



Order Filed on May 5, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

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

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

**DEBEVOISE & PLIMPTON LLP**

M. Natasha Labovitz (admitted *pro hac vice*)  
Erica S. Weisgerber (admitted *pro hac vice*)  
Elie J. Worenklein  
Rory B. Heller (admitted *pro hac vice*)  
66 Hudson Boulevard  
New York, NY 10001  
Telephone: (212) 909-6000  
Facsimile: (212) 909-6836  
nlabovitz@debevoise.com  
eweisgerber@debevoise.com  
eworenklein@debevoise.com  
rbheller@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*

In re:

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

Debtor.

Case No. 24-22548 (CMG)

Chapter 11

Judge: Christine M. Gravelle

**DATED: May 5, 2025**

A handwritten signature in black ink, appearing to read "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle  
United States Bankruptcy Court  
District of New Jersey



2422548250505000000000003

(Page | 2)

Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Order Granting Debtor Relief from the Automatic Stay to File a Petition for Leave to Appeal

---

**ORDER GRANTING DEBTOR RELIEF FROM  
THE AUTOMATIC STAY TO FILE A PETITION FOR LEAVE TO APPEAL**

The relief set forth on the following pages, numbered three (3) through five (5), is

**ORDERED.**

(Page | 3)

Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Order Granting Debtor Relief from the Automatic Stay to File a Petition for Leave to Appeal

---

Upon CCA's motion filed on April 23, 2025 [Docket No. \_\_\_\_] (the "**Motion**")<sup>2</sup> pursuant to section 362(d) of the Bankruptcy Code, for entry of an order granting CCA relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1) solely to the extent necessary to permit CCA to file the Petition and to pursue any appellate rights in the Court of Appeals pursuant thereto, all as more fully set forth in the Motion; and upon consideration of the Wei Declaration; 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 considered the arguments 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 irreparable harm to CCA and 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 as set forth herein.
2. The automatic stay provided in 11 U.S.C. § 362(a) is hereby modified pursuant to

---

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

(Page | 4)

Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Order Granting Debtor Relief from the Automatic Stay to File a Petition for Leave to Appeal

---

11 U.S.C. § 362(d)(1), solely to the extent necessary to permit CCA and the other parties to the Baha Mar Litigation to file the Petition and, if granted, prosecute a further appeal of the case captioned *BML Props. Ltd. v China Construction America, Inc., et al.*, Nos. 2024-06623, 2024-06624 (N.Y. App. Div. 2024), in the New York State Court of Appeals, to proceed to resolution in such court, including any related proceedings, without prejudice to any party's right to seek further or additional relief from the Court.

3. With the exception of the Petition and any related appellate rights in the Court of Appeals, all of CCA's rights to the automatic stay under 11 U.S.C. § 362 are not impacted by this Order and are fully preserved. For the avoidance of doubt, no party shall be permitted to enforce any judgment or execute against CCA or any property of its estate absent further order of the Court.

4. Consistent with prepetition practices, the fees and costs incurred in connection with the Petition and any subsequent proceedings in the Court of Appeals are to be borne by the non-Debtor Defendants, and not by CCA.

5. For the avoidance of doubt, the automatic stay under 11 U.S.C. § 362 does not apply to the non-Debtor Defendants, and this Order is not required for the Petition and the Further Appeal to move forward with respect to the non-Debtor Defendants.

6. Under the circumstances of the chapter 11 case, notice of the Motion is adequate, and the notice requirements of Bankruptcy Rule 9014 and 4001 and the Local Rules are satisfied by such notice.

(Page | 5)

Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Order Granting Debtor Relief from the Automatic Stay to File a Petition for Leave to Appeal

---

7. 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.

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

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