



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 <i>pro hac vice</i>) Erica S. Weisgerber (admitted <i>pro hac vice</i>) Elie J. Worenklein Rory B. Heller (admitted <i>pro hac vice</i>) 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	
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<i>Co-Counsel to the Debtor and Debtor in Possession</i>	
In re:	Case No. 24-22548 (CMG)
CCA Construction, Inc., ¹	Chapter 11
Debtor.	Judge: Christine M. Gravelle

DATED: May 5, 2025

Honorable Christine M. Gravelle
United States Bankruptcy Judge



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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.

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Debtor: CCA Construction, Inc.
Case No.: 24-22548 (CMG)
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Petition for Leave to Appeal

Upon CCA's motion filed on April 23, 2025 [Docket No. ____] (the "**Motion**")² 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

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

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Debtor: CCA Construction, Inc.
Case No.: 24-22548 (CMG)
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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.

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Debtor: CCA Construction, Inc.

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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.

In re:
CCA Construction, Inc.
Debtor

Case No. 24-22548-CMG
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: May 05, 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 May 07, 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: May 07, 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 May 5, 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
Courtney Brown	on behalf of Creditor Korcomptenz Inc cmbrown@vedderprice.com ecfnydocket@vedderprice.com,courtney-brown-3667@ecf.pacerpro.com
Deanna Boll	on behalf of Examiner Todd Harrison Examiner dboll@mwe.com, dnorthrop@mwe.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

District/off: 0312-3

User: admin

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Date Rcvd: May 05, 2025

Form ID: pdf903

Total Noticed: 1

Julia E Duffy

on behalf of Interested Party Plaza Construction Group Florida LLC jduffy@carltonfields.com

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on behalf of Creditor BML Properties Ltd. kmcevilly@gibbonslaw.com

Michael A. Kaplan

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fpisano@coleschotz.com;ssallie@coleschotz.com;lmorton@coleschotz.com;pratkowiak@coleschotz.com;ddelehanty@coleschotz.com

Michael T. Hensley

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aaugenstein@carltonfields.com;mgarciarosales@carltonfields.com;bking@carltonfields.com

Morris S. Bauer

on behalf of Other Prof. Special Committee of Independent Directors MSBauer@duanemorris.com tjsantorelli@duanemorris.com

Nicole M. Fulfree

on behalf of Interested Party CSCEC Holding Company Inc. nfulfree@lowenstein.com,
dclaussen@lowenstein.com;elawler@lowenstein.com;cfrankel@lowenstein.com

Robert Malone

on behalf of Creditor BML Properties Ltd. rmalone@gibbonslaw.com, nmitchell@gibbonslaw.com

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: 17