (212) 909-6836
nlabovitz@debevoise.com
slevinson@debevoise.com
eworenklein@debevoise.com

COLE SCHOTZ P.C.

Michael D. Sirota
Warren A. Usatine
Felice R. Yudkin
Ryan T. Jareck
Court Plaza North, 25 Main Street
Hackensack, NJ 07601
Telephone: (201) 489-3000
Facsimile: (201) 489-1536
msirota@coleschotz.com
wusatine@coleschotz.com
fyudkin@coleschotz.com
rjareck@coleschotz.com

Co-Counsel to the Debtor and Debtor in Possession

Co-Counsel to the Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

CCA Construction, Inc.,¹

Debtor.

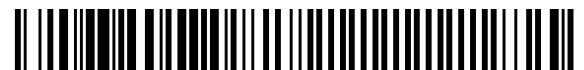
Chapter 11

Case No. 24-22548 (CMG)

CERTIFICATION OF NO OBJECTION REGARDING DEBTOR'S MOTION FOR ENTRY OF AN ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

PLEASE TAKE NOTICE that, as of the date hereof, the above-captioned debtor and debtor-in-possession (the "Debtor") has received no formal answer, objection, or other responsive pleading to the *Debtor's Motion for Entry of an Order (I) Enlarging the Period Within Which the Debtor May Remove Actions and (II) Granting Related Relief* [Docket No. 229] (the "Motion"). The Debtor submits the revised proposed form of *Order (I) Enlarging the Period Within Which*

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



the Debtor May Remove Actions and (II) Granting Related Relief, annexed hereto as **Exhibit A** (the “Revised Proposed Order”), which resolves all informal responses to the Motion.

PLEASE TAKE FURTHER NOTICE that, annexed hereto as **Exhibit B**, is a blackline comparing the Revised Proposed Order against the previously filed version submitted with the Motion.

PLEASE TAKE FURTHER NOTICE that the objection deadline has passed, and all formal and informal objections in connection with the relief requested in the Motion have been resolved. It is hereby respectfully requested that the Revised Proposed Order be entered at the earliest convenience of the Court.

[Remainder of Page Intentionally Left Blank.]

DATED: April 11, 2025

Respectfully submitted,

By: /s/ Michael D. Sirota

COLE SCHOTZ P.C.

Michael D. Sirota

Warren A. Usatine

Felice R. Yudkin

Ryan T. Jareck

25 Main Street

Hackensack, NJ, 07601

(201) 489-3000

msirota@coleschotz.com

wusatine@coleschotz.com

fyudkin@coleschotz.com

rjareck@coleschotz.com

-and-

DEBEVOISE & PLIMPTON LLP

M. Natasha Labovitz (admitted *pro hac vice*)

Sidney P. Levinson (admitted *pro hac vice*)

Elie J. Worenklein

66 Hudson Boulevard

New York, NY 10001

Telephone: (212) 909-6000

Facsimile: (212) 909-6836

nlabovitz@debevoise.com

slevinson@debevoise.com

eworenklein@debevoise.com

*Co-Counsel to the Debtor
and Debtor in Possession*

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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

COLE SCHOTZ P.C.

Michael D. Sirota
Warren A. Usatine
Felice R. Yudkin
Ryan T. Jareck
25 Main Street
Hackensack, NJ, 07601
(201) 489-3000
msirota@coleschotz.com
wusatine@coleschotz.com
fyudkin@coleschotz.com
rjareck@coleschotz.com

-and-

DEBEVOISE & PLIMPTON LLP

M. Natasha Labovitz (admitted *pro hac vice*)
Sidney P. Levinson (admitted *pro hac vice*)
Elie J. Worenklein
66 Hudson Boulevard
New York, NY 10001
Telephone: (212) 909-6000
Facsimile: (212) 909-6836
nlabovitz@debevoise.com
slevinson@debevoise.com
eworenklein@debevoise.com

Co-Counsel to the Debtor and Debtor in Possession

In re:

CCA Construction, Inc.,¹

Debtor.

Chapter 11

Case No. 24-22548 (CMG)

**ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE
DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through five (5), is
ORDERED.

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

(Page | 2)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

Upon the *Debtor's Motion for Entry of an Order (I) Enlarging The Period Within Which the Debtor May Remove Actions and (II) Granting Related Relief* (the "Motion"),² of the above-captioned debtor and debtor in possession (the "Debtor"),³ for entry of an order (this "Order") (a) enlarging the Removal Period for filing notices of removal of the Actions by 120 days, up to and including July 21, 2025, without prejudice to the Debtor's right to seek further extensions, and (b) granting related relief, all as more fully set forth in the Motion; and upon 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 the relief requested in the Motion is in the best interests of the Debtor's estate; and this Court having found that the Debtor'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 (the "Hearing"), if any; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief

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

³ The last four digits of the Debtor's federal tax identification number are 4862. The Debtor's service address for the purposes of this chapter 11 case is 445 South Street, Suite 310, Morristown, NJ 07960.

(Page | 3)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED 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 basis as set forth herein.
2. The period within which the Debtor may file a notice of removal with respect to any proceeding related to this chapter 11 case pursuant to Bankruptcy Rules 9027(a)(2) and (3) is extended through and including July 21, 2025.
3. The extension granted by this Order is without prejudice to the Debtor's right to seek further extensions of time to file notices of removal with respect to proceedings related to this chapter 11 case.
4. This Order shall be without prejudice to any position the Debtor may take regarding whether section 362 of the Bankruptcy Code applies to stay any Action.
5. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an implication or admission as to the amount of, basis for, or validity of any particular claim against the Debtor under the Bankruptcy Code or other applicable nonbankruptcy law; (b) a waiver of the Debtor's or any other party in interest's rights to dispute any particular claim on any grounds; (c) a promise or requirement to pay any particular claim; (d) an implication, admission, or finding that any particular claim is an administrative expense claim, other priority claim or otherwise of a type specified or defined in this Order or the Motion or any order granting the relief requested by the Motion; (e) a request or authorization to assume, adopt, or reject any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) an admission by the Debtor as to the validity, priority, enforceability,

(Page | 4)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

or perfection of any lien on, security interest in, or other encumbrance on property of the Debtor's estate; (g) a waiver or limitation of the Debtor's, or any other party in interest's, claims, causes of action, or other rights under the Bankruptcy Code or any other applicable law; (h) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code; (i) a concession by the Debtor that any liens (contractual, common law, statutory, or otherwise) that may be satisfied pursuant to the relief requested in the Motion are valid, and the rights of all parties in interest are expressly reserved to contest the extent, validity, or perfection or seek avoidance of all such liens; (j) a waiver of the obligation of any party in interest to file a proof of claim; or (k) otherwise affecting the Debtor's rights under section 365 of the Bankruptcy Code to assume or reject any executory contract or unexpired lease.

6. Nothing in this Order shall be construed as modifying or terminating any stay applicable to any act, action, or proceeding pursuant to section 362 of the Bankruptcy Code, or any order entered by this Court pursuant to section 105 of the Bankruptcy Code.

7. Nothing in this Order shall operate to modify or eliminate the rights of any party with requisite standing to object to or otherwise oppose the removal of any proceeding.

8. All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

9. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

(Page | 5)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

10. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

11. 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.

12. Notwithstanding Bankruptcy Rule 6004(h), to the extent applicable, this Order shall be immediately effective and enforceable upon entry hereof.

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

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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

COLE SCHOTZ P.C.

Michael D. Sirota
Warren A. Usatine
Felice R. Yudkin
Ryan T. Jareck
25 Main Street
Hackensack, NJ, 07601
(201) 489-3000
msirota@coleschotz.com
wusatine@coleschotz.com
fyudkin@coleschotz.com
rjareck@coleschotz.com

-and-

DEBEVOISE & PLIMPTON LLP

M. Natasha Labovitz (admitted *pro hac vice*)
Sidney P. Levinson (admitted *pro hac vice*)
Elie J. Worenklein
66 Hudson Boulevard
New York, NY 10001
Telephone: (212) 909-6000
Facsimile: (212) 909-6836
nlabovitz@debevoise.com
slevinson@debevoise.com
eworenklein@debevoise.com

Co-Counsel to the Debtor and Debtor in Possession

In re:

CCA Construction, Inc.,¹

Debtor.

Chapter 11

Case No. 24-22548 (CMG)

**ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE
DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through five (5), is

ORDERED.

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

(Page | 2)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

Upon the *Debtor's Motion for Entry of an Order (I) Enlarging The Period Within Which the Debtor May Remove Actions and (II) Granting Related Relief* (the "Motion"),² of the above-captioned debtor and debtor in possession (the "Debtor"),³ for entry of an order (this "Order") (a) enlarging the Removal Period for filing notices of removal of the Actions by 120 days, up to and including July 21, 2025, without prejudice to the Debtor's right to seek further extensions, and (b) granting related relief, all as more fully set forth in the Motion; and upon 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 the relief requested in the Motion is in the best interests of the Debtor's estate; and this Court having found that the Debtor'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 (the "Hearing"), if any; 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 upon all of the

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

³ The last four digits of the Debtor's federal tax identification number are 4862. The Debtor's service address for the purposes of this chapter 11 case is 445 South Street, Suite 310, Morristown, NJ 07960.

(Page | 3)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

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 basis as set forth herein.
2. The period within which the Debtor may file a notice of removal with respect to any proceeding related to this chapter 11 case pursuant to Bankruptcy Rules 9027(a)(2) and (3) is extended through and including July 21, 2025.
3. The extension granted by this Order is without prejudice to the Debtor's right to seek further extensions of time to file notices of removal with respect to proceedings related to this chapter 11 case.
4. This Order shall be without prejudice to any position the Debtor may take regarding whether section 362 of the Bankruptcy Code applies to stay any Action.
5. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an implication or admission as to the amount of, basis for, or validity of any particular claim against the Debtor under the Bankruptcy Code or other applicable nonbankruptcy law; (b) a waiver of the Debtor's or any other party in interest's rights to dispute any particular claim on any grounds; (c) a promise or requirement to pay any particular claim; (d) an implication, admission, or finding that any particular claim is an administrative expense claim, other priority claim or otherwise of a type specified or defined in this Order or the Motion or any order granting the relief requested by the Motion; (e) a request or authorization to assume, adopt, or reject any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) an admission by the Debtor as to the validity, priority, enforceability,

(Page | 4)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

or perfection of any lien on, security interest in, or other encumbrance on property of the Debtor's estate; (g) a waiver or limitation of the Debtor's, or any other party in interest's, claims, causes of action, or other rights under the Bankruptcy Code or any other applicable law; (h) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code; (i) a concession by the Debtor that any liens (contractual, common law, statutory, or otherwise) that may be satisfied pursuant to the relief requested in the Motion are valid, and the rights of all parties in interest are expressly reserved to contest the extent, validity, or perfection or seek avoidance of all such liens; (j) a waiver of the obligation of any party in interest to file a proof of claim; or (k) otherwise affecting the Debtor's rights under section 365 of the Bankruptcy Code to assume or reject any executory contract or unexpired lease.

6. Nothing in this Order shall be construed as modifying or terminating any stay applicable to any act, action, or proceeding pursuant to section 362 of the Bankruptcy Code, or any order entered by this Court pursuant to section 105 of the Bankruptcy Code.

7. Nothing in this Order shall operate to modify or eliminate the rights of any party with requisite standing to object to or otherwise oppose the removal of any proceeding.

8. ~~7.~~ All time periods set forth in this Order shall be calculated in accordance with Bankruptcy Rule 9006(a).

9. ~~8.~~ The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

(Page | 5)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: ORDER (I) ENLARGING THE PERIOD WITHIN WHICH THE DEBTOR MAY REMOVE ACTIONS AND (II) GRANTING RELATED RELIEF

10. ~~9.~~ Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rule 6004(a) and the Local Rules are satisfied by such notice.

11. ~~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.

12. ~~11.~~ Notwithstanding Bankruptcy Rule 6004(h), to the extent applicable, this Order shall be immediately effective and enforceable upon entry hereof.

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