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*Co-Counsel to the Debtor and Debtor in Possession*

**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)

**NOTICE OF AMENDMENT TO PLAN SUPPLEMENT IN  
CONNECTION WITH THE CHAPTER 11 PLAN OF CCA CONSTRUCTION, INC.**

**PLEASE TAKE NOTICE** that on January 29, 2026, the above-captioned debtor and debtor in possession (the “**Debtor**” or “**CCA**”) filed the Plan Supplement [Docket No. 676] in connection with, and as defined in, the Chapter 11 Plan of CCA Construction, Inc. dated January 8, 2026 [Docket No. 649] (the “**Plan**”).<sup>2</sup> The documents, summaries, and other materials, each substantially in the form contained in the Plan Supplement, are integral to and part of the Plan.

**PLEASE FURTHER TAKE NOTICE** that the Debtor hereby files an amendment to the Plan Supplement, which contains the following additional document:

**Exhibit F - Reorganized Debtor’s Amended Certificate of Incorporation**

<sup>1</sup> The last four digits of the Debtor’s federal tax identification number are 4862. The Debtor’s service address for the purposes of this chapter 11 case is 445 South Street, Suite 310, Morristown, NJ 07960.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Plan.



**PLEASE TAKE FURTHER NOTICE** the Debtor, consistent with the terms of the Plan, reserve the right to alter, amend, modify or supplement any document or exhibit in the Plan Supplement at any time before the Effective Date of the Plan, or any such other date as may be permitted by the Plan or by order of the Bankruptcy Court.

**PLEASE TAKE FURTHER NOTICE** the combined hearing on approval of the adequacy of the Disclosure Statement on a final basis and confirmation of the Plan will commence on **February 11, 2026 at 10:00 a.m.**, prevailing Eastern Time before the Honorable Christine M. Gravelle, United States Bankruptcy Judge, in Courtroom 3 of the United States Bankruptcy Court for the District of New Jersey, 402 East State Street, Trenton, New Jersey 08608.

Dated: February 9, 2026

*/s/ Michael D. Sirota*

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**Reorganized Debtor's Amended Certificate of Incorporation<sup>3</sup>**

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<sup>3</sup> The by-laws of the Reorganized Debtor on the Effective Date shall be the by-laws of the Debtor on the Petition Date.

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION**

**OF**

**CCA CONSTRUCTION, INC.**

(Amended and Restated as of [Date] (the "Effective Date")

The name of the corporation (hereinafter called the "Corporation") is CCA Construction, Inc.

The present name of the Corporation is CCA Construction, Inc. The Corporation filed an original Certificate of Incorporation with the Secretary of State of the State of Delaware on May 26, 1993 under the name, "China Construction America, Inc.". Thereafter, the Corporation filed a Certificate of Amendment of Certificate of Incorporation with the Secretary of State of the State of Delaware on July 31, 2017.

The Corporation desires to amend and restate in its entirety the Certificate of Incorporation pursuant to this Amended and Restated Certificate of Incorporation (this "Certificate"), which was duly adopted on the Effective Date in accordance with the provisions of Section 303 of the General Corporation Law of the State of Delaware. The Corporation certifies that the filing of this Certificate is authorized by the *Findings of Fact, Conclusions of Law, and Order (I) Approving the Disclosure Statement on a Final Basis and (II) Confirming the Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [●]] entered by the United States Bankruptcy Court for the District of New Jersey on February [Date], 2026.

The undersigned, a natural person, for the purpose of organizing a corporation for conducting the business and promoting the purposes hereinafter stated, under the provisions and subject to the requirements of the laws of the State of Delaware (particularly Chapter 1, Title 8 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified and referred to as the "General Corporation Law of the State of Delaware")/ hereby certifies that:

**FIRST:** The name of the Corporation is CCA Construction, Inc.

**SECOND:** The address, including street, number, city and county, of the registered office of the Corporation in the State of Delaware is 1013 Centre Road, City of Wilmington, County of New Castle, and the name of the registered agent of the Corporation in the State of Delaware at such address is corporation Service Company.

**THIRD:** The nature of the business or purposes to be conducted or promoted is:

To engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

**FOURTH:** The total number of shares of stock which the Corporation shall have authority to issue is 1,500 shares without par value all of which are of the same class and all of which are designated as common shares.

**FIFTH:** The name and the mailing address of the incorporator are as follows:

<b><u>NAME</u></b>	<b><u>MAILING ADDRESS</u></b>
Anne Herb-Schreiber	Whitman & Ransom 200 Park Avenue New York, NY 10166

**SIXTH:** The Corporation is to have perpetual existence.

**SEVENTH:** Whenever a compromise or arrangement is proposed between this corporation and its creditors or any class of them and/or between this Corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this Corporation under the provisions of Section 291 of Title 8 of the Delaware Code or on the application of trustees in dissolution or of any receiver or receivers appointed for this Corporation under the provisions of Section 279 of Title 8 of the Delaware Code order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three-fourths in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, agree to any compromise or arrangement and to any

reorganization of this Corporation as consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court to which the said application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this Corporation, as the case maybe, and also on this Corporation.

**EIGHTH:** In furtherance and not in limitation of the powers conferred by statute, the board of directors is expressly authorized to make, alter, or repeal the by-laws, and to adopt any new by-law, of the Corporation.

**NINTH:** To the fullest extent permitted by the General Corporation Law of Delaware, as the same may be amended and supplemented, no director shall be personally liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

**TENTH:** The Corporation shall, to the fullest extent permitted by Section 145 of the General Corporation Law of Delaware, as the same may be amended and supplemented, (i) indemnify any and all persons whom it shall have power to indemnify under said section from and against any and all of the expenses, liabilities or other matters referred to in or covered by said section, and (ii) advance expenses to any and all said persona. The indemnification and advancement of *expenses* provided for herein shall not be deemed exclusive of any other rights to which those

indemnified may be entitled under any by-law, agreement, vote of stockholders or disinterested directors or otherwise, both as to action in their official capacities and **as** to action in another capacity while holding such offices, and shall continue as to persons who have ceased to be directors, officers, employees or agents and shall inure to the benefit of the heirs, executors and administrators of such persons.

**ELEVENTH:** The Corporation shall not issue non-voting equity securities; provided, however, that the foregoing restriction shall (a) have no further force and effect beyond that required under Section 1123(a)(6) of Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code"), (b) only have such force and effect for so long as such section is in effect and applicable to the Corporation, and (c) in all events may be amended or eliminated in accordance with applicable law as from time to time may be in effect. The prohibition on the issuance of non-voting equity securities is included in this Certificate in compliance with Section 1123(a)(6) of the Bankruptcy Code (11 U.S.C. §1123(a)(6)).

**TWELFTH:** From time to time any of the provisions of this certificate of incorporation may be **amended**, altered or repealed, and other provisions authorized by the laws of the State of Delaware at the time in force may be added or inserted in the manner and at the time prescribed by said law, and all rights at any time conferred upon the stockholders of the Corporation by this

certificate of incorporation are granted subject to the provisions of this Article **TWELFTH**.

**[Remainder of page intentionally left blank]**

IN WITNESS WHEREOF, the undersigned has executed this  
Certificate as of the Effective Date

CCA CONSTRUCTION, INC.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_