

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

<p>In re:</p> <p>CCA Construction, Inc.,<sup>1</sup></p> <p style="text-align: center;">Debtor.</p>	<p>Chapter 11</p> <p>Case No. 24-22548 (CMG)</p>
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**DECLARATION OF MICHAEL PAQUE WITH RESPECT TO THE TABULATION OF VOTES ON THE CHAPTER 11 PLAN OF CCA CONSTRUCTION, INC.**

I, Michael Paque, depose and say under the penalty of perjury:

1. I am a Managing Director of Corporate Restructuring Services, employed by Kurtzman Carson Consultants, LLC, doing business as Verita Global LLC (“Verita”), whose main business address is 222 North Pacific Coast Highway, 3rd Floor, El Segundo, California 90245. I am above eighteen years of age, and I am competent to testify. Except as otherwise noted, all facts set forth herein are based on my personal knowledge, knowledge that I acquired from individuals under my supervision, and my review of relevant documents. I am authorized to submit this declaration (the “Declaration”) on behalf of Verita. If I were called to testify, I could and would testify competently as to the facts set forth herein.

2. I submit this Declaration regarding the solicitation of votes and the tabulation of Ballots cast on the *Chapter 11 Plan of CCA Construction, Inc.* [Docket No. 649] (as may amended, modified, or supplemented from time to time, the “Plan”).

3. The Court authorized Verita’s retention (a) as claims and noticing agent to the Debtor on December 23, 2024, pursuant to the *Order Authorizing the Appointment of Kurtzman Carson*

<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.



*Consultants, LLC dba Verita Global as Claims and Noticing Agent Effective as of the Petition Date* [Docket No. 31], and (b) as administrative advisor to the Debtor on February 5, 2025, pursuant to the *Order Authorizing the Appointment of Kurtzman Carson Consultants, LLC dba Verita Global as Administrative Advisor Effective as of the Petition Date* [Docket No. 115] (together, the “Retention Orders”). The Retention Orders authorize Verita to assist the Debtor with, among other things, the service of solicitation materials and tabulation of votes cast to accept or reject the Plan. Verita and its employees have considerable experience in soliciting and tabulating votes to accept or reject chapter 11 plans.

4. On January 7, 2026, the Court entered the *Order (I) Approving the Disclosure Statement on an Interim Basis; (II) Scheduling a Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation and Deadlines Related Thereto; (III) Approving the Solicitation, Notice, and Tabulation Procedures and the Forms Related Thereto; and (IV) Granting Related Relief* [Docket No. 647] (the “Interim Approval and Procedures Order”),<sup>2</sup> establishing, among other things, the Solicitation Procedures. Verita adhered to the procedures outlined in the Interim Approval and Procedures Order and caused the Ballots to be distributed to parties entitled to vote on the Plan. I supervised the solicitation and tabulation performed by Verita’s employees.

**A. Service and Transmittal of Solicitation Packages and Related Information**

5. Pursuant to the Interim Approval and Procedures Order, on January 9, 2026, and from time to time thereafter, Verita caused the Solicitation Packages to be served on all known Holders of Claims in Class 2 (General Unsecured Claims) (the “Voting Class”). In lieu of a Solicitation Package, all known Holders of Claims and Interests in Class 1 (Priority Non-Tax Claims) and Class

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<sup>2</sup> Capitalized terms used but not defined herein have the meanings ascribed to them in the Plan or the Interim Approval and Procedures Order, as applicable.

3 (Interests) (collectively, the “Non-Voting Classes”) received an appropriate *Notice of Non-Voting Status and Opt-Out Form to Holders of Unimpaired or Impaired Claims or Interests Conclusively Presumed to Accept or Reject the Plan (Non-Voting Status Notice and Opt-Out Form)*. Furthermore, Verita caused the *Notice of (A) Interim Approval of the Disclosure Statement and (B) Combined Hearing to Consider Final Approval of the Disclosure Statement and Confirmation of the Plan and the Objection Deadline Related Thereto* [Docket No. 650] (the “Confirmation Hearing Notice”) to be served on the creditor matrix and all other parties required to receive such notice pursuant to the Interim Approval and Procedures Order. A *Certificate of Service* evidencing the completion of solicitation was filed with the Court on January 19, 2026 [Docket No. 662].

6. On January 9, 2026, Verita posted links to the electronic versions of the Interim Approval and Procedures Order, Disclosure Statement, Plan, Confirmation Hearing Notice, and Cover Letter on the public access website at [www.veritaglobal.net/ccaconstruction](http://www.veritaglobal.net/ccaconstruction).

7. The Confirmation Hearing Notice was published on January 15, 2026, in the *USA Today* (national edition). The *Affidavit of Publication* evidencing the publication of the Confirmation Hearing Notice was filed with the Court on January 19, 2026 [Docket No. 663].

8. Verita also mailed Solicitation Packages and Confirmation Hearing Notices to voting and creditor matrix parties, as applicable, whose packages were returned with a forwarding address or if an alternate address was available. The supplemental certificate of service evidencing the foregoing was filed with the Court on February 2, 2026 [Docket No. 679] (together with the certificate of service filed on January 19, 2026, the “Solicitation Certificates”).

## **B. The Tabulation Process**

9. The Interim Approval and Procedures Order established July 31, 2025, as the Voting Record Date to determine which Holders of Claims and Interests were entitled to receive the

Solicitation Package or the Non-Voting Status Notice, as applicable. Pursuant to the Interim Approval and Procedures Order, Holders of Claims in Class 2 (General Unsecured Claims) were entitled to vote to accept or reject the Plan. No other Classes were entitled or permitted to vote on the Plan.

10. In accordance with the Solicitation Procedures, Verita worked closely with the Debtor's advisors to identify the Holders of Claims in the Voting Class entitled to vote as of the Voting Record Date, and to coordinate the distribution of Solicitation Packages to such Holders. A detailed description of Verita's distribution of Solicitation Packages is set forth in the Solicitation Certificates.

11. Pursuant to the Interim Approval and Procedures Order, Verita relied on the Debtor's Schedules of Assets and Liabilities [Docket Nos. 99 and 234] and the Claims information reflected in Verita's CaseView<sup>3</sup> system to identify and solicit Holders of Claims in the Voting Class.

12. In accordance with the Solicitation Procedures, Verita received, reviewed, determined the validity of, and tabulated the Ballots submitted to vote on the Plan. Each paper Ballot submitted to Verita was reviewed, date-stamped, scanned, assigned a Ballot number, entered into Verita's voting database, and processed. In addition, each electronic Ballot was electronically received, reviewed and processed into Verita's voting database. To be included in the tabulation results as valid, a Ballot must have been (a) properly completed pursuant to the Solicitation Procedures, (b) executed by the relevant Holder entitled to vote on the Plan (or such Holder's representative), (c) returned to Verita via an approved method of delivery set forth in the Solicitation Procedures unless the delivery method requirement was waived by the Debtor, and (d) received by

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<sup>3</sup> CaseView is Verita's claims management database, which stores the records and images associated with all scheduled and filed claims.

Verita on or before February 6, 2026, at 4:00 p.m. (prevailing Eastern Time) (the “Voting Deadline”).

13. The final tabulation of votes cast by timely and properly completed Ballots received by Verita is attached hereto as **Exhibit A** (the “Final Ballot Tabulation”). The detailed Ballot report for the Class 2 (General Unsecured Claims) is attached to this Declaration as **Exhibit A-1**.

**C. Opt Out Election**

14. Verita also reviewed and documented which holders of Claims and Interests elected to opt out of the consensual third-party releases contained in the Plan as reflected on the received Ballots and Opt-Out Forms. A report of all Entities who opted out of the Releases is attached hereto as **Exhibit B**. For the avoidance of doubt, this Declaration does not certify the validity or enforceability of any opt-out elections received, including those reported on **Exhibit B**, but rather is providing these opt-out election results for reporting and informational purposes only.

**D. Ballots That Were Not Counted**

15. A detailed report of any Ballots that were not included in the tabulation above because they did not satisfy the requirements for a valid Ballot as set forth in the Interim Approval and Procedures Order, is attached hereto as **Exhibit C**. Two ballots were not tabulated because they did not indicate either an acceptance or rejection of the Plan.

**E. Conclusion**

16. To the best of my knowledge, information and belief, the foregoing information concerning the distribution, submission, and tabulation of Ballots in connection with the Plan is true and correct.

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Dated: February 8, 2026

/s/ Michael J. Paque

Michael J. Paque  
Verita  
222 N Pacific Coast Highway, 3rd Floor  
El Segundo, CA 90245  
Tel 310.823.9000

# **Exhibit A**

Class Name	Class Description	Unacceptable Votes	Members Voted	Members Accepted	Members Rejected	Members Abstained	% Members Accepted	% Members Rejected	Total \$ Voted	\$ Accepted	\$ Rejected	\$ Abstained	% \$ Accepted	% \$ Rejected
2	General Unsecured	0	6	6	0	2	100.00	0.00	\$485,547,216.18	\$485,547,216.18	\$0.00	\$3,824,042.76	100.00	0.00

# **Exhibit A-1**

**Class 2 Ballot Detail  
General Unsecured Claims**

<b>Date Filed</b>	<b>Ballot No.</b>	<b>Creditor Name</b>	<b>Voting Amount</b>	<b>Vote</b>
02/02/2026	2	CSCEC Holding Company, Inc.	\$124,804,769.44	Accept
02/06/2026	5	Euler Hermes North American Insurance Company	\$47,606,000.00	Accept
02/06/2026	9	Korcomptenz Inc.	\$45,170.33	Accept
02/04/2026	3	Squire Patton Boggs US LLP	\$51,539.27	Accept
02/06/2026	4	Swiss Re Corporate Solutions America Insurance	\$47,606,000.00	Accept
02/06/2026	6	Zurich American Insurance Company & Affiliates Including	\$265,433,737.14	Accept

## **Exhibit B**

**Opt Out Elections**

<b>Date Filed</b>	<b>Ballot No.</b>	<b>Creditor Name</b>	<b>Class</b>	<b>Voting Amount</b>	<b>Vote</b>	<b>Third Party Opt Out</b>
02/06/2026	7	Illinois National Insurance Company	2 General Unsecured Claims	\$191,582.76	Abstain	Opt Out of the Third-Party Release Provision
02/06/2026	8	Marina Pointe East Developer, LLC	2 General Unsecured Claims	\$3,632,460.00	Abstain	Opt Out of the Third-Party Release Provision

# **Exhibit C**

**Ballots Not Tabulated**

<b>Date Filed</b>	<b>Ballot No.</b>	<b>Creditor Name</b>	<b>Voting Amount</b>	<b>Vote</b>	<b>Reason Not Tabulated</b>
02/06/2026	7	Illinois National Insurance Company	\$191,582.76	Abstain	Did not indicate acceptance or rejection of Plan.
02/06/2026	8	Marina Pointe East Developer, LLC	\$3,632,460.00	Abstain	Did not indicate acceptance or rejection of Plan.