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

In re:

CCA Construction, Inc.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 24-22548 (CMG)

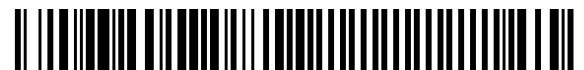
**APPLICATION FOR ORDER SHORTENING TIME  
FOR DEBTOR'S MOTION FOR ENTRY OF AN ORDER GRANTING RELIEF  
FROM THE AUTOMATIC STAY TO SEEK FURTHER APPELLATE REVIEW**

TO THE HONORABLE JUDGE CHRISTINE M. GRAVELLE, UNITED STATES

BANKRUPTCY JUDGE FOR THE DISTRICT OF NEW JERSEY:

The above-captioned debtor and debtor in possession ("CCA" or the "**Debtor**") respectfully requests that the time period to notice a hearing on the *Debtor's Motion for Entry of an Order Granting Debtor Relief from the Automatic Stay to Seek Further Appellate Review*

<sup>1</sup> 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.



(the “**Motion**”),<sup>2</sup> as required by Fed. R. Bankr. P. 2002 be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), and respectfully submits:

1. **A shortened time hearing is requested because:** As set forth in the Motion, CCA’s chapter 11 case was precipitated by the crippling Baha Mar Judgment. Together with the other Defendants, CCA appealed the Baha Mar Judgment to the Appellate Division, First Department, of the New York Supreme Court (the “**First Department**”) where it argued that it had ***no liability at all*** in connection with the Baha Mar Litigation. The Defendants’ arguments notwithstanding, on April 8, 2025, the First Department upheld the Baha Mar Judgment in its entirety in a four-page decision with little to no legal analysis.

2. After considering the appellate court’s decision and analyzing all available options, the Defendants continue to believe that the Baha Mar Judgment was incorrectly decided and further that the First Department was wrong to uphold it. The Defendants therefore recently made the determination to file a petition (the “**Petition**”) for leave to appeal the First Department’s decision and order to the New York State Court of Appeals (the “**Court of Appeals**”). The Defendants must file the Petition no later than May 8, 2025; if the Petition is not filed by that date, the right to seek an appeal will be lost, which would irrevocably prejudice CCA. For this reason, a hearing on the Motion is required in sufficient time to allow the filing of the Petition, and therefore shortened time is required.

3. CCA requested BMLP’s consent to the Motion and Application on April 18, 2025. However, BMLP has not to date provided an answer to CCA’s request. CCA is therefore filing the Motion and Application at this time to provide as much notice as possible to other parties and will update the Court as to BMLP’s position as appropriate.

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

4. **State the hearing dates requested:** CCA respectfully requests that the Court hear the Motion at the Court's earliest availability, but in no event later than May 6, 2025. CCA is, in particular, available for a hearing on May 1, 2025, to the extent the Court is available for a hearing that day. A hearing no later than May 6, 2025, will enable CCA to meet the deadline of May 8, 2025, to file the Petition with the Court of Appeals, consistent with CCA's objective to have the Baha Mar Judgment finally adjudicated.

5. Reduction of the time period is not prohibited under Fed. R. Bankr. P 9006(c)(1).

WHEREFORE, CCA respectfully requests entry of the proposed order attached hereto as **Exhibit A** shortening time, in substantially the form submitted herewith, granting the relief requested herein and such other relief as is just and proper under the circumstances.

Dated: April 23, 2025

*/s/ Michael D. Sirota*

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**EXHIBIT A**  
**Proposed Order**

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

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

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In re:

CCA Construction, Inc.,<sup>1</sup>

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Case No. 24-22548 (CMG)

Chapter 11

Judge: Christine M. Gravelle

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Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Order Shortening Time Period for Notice

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**ORDER SHORTENING TIME PERIOD FOR NOTICE**

The relief set forth on the following page, numbered three (3), is hereby **ORDERED**.

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Debtor: CCA Construction, Inc.  
Case No.: 24-22548 (CMG)  
Caption of Order: Order Shortening Time Period for Notice

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Upon review of CCA's *Application for Order Shortening Time for Hearing Debtor's Motion for Entry of an Order Granting Debtor Relief from the Automatic Stay to Seek Further Appellate Review* (the "**Application**")<sup>2</sup> for entry of an order (this "**Order**") requesting that the time period for the *Debtor's Motion for Entry of an Order Granting Debtor Relief from the Automatic Stay to Seek Further Appellate Review* (the "**Motion**"), be shortened pursuant to Fed. R. Bankr. P. 9006(c)(1), IT IS HEREBY ORDERED THAT:

1. A hearing will be conducted on the Motion on [●] [●], 2025 at \_\_\_\_\_:\_\_\_\_\_ .m. (E.T.), before the Honorable Christine M. Gravelle.
2. CCA must serve a copy of this Order, and all related documents to all parties in interest by either regular mail or email, as applicable.
3. Service must be made within \_\_\_\_\_ days of the date of this Order.
4. Notice by telephone is not required.
5. Any objections to the Motion must be filed no later than \_\_\_\_\_ days before the hearing.

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