

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE: . Case No. 24-22548-CMG  
. .  
CCA CONSTRUCTION, INC., . 402 East State Street  
. Trenton, NJ 08608  
. .  
Debtor. . January 7, 2026  
. . . . . 2:05 p.m.

TRANSCRIPT OF CCA'S THIRD MOTION TO EXTEND  
ITS EXCLUSIVE PERIOD [615]  
BEFORE HONORABLE CHRISTINE M. GRAVELLE  
UNITED STATES BANKRUPTCY COURT CHIEF JUDGE

TELEPHONIC APPEARANCES:

For the Debtor: Debevoise & Plimpton, LLP  
By: ELIE J. WORENKLEIN, ESQ.  
CHRIS CERESA, ESQ.  
66 Hudson Boulevard  
New York, NY 10001

For the United States Office of the United States Trustee  
Trustee: By: FRANK B. STEELE, ESQ.  
One Newark Center, Suite 2100  
Newark, NJ 07102

For CSCEC Holding Lowenstein Sandler, LLP  
Company, Inc.: By: ANDREW BEHLMANN, ESQ.  
One Lowenstein Drive  
Roseland, NJ 07068

Audio Operator: Michael Brown

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**268 Evergreen Avenue**  
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**E-mail: jjcourt@jjcourt.com**

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1 THE COURT: Okay. Good afternoon, everyone. We're  
2 on. We're good? We're on the record?

3 COURTROOM DEPUTY: Yes.

4 THE COURT: Okay. Mr. Sirota, are you on Zoom?

5 MR. WORENKLEIN: Good afternoon, Your Honor. Elie  
6 Worenklein from Debevoise on behalf of CCA Construction, the  
7 debtor. I think I'm going to be kicking it off today.

8 THE COURT: Okay. Great. Thank you. Anyone else  
9 want to enter their appearance, or we'll go along? All right.

10 MS. STEELE: Yes, Your Honor. Good afternoon. Fran  
11 Steele on behalf of the U.S. Trustee.

12 THE COURT: Thank you, Ms. Steele.

13 MR. CERESA: Your Honor, Chris Ceresa on behalf of  
14 the CCA debtor. I have a pending pro hac vice as of this  
15 morning.

16 THE COURT: Okay. On behalf of the CCA debtor.

17 MR. CERESA: Correct. I'll be coming after Elie.

18 THE COURT: Okay. Thank you.

19 MR. BEHLMANN: And, Your Honor, Andrew Behlmann,  
20 Lowenstein Sandler, on behalf of CSCEC Holding.

21 THE COURT: And do we have anybody on -- who's on for  
22 BML Properties, anyone?

23 (No audible response)

24 THE COURT: Interesting. Okay.

25 MR. WORENKLEIN: Your Honor, I'll be providing a

1 brief update on the settlement, so perhaps that will add some  
2 clarity.

3 THE COURT: All right. Thank you. Go ahead.

4 MR. WORENKLEIN: Okay. Well, once again, good  
5 afternoon and Happy New Year, Your Honor.

6 THE COURT: Happy New Year to you, too. Thank you.

7 MR. WORENKLEIN: And, Your Honor, we filed an agenda  
8 yesterday, and that's Docket Number 642, and we have two  
9 matters on today's short agenda.

10 However, before we kick it off, on the agenda I  
11 thought it would be helpful for us to -- if it's okay with Your  
12 Honor, to give a brief update on certain developments that have  
13 occurred since the last time we were before Your Honor.

14 THE COURT: Thank you. That would be great.

15 MR. WORENKLEIN: Okay. Perfect. And so these  
16 backgrounds and these updates we think will help lay the  
17 factual foundation and additional context for the two matters  
18 that are on the agenda.

19 So, as Your Honor remembers, last time we were here  
20 was December 2nd, and Your Honor approved the global settlement  
21 between CCA, CSCEC Holding, BMLP, and various affiliates, and  
22 that settlement order was entered on December 3rd, and it could  
23 be found at Docket Number 591.

24 And that settlement really paved the way and cleared  
25 up a decade of litigation between the various parties, spanning

1 multiple jurisdiction, which was a primary factor of causing  
2 the bankruptcy filing and was a principal obstacle to figure  
3 out a plan to emerge from Chapter 11. And, of course, Your  
4 Honor is very familiar with all of the disputes.

5           And since the entry of that settlement offer, we're  
6 happy to report that on December 23rd, 2025 the settlement  
7 payment was made to BMLP, so the settlement is now effective.  
8 That payment was actually made even earlier than the outside  
9 date under the settlement agreement.

10           So the settlement went effective, and in accordance  
11 with the terms of the settlement agreement, various notices of  
12 dismissal of the various disputes have been filed in this  
13 court, the Bahamian Court, New York State litigation, and those  
14 disputes -- those notices have been filed.

15           Your Honor may have noticed BMLP filed notices of  
16 withdrawal on Docket Number 621, 622, and 623.

17           And, as Your Honor brought up during the December 2nd  
18 hearing, and I think the U.S. Trustee brought it up as well at  
19 the December 2nd hearing, the next action item was turning our  
20 attentions to emerging from Chapter 11.

21           And immediately after the approval of the settlement  
22 agreement CCA, as well as its various advisors, turned its  
23 attention fully to focus on pursuing a Chapter 11 plan and to  
24 enable CCA to emerge as promptly as possible.

25           CCA and its advisors worked tirelessly to draft and

1 file the plan. In fact, during the last hearing I think Ms.  
2 Labovitz speculated that CCA may even be in a position to file  
3 it before the end of the month. And it took a lot of work by  
4 CCA and its advisors over the holiday season, but we're very  
5 happy and grateful that we're able to comply and satisfy Ms.  
6 Labovitz' prediction.

7 I don't think the Court -- when the Court ordered the  
8 parties to mediation back in October, I don't think anyone  
9 would have thought we'd be in the position we are where we are  
10 now and the amount of significant progress over the last two  
11 months both from the mediation, then the term sheet, the  
12 settlement agreement, and now having a plan on file. So a lot  
13 happened over those last two months, all triggered by Your  
14 Honor's recommendation and encouragement to proceed with the  
15 mediation.

16 I have one final update to provide the Court before  
17 we turn to the agenda, and this is really just for the benefit  
18 of the Court as well as for the public record.

19 We previewed during the December hearing, and I think  
20 it was even mentioned in our exclusivity motion, that CCA  
21 exercised its -- was seeking to exercise its rights under the  
22 DIP credit agreement to seek a six-month extension of the DIP  
23 maturity. If not for that DIP extension, the DIP creditors  
24 facility would have matured at the end of December at the  
25 one-year anniversary of the case. The parties executed a

1 letter agreement and confirming the six-month extension, and  
2 the new maturity date is June 23rd, 2026.

3 As Your Honor may recall, Paragraph 14 of the DIP  
4 order did not require Court approval of that extension that was  
5 baked into the DIP credit agreement. However, we wanted to  
6 provide the Court and all parties-in-interest with the update  
7 for the sake of full disclosure and transparency.

8 THE COURT: Thank you.

9 MR. WORENKLEIN: So with those general updates, let  
10 me pause, see if Your Honor has any questions on those general  
11 updates, and if not, then we could turn to today's agenda.

12 THE COURT: I do not. The only thing I wanted to  
13 add, I don't know if we had this on the record earlier, but ECF  
14 442, which was the BML motion confirming direct claims, that  
15 was also withdrawn?

16 MR. WORENKLEIN: That's correct.

17 THE COURT: Okay. And other than that, I have no  
18 questions.

19 MR. WORENKLEIN: Okay. Great. So we have a short  
20 agenda today. The first matter on the agenda is CCA's third  
21 motion to extend its exclusive period under Section 1121 of the  
22 Bankruptcy Code, and, Your Honor, that motion was filed at  
23 Docket Number 615.

24 I'll be very brief and not belabor the record,  
25 because there were no objections filed before the December 31

1 objection deadline. But very briefly, as noted, this is CCA's  
2 third motion seeking an order to extend its exclusive period.  
3 We are seeking a 120-day extension through and including April  
4 16th for filing a plan and June 16th for solicitation.

5 And as will be discussed in the next part of the  
6 agenda when we come to the solicitation and disclosure motion,  
7 CCA fully intends and hopes to emerge from bankruptcy well,  
8 well before that. So the really brain thought is primarily  
9 precautionary and hopefully fully not necessary, but out of  
10 abundance of caution, we filed that motion back in December to  
11 seeking that additional relief, just in case.

12 So I'm happy to walk through the motion. We could  
13 rest on our papers and the factual legal arguments set forth  
14 there, or I'm happy to give a brief update of the legal support  
15 for the motion.

16 THE COURT: Yes, no. And there's no objection? No  
17 one appearing today on Zoom has an objection?

18 MS. STEELE: Your Honor, on behalf of the U.S.  
19 Trustee, I did want to say that since the matter was filed on  
20 shortened time, the U.S. Trustee orally objects to the entry of  
21 the order. And the basis that, as the Court is aware, the U.S.  
22 Trustee submits that the plan can't be confirmed as it contains  
23 an opt-out clause and third party releases.

24 In addition, it has over broad debtor releases, over  
25 broad definition of exculpated parties, released parties,

1 releasing parties, and an over broad injunction provision.

2           Lastly, it does contain language regarding quarterly  
3 fees, which we would also want to be revised.

4           In the event, however, that the Court does grant the  
5 motion over the objection of the U.S. Trustee, we'd just  
6 reserve all our rights to file an objection, which will set  
7 forth the U.S.T. objection in further detail to the  
8 confirmation at the confirmation hearing.

9           And, as always, I did speak to Ms. Yudkin. We tried  
10 to resolve some of our objections prior to the confirmation  
11 hearing.

12           THE COURT: Okay. Great.

13           MR. WORENKLEIN: May I be heard?

14           THE COURT: Thank you, Ms. Steele. I think we were  
15 talking about the motion to extend exclusivity though.

16           MS. STEELE: Oh, okay.

17           THE COURT: You don't have any objection to that,  
18 right?

19           MS. STEELE: I don't have any objection to that, Your  
20 Honor.

21           THE COURT: Okay.

22           MS. STEELE: Sorry that I jumped the gun.

23           THE COURT: No, that's okay. Everything that you  
24 said I expected to hear today, so thank you.

25           MS. STEELE: Okay.

1 THE COURT: Thank you, Ms. Steele.

2 MS. STEELE: Okay.

3 THE COURT: And as the way I look at it, those will  
4 all -- we'll address all of those issues at confirmation,  
5 right?

6 MS. STEELE: I understand, Your Honor.

7 THE COURT: Okay.

8 MS. STEELE: Thank you.

9 THE COURT: So the motion to extend exclusivity is  
10 granted, and I don't have -- let me see. Hold on a second.  
11 No, I don't have any other questions. So I don't think -- I  
12 mean unless -- do you want to put anything on the record here  
13 to support your motion?

14 MR. WORENKLEIN: We are happy, Your Honor, to rest on  
15 the record on the papers for both the legal support and the  
16 factual record.

17 THE COURT: Okay.

18 MR. WORENKLEIN: I think I will just add I think the  
19 factual support for the motion was only solidified and  
20 strengthened since we have last been here, because when we  
21 filed the motion, we were saying we were planning to implement  
22 and finalize the settlement, which we have now completed. We  
23 were saying we were going to propose a plan, which we have now  
24 done. So we have actually just satisfied all of those  
25 optimistic, our hopes and goals that were set forth in that

1 motion.

2 THE COURT: Yes, that was a --

3 MR. WORENKLEIN: The record --

4 THE COURT: It was a great way to end 2025. One of  
5 the many great ways to end 2025. I don't --

6 MR. WORENKLEIN: Thank you, Your Honor.

7 THE COURT: Does anyone else have any comments on  
8 this -- on the debtor's motion here to have the combined  
9 disclosure statement and plan hearing interim approval of the  
10 disclosure statement? Any comments on the balloting, opt-outs,  
11 forms, anything?

12 (No audible response)

13 THE COURT: Okay. Then your motion for entry of the  
14 order is approved, and February 11th I think was the  
15 confirmation date that you had requested. Does 10:00 on the  
16 11th work for you?

17 MR. WORENKLEIN: That works for us, Your Honor.

18 THE COURT: Okay.

19 MR. WORENKLEIN: And I'll just -- I will add one item  
20 just -- and thank you for approving all of that, and my  
21 colleague Mr. Ceresa may have some additional points.

22 We will be submitting Word versions and solicitation  
23 versions of the plan and disclosure statement and the Word  
24 version to Your Honor of the disclosure statement order, and we  
25 appreciate you accommodating us to doing this combined

1 disclosure statement and confirmation hearing.

2           If we stay on schedule, which now, hopefully, you  
3 have the combined hearing on February 11th, we'll be able to  
4 hopefully avoid needing to do an additional DIP amendment and  
5 hopefully be able to comply, and, hence, the expedited relief  
6 we're seeking to go on this route -- on this path forward.

7           THE COURT: Okay. Mr. Ceresa, did you want to add  
8 anything?

9           MR. CERESA: Your Honor, just to close the loop, as  
10 my colleague mentioned, we'll send a revised version of the  
11 solicitation procedures order, and we'll fill in that date for  
12 you. And we have a couple of truly non-substantive edits, and  
13 we'll send over a redline to show those.

14           THE COURT: Okay. So order to be submitted.

15           MR. CERESA: Yes, exactly. Thank you, Your Honor.

16           THE COURT: All right. Anything else I can do for  
17 you here?

18                               (No audible response)

19           THE COURT: All right. Thanks, everybody.

20           THE ATTORNEYS: Thank you, Your Honor.

21           THE COURT: Have a good rest of your day.

22           MS. STEELE: You, too.

23           THE COURT: Thank you.

24           THE ATTORNEYS: Thank you.

25                               \* \* \* \* \*

**C E R T I F I C A T I O N**

I, JANET D. PERSONS, court approved transcriber, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter, and to the best of my ability.

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DATE: January 14, 2026

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**UNITED STATES BANKRUPTCY COURT**

District of New Jersey  
402 East State Street  
Trenton, NJ 08608

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Case No.: 24-22548-CMG  
Chapter: 11  
Judge: Christine M. Gravelle

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

CCA Construction, Inc.  
aka China Construction America, Inc., dba  
ProServ Shared Services, dba Plaza  
Construction  
445 South Street  
Suite 310  
Morristown, NJ 07960

Social Security No.:

Employer's Tax I.D. No.:  
13-3774862

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Dated: January 14, 2026  
JAN:

Jeanne Naughton  
Clerk