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**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)

**DEBTOR'S MOTION FOR ENTRY OF AN 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**

TO THE HONORABLE CHRISTINE M. GRAVELLE  
UNITED STATES BANKRUPTCY JUDGE:

<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.



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The above-captioned debtor and debtor in possession (“CCA” or the “**Debtor**”)<sup>2</sup> by and through its undersigned counsel, hereby submits this motion (the “**Motion**” or the “**Solicitation Procedures Motion**”) for entry of an order (the “**Interim Approval and Procedures Order**”) substantially in the form attached hereto as **Exhibit A**: (i) approving the *Disclosure Statement for the Chapter 11 Plan of CCA Construction, Inc.*, filed contemporaneously herewith (including all exhibits thereto and as amended, supplemented or otherwise modified from time to time, the “**Disclosure Statement**”) on an interim basis; (ii) scheduling a combined hearing (the “**Confirmation Hearing**”) to consider (a) approval of the Disclosure Statement on a final basis and (b) confirmation of the *Chapter 11 Plan of CCA Construction, Inc.*, filed contemporaneously herewith (including all exhibits thereto and as amended, supplemented, or otherwise modified from time to time, the “**Plan**”);<sup>3</sup> (iii) approving the solicitation, notice, and tabulation procedures related to solicitation of the Plan and the forms related thereto; and (iv) granting related relief. In support of this Motion, the Debtor respectfully represents as follows:

## **I. JURISDICTION**

1. The United States Bankruptcy Court for the District of New Jersey (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11*, entered July 23, 1984, and amended on June 6, 2025 (Bumb, C.J.). The Debtor confirms its consent to the Court entering a final order in connection with this Motion to the extent that it is later determined that the Court, absent consent

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<sup>2</sup> A detailed description of the Debtor, its business, and the facts and circumstances supporting this chapter 11 case is set forth in the *Declaration of Yan Wei, Chairman and Chief Executive Officer of the Debtor, in Support of Debtor's Chapter 11 Petition and First Day Motions* [Docket No. 11] (the “First Day Declaration”), which is incorporated herein by reference.

<sup>3</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Plan or the Disclosure Statement, as applicable. The Disclosure Statement and Plan are subject to final approval by the board, which is anticipated to be obtained before the hearing on the motion.

of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The legal and statutory predicates for the relief sought herein are sections 105, 502, 1123(a), 1124, 1125, 1126, and 1128 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “**Bankruptcy Code**”), Rules 2002, 3003, 3016, 3017, 3018, 3020, and 9006 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and D.N.J. LBR 3018-1 of the Local Rules of the United States Bankruptcy Court for the District of New Jersey (the “**Local Rules**”).

## **II. BACKGROUND**

4. On December 22, 2024 (the “**Petition Date**”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtor is operating its businesses and managing its properties as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No statutory committees have been appointed or designated.

5. The Debtor filed its schedules and statements of final affairs on January 27, 2025 [Docket No. 99], which were later amended on March 26, 2025 [Docket No. 234]. By an order dated June 25, 2025 [Docket No. 388] (the “**Bar Date Order**”), the Court established July 30, 2025, at 5:00 p.m. prevailing Eastern Time as the last date for filing a proof of claim against the Debtor on account of a prepetition claim for all creditors, including section 503(b)(9) claimants and Governmental Units (the “**Global Bar Date**”). Approximately 25 proofs of claim (secured and unsecured) were filed in this chapter 11 case.

6. On March 5, 2025, the Court entered an order directing the Office of the United States Trustee for the District of New Jersey (the “**U.S. Trustee**”) to appoint an examiner pursuant to section 1104(c) of the Bankruptcy Code. *See Order Granting the Appointment of an Examiner* [Docket No. 211]. On May 7, 2025, the Court approved the appointment of Todd Harrison as the

Examiner [Docket No. 296] (the “**Examiner Order**”). On June 2, 2025, the Court entered the *Order Approving Examiner’s Scope and Budget for Investigation* [Docket No. 351] (the “**Scope and Budget Order**”). On September 15, 2025, the Examiner issued his report of the conclusions of the Examiner’s investigation.

7. On May 23, 2025, the Court entered an order [Docket No. 337], which extended the Debtor’s exclusive right to file a chapter 11 plan (the “**Exclusive Filing Period**”) through and including August 19, 2025, and the Debtor’s exclusive right to solicit votes thereon (the “**Exclusive Solicitation Period**” and, together with the Exclusive Filing Period, the “**Exclusivity Periods**”) through and including October 20, 2025, without prejudice to the Debtor’s right to seek further extensions of the Exclusivity Periods in accordance with section 1121(d) of the Bankruptcy Code.

8. On October 11, 2025, the Court entered an order [Docket No. 517], which extended the Debtor’s Exclusive Filing Period through and including December 17, 2025, and Exclusive Solicitation Period through and including February 17, 2026, without prejudice to the Debtor’s right to seek further extensions of the Exclusivity Periods in accordance with section 1121(d) of the Bankruptcy Code.<sup>4</sup>

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<sup>4</sup> On December 17, 2025, the Debtor filed the *Debtor’s Third Motion for an Order Extending the Exclusive Periods for Filing a Chapter 11 Plan and Soliciting Acceptance Thereof* [Docket No. 615] (the “**Exclusivity Motion**”) seeking a further extension of (a) the Exclusive Filing Period through and including April 16, 2026 and (b) the Exclusive Solicitation Period through and including June 16, 2026, without prejudice to the Debtor’s right to seek further extensions of the Exclusivity Periods in accordance with section 1121(d) of the Bankruptcy Code. Pursuant to Gen. Order Governing Chapter 11 Complex Case Procedures § XIII, U.S. Bankr. Ct., D.N.J. (Aug. 1, 2024) (the “**Chapter 11 Complex Case Procedures**”), the filing of the Exclusivity Motion before the expiration of the current Exclusive Filing Period acts to automatically extend the Exclusive Periods until the Court acts on the pending motion without the necessity for entry of a bridge order. Additional information regarding the key developments since the prior extension of the Exclusivity Periods is described in the Exclusivity Motion, which is incorporated herein by reference.

9. At the October 9, 2025 hearing, the Court recommended mediation among CCA, CSCEC Holding Company Inc. (“**CSCEC Holding**”), and BML Properties Ltd. (“**BMLP**”) in connection with certain disputes between the parties.<sup>5</sup> The Court subsequently entered an order ordering CCA, CSCEC Holding, and BMLP to mediate their disputes and appointing the Honorable Vincent F. Papalia and Evan R. Chesler as co-mediators. *See* Docket No. 552. The parties convened to mediate their disputes on November 20, 2025 at the offices of Debevoise & Plimpton LLP. Following the mediation, on November 21, 2025, all parties agreed to the principal terms and conditions of the settlement and negotiated and executed a certain term sheet on November 23, 2025, which was later fully reduced to writing in the form of the Settlement Agreement (as defined in the *Order (A) Approving Settlement Among CCA Construction, Inc., CSCEC Holding Company, Inc., BMLP Properties, Ltd., and Certain Related Parties and (B) Granting Related Relief* [Docket No. 591] (the “**Settlement Order**”)). CCA filed a motion seeking approval of the Settlement Agreement on November 26, 2025. *See* Docket No. 579. The Court entered the Settlement Order on December 3, 2025. *See* Docket No. 591.

### **III. THE PLAN AND DISCLOSURE STATEMENT**

10. The Plan provides for, among other things, (i) the free-and-clear sale under section 363 of the Bankruptcy Code to a wholly-owned subsidiary of CSCEC Holding (the “**Purchasing Entity**”) of certain Debtor assets as set forth in an asset allocation to be filed with the Plan Supplement; (ii) the designation of the Reorganized Debtor as Plan Administrator to reconcile Claims, administer the Plan in an efficacious manner, and assist with other administrative duties

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<sup>5</sup> Additional information regarding the disputes between these parties and a relevant summary thereof is set forth in the *Debtor’s Motion for Entry of an Order (A) Approving a Settlement Among CCA Construction, Inc., CSCEC Holding Company, Inc., BML Properties, Ltd., and Certain Related Parties and (B) Granting Related Relief* [Docket No. 588], which is incorporated herein by reference.

and reporting obligations associated with the Plan; and (iii) 100 percent (100%) recoveries for holders of Administrative Claims, Priority Tax Claims, and DIP Claims in accordance with the terms of the Plan and to the extent allowed by this Court. While General Unsecured Claims will receive a full recovery on account of their prepetition claim, these claims are impaired because the Plan does not provide for payment on account of postpetition interest thereon. Interests shall be cancelled and the holders of Interests shall receive and retain no value on account of their Interests under the Plan.

11. In accordance with section 1126 of the Bankruptcy Code, the Plan contemplates classifying holders of Claims and Interests into certain Classes for all purposes, including with respect to voting rights, if any, as follows:<sup>6</sup>

<b>Class</b>	<b>Claim/Interest</b>	<b>Status</b>	<b>Voting Rights</b>
1	Priority Non-Tax Claims	Unimpaired	No (deemed to accept)
2	General Unsecured Claims	Impaired	Yes
3	Interests	Impaired	No (deemed to reject)

12. As set forth above, only holders of Claims in Class 2 (General Unsecured Claims ) are the holders of Claims that are entitled to both vote on the Plan (the “**Voting Class**”) and determine whether to opt out of the consensual third-party releases contained in the Plan (the form used to indicate such opt-out election, the “**Opt-Out Form**”). All other holders of Claims and Interests are not entitled to vote on the Plan because each such holder holds a Claim that is unimpaired under the Plan and deemed to accept the Plan (such as Class 1) or an Interest that is impaired under the Plan and deemed to reject the Plan (such as Class 3) (collectively,

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<sup>6</sup> In accordance with section 1123(a)(1) of the Bankruptcy Code, Administrative Claims, DIP Claims, and Priority Tax Claims have not been classified and, thus, are excluded from the Classes of Claims and Interests as set forth in the Plan.

the “**Non-Voting Classes**”). However, as described below, the holders of Claims or Interests in the Non-Voting Classes will be entitled to exercise an election on the Opt-Out Form that will be provided to such holders.

13. The Debtor respectfully submits that the Disclosure Statement complies with all aspects of section 1125 of the Bankruptcy Code; *however*, by this Motion, the Debtor seeks only interim approval of the adequacy of the Disclosure Statement. At the Confirmation Hearing, the Debtor will seek approval of the adequacy of the Disclosure Statement on a final basis (as well as confirmation of the Plan).

#### **IV. RELIEF REQUESTED**

14. By this Motion, the Debtor respectfully requests entry of the proposed Interim Approval and Procedures Order, substantially in the form submitted herewith, (i) granting interim approval of the Disclosure Statement solely to permit the Debtor to solicit the Plan, with final approval of the Disclosure Statement combined with the hearing on confirmation of the Plan; (ii) fixing the dates and deadlines related to solicitation and confirmation of the Plan as set forth in the Confirmation Schedule (defined below); (iii) approving certain Solicitation Procedures (defined below) related to the solicitation, notice, and tabulation procedures with respect to confirmation of the Plan; (iv) approving the forms of the ballot, opt-out form, solicitation package, and the notices in connection therewith, including the confirmation hearing notice; and (v) granting other related relief.

15. A summary of the key dates the Debtor seeks to establish, subject to the Court’s availability, by the Interim Approval and Procedures Order are as follows (the “**Confirmation Schedule**”):

EVENT	DATE
Solicitation Deadline	January 9, 2026

EVENT	DATE
Publication Deadline	Three (3) business days following entry of the Interim Approval and Procedures Order (or as soon as reasonably practicable thereafter)
Deadline to File Plan Supplement	January 29, 2026
Deadline to Object to final approval of the Disclosure Statement and Confirmation of the Plan	February 6, 2026, at 4:00 p.m. prevailing Eastern Time
Voting Deadline	February 6, 2026, at 4:00 p.m. prevailing Eastern Time
Deadline to File Certification of Balloting	February 8, 2026
Deadline for Debtor to File Confirmation Brief and/or Reply to any Plan or Disclosure Statement Objections	February 9, 2026
Combined Hearing on Final Approval of the Disclosure Statement and Confirmation of the Plan	February 11, 2026 (subject to the Court's availability)

## **V. BASIS FOR RELIEF REQUESTED**

### **A. Interim Approval of the Disclosure Statement is Appropriate**

16. The Debtor submits that the Disclosure Statement contains adequate information as defined in section 1125 of the Bankruptcy Code. Accordingly, the Debtor requests that the Court approve the Disclosure Statement (a) on an interim basis to permit the Debtor to use it in the solicitation process as described herein; and (b) on a final basis at the Confirmation Hearing as part of the order confirming the Plan.

17. Pursuant to section 1125 of the Bankruptcy Code, the proponent of a proposed chapter 11 plan must provide “adequate information” regarding that plan to holders of impaired claims and interests entitled to vote on the plan. 11 U.S.C. § 1125. Specifically, section 1125(a)(1) of the Bankruptcy Code states, in relevant part:

“adequate information” means information of a kind, and in sufficient detail, as far as is reasonably practicable in light of the nature and history of the debtor and the condition of the debtor’s books and records, including a discussion of the potential material Federal tax consequences of the plan to the debtor, any successor to the debtor, and a hypothetical investor typical of the holders of claims or interests in the case, that would enable such a hypothetical investor of the relevant class to make an informed judgment about the plan . . . in determining whether a disclosure statement provides

adequate information, the court shall consider the complexity of the case, the benefit of additional information to creditors and other parties in interest, and the cost of providing additional information.

*Id.* § 1125(a)(1).

18. The primary purpose of a disclosure statement is to provide all material information that creditors and interest holders affected by a proposed plan need to make an informed decision regarding the plan. *See, e.g., Krystal Cadillac-Oldsmobile GMC Truck, Inc. v. Gen. Motors Corp.*, 337 F.3d 314, 321–22 (3d Cir. 2003) (providing that a disclosure statement must contain “adequate information to enable a creditor to make an informed judgment about the Plan” (internal quotations omitted)) *Century Glove, Inc. v. First Am. Bank of N.Y.*, 860 F.2d 94, 100 (3d Cir. 1988) (“[Section] 1125 seeks to guarantee a minimum amount of information to the creditor asked for its vote.”); *Prudential Ins. Co. of Am. v. Monnier (In re Monnier Bros.)*, 755 F.2d 1336, 1341 (8th Cir. 1985); *In re Phoenix Petroleum Co.*, 278 B.R. 385, 392 (Bankr. E.D. Pa. 2001). Congress intended that informed judgments would be needed to both negotiate the terms of, and vote on, a plan. *Century Glove*, 860 F.2d at 100.

19. Bankruptcy courts have broad discretion in determining whether a disclosure statement contains adequate information based on the unique facts and circumstances of each case. *See Oneida Motor Freight, Inc. v. United Jersey Bank*, 848 F.2d 414, 417 (3d Cir. 1988) (“From the legislative history of § 1125 we discern that adequate information will be determined by the facts and circumstances of each case.”); *Lisanti v. Lubetkin (In re Lisanti Foods, Inc.)*, 329 B.R. 491, 507 (D.N.J. 2005), *aff’d*, 241 Fed. App’x. 1 (3d Cir. Aug. 2, 2007) (“Section 1125 affords the Court substantial discretion in considering the adequacy of a disclosure statement.”).

20. In making a determination about the adequacy of the information, courts will typically look at whether the disclosure statement contains information such as:

- a. the circumstances that gave rise to the filing of the bankruptcy petition;
- b. a description of the available assets and their value;
- c. the anticipated future of the debtor;
- d. the source of the information provided in the disclosure statement;
- e. the condition and performance of the debtor while in chapter 11;
- f. claims against the debtor's estate;
- g. a liquidation analysis setting forth the estimated return that creditors would receive if the debtor's case was converted to a case under chapter 7 of the Bankruptcy Code;
- h. the accounting and valuation methods used to produce the financial information in the disclosure statement;
- i. the future management of the debtor, including the amount of compensation to be paid to any insiders, directors and/or officers of the debtor;
- j. a summary of the chapter 11 plan;
- k. an estimate of all administrative expenses, including attorneys' fees and accountants' fees;
- l. the collectability of any accounts receivable;
- m. any financial information, including financial valuations or pro forma projections that would be relevant to creditors' determinations of whether to accept or reject the plan;
- n. the risks to creditors and interest holders under the plan;
- o. the actual or projected value that can be obtained from avoidable transfers;
- p. the existence, likelihood and possible success of nonbankruptcy litigation; and
- q. the tax consequences of the plan.

*See In re U.S. Brass Corp.*, 194 B.R. 420, 424–25 (Bankr. E.D. Tex. 1996); *see also In re Scioto Valley Mortg. Co.*, 88 B.R. 168, 170-71 (Bankr. S.D. Ohio 1988); *Phoenix Petroleum*, 278 B.R. at 393 (citing similar factors that courts have used to determine the adequacy of information contained in disclosure statements, while cautioning that “no one list of categories will apply in every case”).

21. Here, the Disclosure Statement meets all of the necessary criteria to provide adequate information as required under section 1125 of the Bankruptcy Code. The Disclosure Statement is the product of extensive review and analysis by the Debtor and its professionals of CCA’s business, assets, and liabilities, and the circumstances leading to this chapter 11 case. Additionally, the Disclosure Statement contains detailed information regarding: (i) the terms of the Plan, including a summary of the classifications and treatment of all Classes of Claims and Interests; (ii) the treatment of holders of Allowed Claims and Allowed Interests; (iii) the effect of the Plan on holders of Claims and Interests and other parties in interest thereunder; (iv) the Claims asserted against the Debtor and the estimated amount of Claims that will ultimately be Allowed; (v) certain risk factors to consider that may affect the Plan; (vi) certain tax considerations related to the Plan and distributions; and (vii) the means for implementation of the Plan. Accordingly, the Debtor believes that the Disclosure Statement complies with all aspects of section 1125 of the Bankruptcy Code, contains more than sufficient information for a hypothetical reasonable investor to make an informed judgment about the Plan, and therefore should be approved. Through this Motion, the Debtor seeks only interim approval of the Disclosure Statement and solicitation thereof, subject to approval of the adequacy of the Disclosure Statement on a final basis and confirmation of the Plan, which the Debtor will seek at the Confirmation Hearing.

**B. A Combined Hearing is Appropriate in These Circumstances**

22. Section 1128 of the Bankruptcy Code provides that “[a]fter notice, the court shall hold a hearing on confirmation of a plan” and that “[a] party in interest may object to confirmation of a plan.” 11 U.S.C. § 1128; *see also* Fed. R. Bankr. P. 3017(c).<sup>7</sup> Section 105(d)(2)(B)(vi) of the Bankruptcy Code expressly authorizes the Court to “issue an order . . . that . . . provides that the hearing on approval of the disclosure statement may be combined with the hearing on confirmation of the plan” where the Court deems a combined hearing to be “appropriate to ensure that the case is handled expeditiously and economically.” *See* 11 U.S.C. § 105(d)(2)(B)(vi); *see also* *In re Gulf Coast Oil Corp.*, 404 B.R. 407, 425 (Bankr. S.D. Tex. 2009) (“Section 1125(f) authorizes combined plans and disclosure statements in small business cases and § 105(d) authorizes the court to combine them in other cases.”).

23. Courts in this district and beyond have previously allowed combined hearings to consider adequacy of a disclosure statement and confirmation of a plan in the context of chapter 11 cases. *See, e.g., In re Powin, LLC*, Case No. 25-16137 (MBK), Docket No. 939 (Bankr. D.N.J. Oct. 14, 2025); *In re Sam Ash Music Corp.*, Case No. 24-14727 (SLM), Docket No. 332 (Bankr. D.N.J. June 28, 2024); *In re DirectBuy Home Improvement, Inc.*, Case No. 23-19159 (SLM), Docket No. 462 (Bankr. D.N.J. Mar. 6, 2024); *In re Bed Bath & Beyond Inc.*, Case No. 23-13359 (VFP), Docket No. 1716 (Bankr. D.N.J. Aug. 2, 2023); *In re BlockFi Inc.*, Case No. 22-19361 (MBK), Docket No. 1306 (Bankr. D.N.J. Aug. 2, 2023); *In re L'Occitane, Inc.*, Case No. 21-10632 (MBK), Docket No. 407 (Bankr. D.N.J. Jul. 15, 2021); *In re SLT Holdco, Inc.*, Case No. 20-18368 (MBK), Docket No. 461 (Bankr. D.N.J. Sept. 16, 2020); *In re Mountain Creek Resort, Inc.*, Case

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<sup>7</sup> Bankruptcy Rule 3017(c) provides that “[o]n or before approval of the disclosure statement, the court . . . may fix a date for the hearing on confirmation.” Fed. R. Bankr. P. 3017(c).

No. 17-19899 (SLM), Docket No. 1098 (Bankr. D.N.J. Dec. 12, 2019); *In re AGDP Holding Inc.*, Case No. 25-11446 (MFW), Docket No. 400 (Bankr. D. Del. Nov. 4, 2025); *In re Fisker Inc.*, Case No 24-11390 (TMH), Docket No. 545 (Bankr. D. Del. Sept. 10, 2024); *In re NVN Liquidation, Inc.*, Case No. 23-10937 (LSS), Docket No. 476 (Bankr. D. Del. Dec. 19, 2023).

24. Consistent with the foregoing authority, the Debtor respectfully requests that the Court consolidate the hearing to consider approval of the Disclosure Statement and confirmation of the Plan at the single Confirmation Hearing. The Debtor submits that a combined hearing will streamline and expedite the confirmation process, which will inure directly to the benefit of the Debtor's estates and its creditors by hastening the implementation of the Plan and limiting the amount of time the Debtor remains in chapter 11. A combined hearing will spare the Debtor from additional administrative expenses associated with a two-stage process and promote judicial efficiency and economy.

**C. The Court Should Approve the Setting of Certain Dates Related to Confirmation of the Plan**

25. The Debtor requests that the Court approve the setting of certain dates described herein in accordance with section 1126(c) of the Bankruptcy Code and Bankruptcy Rules 3017 and 3018.

***The Record Date***

26. Bankruptcy Rule 3017(d) provides that for purposes of seeking confirmation of a plan, "creditors and equity security holders shall include holders of stock, bonds, debentures, notes, and other securities of record on the date the order approving the disclosure statement is entered or another date fixed by the court, for cause, after notice and a hearing." Fed. R. Bankr. P. 3017(d). Bankruptcy Rule 3018(a) contains a similar provision regarding determination of the record date for voting purposes. *Id.* 3018(a).

27. In order to comply with the Bankruptcy Code and to ensure there is no confusion over who is entitled to vote on the Plan, the Debtor requires the establishment of a record date. The Debtor proposes that the Court establish July 31, 2025 as the record date (the “**Record Date**”) for such purposes. The proposed Record Date is the day after the Global Bar Date, which was nearly three (3) months after the Debtor filed its schedules and statements in this chapter 11 case. Accordingly, the Record Date is appropriate under the circumstances, and setting the Record Date will allow the Debtor to commence solicitation of Claims and Interests entitled to vote on the Plan.

***The Solicitation Deadline***

28. Given the Global Bar Date in this chapter 11 case was July 30, 2025, the Debtor proposes a procedure whereby it will serve the Non-Voting Notices and Solicitation Package (defined below) on all known holders of Claims or Interests in the Voting Class and Non-Voting Classes, as applicable, on or before January 9, 2026 (or as soon as reasonably practicable thereafter, the “Solicitation Deadline”). The Debtor anticipates that substantially all, if not all, holders of Claims and Interests will have been served by the Solicitation Deadline.

***The Voting Deadline***

29. Bankruptcy Rule 3017(c) provides, in relevant part, “[o]n or before approval of the disclosure statement, the court shall fix a time within which the holders of claims and interests may accept or reject the plan . . . .” Fed. R. Bankr. P. 3017(c). The Debtor requests that the Court establish February 6, 2026, at 4:00 p.m. prevailing Eastern Time for holders of Claims or Interests in the Voting Class and Non-Voting Classes which were sent a Solicitation Package or Opt-Out Form by the Solicitation Deadline to vote on the Plan and to determine whether to exercise the Opt-Out Form, as applicable (the “**Voting Deadline**”). The Debtor believes that this timeframe will provide the Voting Class with adequate time to consider the Solicitation Package (defined below) and respond by casting their Ballots and/or making an election on the Opt-Out Form (if

they so choose), and for holders of Claims or Interests in the Non-Voting Classes to make an election on the Opt-Out Form (if they so choose). The Voting Deadline is prominently displayed on the Confirmation Hearing Notice (defined below).

***The Objection Deadline***

30. The Debtor requests that the Court direct the manner in which objections to final approval of the Disclosure Statement and confirmation of the Plan shall be made. Pursuant to Bankruptcy Rule 3020(b)(1), objections to confirmation of a plan must be filed and served “within a time fixed by the court.” Fed. R. Bankr. P. 3030(b)(1). Specifically, the Debtor requests that the Court establish February 6, 2026, at 4:00 p.m. prevailing Eastern Time as the deadline (the “**Objection Deadline**”) by which objections to approval of the Disclosure Statement on a final basis and Confirmation of the Plan or requests for modifications to the Plan, if any, must be filed and served.

31. The Debtor further requests that objections to final approval of the Disclosure Statement, Confirmation of the Plan or proposed modifications to the Plan, if any, must:

- a. be in writing;
- b. conform to the Bankruptcy Rules and Local Rules;
- c. state the name and address of the objecting party and the amount and nature of the Claim or Interest of such entity;
- d. state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection; and
- e. be filed, together with a proof of service, with the Court and served on the notice parties identified in the Confirmation Hearing Notice on or before the Objection Deadline.

***The Deadline to File a Certification of Balloting***

32. In accordance with Local Rule 3018-1, a certification of balloting (the “**Certification of Balloting**”) that summarizes, under penalty of perjury, both the numbers and amounts of acceptances and rejections in the voting class, and certifies to the timely filing of the counted Ballots, will be filed by February 8, 2026, at 4:00 p.m. prevailing Eastern Time (or as soon as reasonably practicable thereafter).

***The Deadline to File a Confirmation Brief or Reply to any Plan or Disclosure Statement Objection***

33. The Debtor also requests that it (and other parties in support of the Plan) be permitted to file a brief in support of confirmation of the Plan and/or a reply to any objections to the final approval of the Disclosure Statement and confirmation of the Plan no later than February 9, 2026.

***The Confirmation Hearing***

34. In accordance with Bankruptcy Rule 3017(c) and section 1128 of the Bankruptcy Code (requiring a confirmation hearing with respect to any chapter 11 plan), the Debtor requests that the Confirmation Hearing be scheduled on February 11, 2026 or such other date thereafter at the Court’s earliest convenience.

**D. The Court Should Approve the Solicitation, Notice, and Tabulation Procedures**

35. In order to seek confirmation of the Plan in an effective manner that is consistent with the requirements of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules and due process, the Debtor seeks approval of the solicitation, notice, and tabulation procedures described herein (the “**Solicitation Procedures**”). The Debtor believes the Solicitation Procedures are well-designed and specifically tailored to effectively permit parties in interest to make an informed judgment regarding the Plan and for the Voting Class to determine whether to vote to accept or

reject the Plan. To the extent that circumstances require further modifications of, or amendments to, the Solicitation Procedures, the Debtor reserves its right to supplement or amend the Solicitation Procedures to further facilitate the solicitation of the Plan.

36. *Voting Class.* Upon entry of the Interim Approval and Procedures Order, the Debtor proposes that the following materials (collectively, the “**Solicitation Package**”) be distributed by or on behalf of the Debtor to each holder of a Claim in the Voting Class:

- a. a cover letter describing the contents of the Solicitation Package;
- b. the Disclosure Statement, the Plan and all exhibits thereto (in hard copy paper format, or on a flash drive in PDF format or with the appropriate website link at the Debtor’s discretion);
- c. the Interim Approval and Procedures Order (in hard copy paper format, or on a flash drive in PDF format or with the appropriate website link at the Debtor’s discretion);
- d. the Confirmation Hearing Notice;
- e. the Ballot, including voting instructions;
- f. a Business Reply Envelope; and
- g. such other materials as the Court may direct.

37. *Non-Voting Classes.* All other parties in interest will receive a copy of the notice of the Confirmation Hearing, substantially in the form attached to the Interim Approval and Procedures Order as Exhibit 1 (the “**Confirmation Hearing Notice**”). The Confirmation Hearing Notice provides, among other things, (i) notice of the filing of the Disclosure Statement and Plan, (ii) notice of the interim approval of the Disclosure Statement, (iii) information regarding the Confirmation Hearing, and (iv) directions for filing objections to the final approval of the Disclosure Statement and confirmation of the Plan by the Objection Deadline. In an effort to conserve resources, the Debtor proposes that it need not mail printed copies of the Disclosure Statement, the Interim Approval and Procedures Order, and the Plan (collectively, the “Plan”

Documents") to those parties in Non-Voting Classes receiving the Confirmation Hearing Notice. Instead, as set forth in the Confirmation Hearing Notice, the Debtor proposes to provide directions therein for such parties to obtain (i) electronic copies of the Plan Documents via download from the website maintained by the Debtor's notice, claims and balloting agent, Kurtzman Carson Consultants, LLC dba Verita Global (the "**Balloting Agent**" or "**Verita**"), and (ii) a print copy of the Plan Documents free of charge (but only to the extent so requested of Verita by telephone, letter, or email) to be delivered by Verita to the requesting party by first class mail.

38. In addition, the Debtor intends to send the holders of Claims or Interests in the Non-Voting Classes the *Non-Voting Status Notice and Opportunity to Opt-Out Form*, substantially in the form attached to the Interim Approval and Procedures Order as Exhibit 2 (the "**Non-Voting Status Notice and Opt-Out Form**" and, together with the Confirmation Hearing Notice, the "**Non-Voting Notices**"), which will (a) inform recipients of their status as holders or potential holders of claims or interests in the Non-Voting Classes, (b) provide the full text of the release, exculpation, and injunction provisions set forth in the Plan, (c) include the Opt-Out Form by which holders could elect to opt out of the Consensual Third-Party Releases in the Plan by checking a prominently featured and clearly labeled box, and (d) enclose a return-addressed envelope in which holders could return their Opt-Out Forms to the Balloting Agent.

39. Verita will act as Balloting Agent in connection with the solicitation of the Plan. Verita will assist the Debtor in:

- a. serving the Non-Voting Notices and distributing the Solicitation Package;
- b. receiving, tabulating, and reporting on Ballots cast to accept or reject the Plan;
- c. responding to inquiries from holders of Claims and Interests and other parties in interest relating to the Disclosure Statement, the Plan, the Ballot, the Solicitation Procedures, and matters related

thereto, including, without limitation, the procedures and requirements for voting on the Plan;

- d. soliciting votes to accept or reject the Plan; and
- e. if necessary, contacting holders of Claims and Interests regarding the Plan.

40. Through Verita, the Debtor intends to serve the Non-Voting Notices and the Solicitation Package on or before the Solicitation Deadline, as applicable.

41. The Debtor submits that service of the Non-Voting Notices and the Solicitation Package on or before the Solicitation Deadline will provide the requisite information to holders of Claims and Interests in compliance with Bankruptcy Rule 3017(d). *See Fed. R. Bankr. P. 3017(d)* (requiring that after approval of the disclosure statement, except to the extent the Court orders otherwise, the debtor must transmit the plan, the approved disclosure statement, notice of the time within which to file acceptances and rejections of the plan, and any other information that the court may direct to creditors and equity security holders).

**E. The Court Should Approve the Form of the Confirmation Hearing Notice**

42. Pursuant to Bankruptcy Rule 2002(b), the Debtor is required to provide notice to all holders of claims or equity interests of the time fixed for filing objections to the combined hearing on final approval of a disclosure statement and confirmation of a chapter 11 plan. *Fed. R. Bankr. P. 2002(b)*. To satisfy this requirement, the Debtor intends to send to all holders of Claims and Interests a copy of the Confirmation Hearing Notice. In accordance with Bankruptcy Rules 2002 and 3017(d), the Confirmation Hearing Notice shall contain, among other things:

- a. the time, date and place for the Confirmation Hearing;
- b. the Objection Deadline and the manner in which objections shall be filed;

- c. a disclosure regarding the release, exculpation, and injunction provisions of the Plan; and
- d. instructions on how to obtain electronic or print copies of any of the Plan Documents.

43. The Debtor respectfully requests that the Court find that the Confirmation Hearing Notice complies with the requirements of Bankruptcy Rules 2002(b) and (d). The Debtor further requests that the Court determine that the Confirmation Hearing Notice contains sufficient disclosure regarding the release, exculpation, and injunction provisions contained in the Plan.

44. Bankruptcy Rule 2002(l) permits the Court to “order notice by publication if it finds that notice by mail is impracticable or that it is desirable to supplement the notice.” Fed. R. Bankr. P. 2002(l). Therefore, in addition to the foregoing distribution of the Confirmation Hearing Notice, the Debtor will cause the Confirmation Hearing Notice in a format modified for publication (the “**Publication Notice**”) to be submitted for publication by no later than three (3) business days following entry of Interim Approval and Procedures Order (the “**Publication Deadline**”) on one occasion in the national edition of *The New York Times*, *The Wall Street Journal*, or *USA Today*. The Debtor believes that the Publication Notice will provide sufficient notice of, among other things, the entry of the Interim Approval and Procedures Order, the Voting Deadline, the Objection Deadline, and the scheduled Confirmation Hearing to parties who did not otherwise receive notice thereof by mail. Additionally, service of the Confirmation Hearing Notice and publication of the Publication Notice comports with the requirements of Bankruptcy Rule 2002 and should be approved. In addition to mailing the Confirmation Hearing Notice, the Debtor will post the Confirmation Hearing Notice electronically on the website dedicated to this chapter 11 case, <https://veritglobal.net/ccaconstruction/>.

**F. The Court Should Approve the Form of the Notice to Non-Voting Classes**

45. The Debtor does not intend to solicit votes from holders of Claims and Interests in the Non-Voting Classes. As explained above, the Debtor will, however, send the Non-Voting Notices, in lieu of the Solicitation Package, to the holders of Claims and Interests not entitled to vote on the Plan. The Debtor respectfully submits that the Non-Voting Notices comply with the Bankruptcy Code and, therefore, should be approved.

**G. The Court Should Approve the Forms of the Ballot and Procedures for Tabulating Votes Thereon and the Opt-Out Forms**

46. Bankruptcy Rules 3017(d) and 3018(c) provide that the ballots for accepting or rejecting a plan under Chapter 11 should conform substantially to Official Form No. 314. The Debtor proposes to distribute to holders of Claims in the Voting Class the ballot as set forth in Exhibit 3 attached to the Interim Approval and Procedures Order (the “**Ballot**”). The Ballot is based on Official Form No. 314, but has been modified to address the particular aspects of these chapter 11 cases and to include certain additional information that the Debtor believes is relevant and appropriate for the holders of Claims entitled to vote.

47. In order to properly submit a Ballot or an Opt-Out Form, parties must fully complete and execute the Ballot or Opt-Out Form, as applicable, and return it by first class mail, over-night courier, or hand-delivery to Verita at the address set forth in the Ballot or Opt-Out Form so as to be received by Verita on or before the Voting Deadline.

48. Alternatively, parties may submit on or before the Voting Deadline (i) a Ballot via electronic online transmission solely through the online portal on the Debtor’s case website, at <https://veritglobal.net/ccaconstruction>, and under the Case Actions section, clicking “Submit E-Ballot” (the “**Balloting Portal**”) and follow the instructions, and (ii) an Opt-Out Form via electronic online transmission solely through the online portal on the Debtor’s case website at

<https://veritglobal.net/ccaconstruction>, and under the Case Actions section, clicking “Submit Opt-Out” (the “**Opt-Out Portal**”). Parties submitting a Ballot or Opt-Out Form via the online portals must not submit a Ballot or Opt-Out Form by mail.

49. Ballots and Opt-Out Forms otherwise sent by facsimile, telecopy, or electronic submissions (other than through the online portal) will not be accepted. Only properly completed, executed, and timely submitted Ballots and Opt-Out Forms will be accepted.

50. To that end, the Debtor further proposes that the following Ballots and Opt-Out Forms, as applicable, not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected and/or the Opt-Out Form exercised:

- a. any Ballot or Opt-Out Form received after the Voting Deadline (as may be extended by the Debtor as provided herein);
- b. any Ballot or Opt-Out Form that is illegible or contains insufficient information to permit the identification of the claimant;
- c. any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote to accept or reject the Plan;
- d. any Ballot that indicates neither an acceptance nor a rejection, or indicates both an acceptance and rejection, of the Plan;
- e. any Ballot that casts part of its vote in the same class to accept the Plan and part to reject the Plan;
- f. any form of Ballot or Opt-Out Form other than the form sent by the Balloting Agent, or a copy thereof;
- g. any Ballot received that the Balloting Agent cannot match to an existing database record;
- h. any Ballot or Opt-Out Form that does not contain an original signature<sup>8</sup>;
- i. any Ballot or Opt-Out Form that is submitted by facsimile, email, or by other electronic means (other than through the online portal); or

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<sup>8</sup> For the avoidance of doubt, any Ballot or Opt-Out Form submitted online, through the applicable portal in accordance with the instructions therein, will be deemed to contain an original signature.

j. any Ballot or Opt-Out Form sent to the Debtor's professionals or to Verita at any address other than the official address set forth on the Ballot.

51. The Debtor further proposes that, subject to any contrary order of the Court and except as otherwise set forth herein, it may waive any defects or irregularities as to any particular Ballot or Opt-Out Form at any time, either before or after the Voting Deadline, and any such waivers shall be documented in the Certification of Balloting prepared by the Balloting Agent.

52. Further, the Debtor proposes to use the following hierarchy for purposes of determining the amount of a claim used to calculate acceptance or rejection of the Plan under section 1126 of the Bankruptcy Code, and the following conditions for purposes of determining the voting amounts and/or classifications, to the extent a claim is not withdrawn or otherwise satisfied:

- a. if a Claim is deemed Allowed under the Plan, an order of the Court or a stipulated agreement between the parties, such Claim will be temporarily allowed for voting purposes in the deemed allowed amount set forth therein;
- b. if a Claim for which a Proof of Claim has been timely filed for unknown or undetermined amounts, or is wholly unliquidated, or contingent (as determined on the face of the Claim or after a reasonable review of the supporting documentation by the Balloting Agent) and such Claim has not been Allowed, such Claim shall be temporarily allowed for voting purposes only, and not for purposes of allowance or distribution, at \$1.00;
- c. if a Claim, for which a Proof of Claim was timely filed, is listed as contingent, unliquidated or disputed in part, such Claim is temporarily allowed in the amount that is liquidated, non-contingent, and undisputed for voting purposes only, and not for purposes of allowance or distribution;
- d. if a Claim for which a Proof of Claim was timely filed or was listed in the Debtor's filed Schedules in an amount that is liquidated, non-contingent, and undisputed, such Claim is allowed for voting in the amount set forth on the Proof of Claim or the Debtor's filed Schedules;
- e. if a Claim has been estimated or otherwise allowed for voting purposes by order of the Court, such Claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution;

- f. if a Claim is listed in the Debtor's Schedules as contingent, unliquidated, disputed or for \$0.00 and a Proof of Claim was not (i) filed by the applicable bar date for the filing of Proofs of Claim established by the Court; or (ii) deemed timely filed by an order of the Court before the Voting Deadline; such Claim shall be disallowed for voting purposes; *provided, however*, if the applicable bar date has not yet passed, such Claim shall be entitled to vote at \$1.00;
- g. Proofs of Claim filed for \$0.00 are not entitled to vote;
- h. if the Debtor has filed an objection or request for estimation as to a Claim at least fourteen (14) days before the Voting Deadline, such Claim is temporarily disallowed for voting purposes only and not for purposes of allowance or distribution, except to the extent and in the manner as may be set forth in such objection, or as ordered by the Court before the Voting Deadline;
- i. for purposes of the numerosity requirement of section 1126(c) of the Bankruptcy Code separate Claims held by a single creditor in a particular Class shall be aggregated as if such creditor held one Claim against the Debtor in such Class, and the votes related to such Claims shall be treated as a single vote to accept or reject the Plan;
- j. notwithstanding anything to the contrary contained herein, any creditor who has filed or purchased duplicate Claims within the same Voting Class shall be provided with only one Solicitation Package and one Ballot for voting a single Claim in such Class, regardless of whether the Debtor have objected to such duplicate Claims; and
- k. If a Proof of Claim has been amended by a later Proof of Claim that is filed on or before the Record Date, the later filed amended Claim shall be entitled to vote in a manner consistent with these tabulation rules, and the earlier filed Claim shall be disallowed for voting purposes, regardless of whether the Debtor has objected to such amended Claim. Except as otherwise ordered by the Court, any amendments to Proof of Claim after the Record Date shall not be considered for purposes of these tabulation rules.

53. To the extent Claims in the Voting Class are subject to an objection other than a “reduce and allow” objection that is filed with the Court on or before fourteen (14) days before the Voting Deadline, the holder of such Claims shall not be entitled to vote to accept or reject the Plan unless one or more of the following has occurred before the Voting Deadline (each, a “**Resolution Event**”):

- a. an order of the Bankruptcy Court is entered allowing such Claim pursuant to section 502(b) of the Bankruptcy Code, after notice and a hearing;
- b. an order of the Bankruptcy Court is entered temporarily allowing such Claim for voting purposes only pursuant to Bankruptcy Rule 3018(a), after notice and a hearing;
- c. a stipulation or other agreement is executed between the holder of such Claim and the Debtor resolving the objection and allowing such Claim in an agreed upon amount;
- d. a stipulation or other agreement is executed between the holder of such Claim and the Debtor temporarily allowing the holder of such Claim to vote its Claim in an agreed upon amount; or
- e. the pending objection is voluntarily withdrawn by the objecting party.

54. As noted above, Verita shall conduct the solicitation process on behalf of the Debtor. Pursuant to the Solicitation Procedures, Verita will distribute the Ballot, as part of the Solicitation Package, solely to all holders of Claims in Class 2 (General Unsecured Claims). The remaining classes, Class 1 (Priority Non-Tax) and Class 3 (Interests) (*i.e.*, the Non-Voting Class), are unimpaired or impaired and conclusively deemed to have accepted or rejected the Plan, respectively. As such, such holders of Claims or Interests in the Non-Voting Classes will receive the Non-Voting Notices.

## **VI. NO PRIOR REQUEST**

55. No prior request for the relief sought in this Motion has been made to this Court or any other court.

## **VII. NOTICE**

56. The Debtor will provide notice of this Motion to: (a) U.S. Trustee; (b) the entities listed on the *List of Creditors Holding the 20 Largest Unsecured Claims*; (c) Lowenstein Sandler LLP, as counsel to CSCEC Holding; (d) the Internal Revenue Service; (e) the Office of the United

States Attorney for the District of New Jersey; and (f) any party that has requested notice pursuant to Bankruptcy Rule 2002.

**WHEREFORE**, the Debtor respectfully requests entry of the Interim Approval and Procedures Order granting the relief requested herein and such other and further relief as this Court may deem just and proper.

Dated: December 30, 2025

*/s/ Michael D. Sirota*

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**COLE SCHOTZ P.C.**

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Warren A. Usatine

Ryan T. Jareck

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

**EXHIBIT A**

**Proposed Interim Approval and Procedures Order**

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

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

**DEBEVOISE & PLIMPTON LLP**

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*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

<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.

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: 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

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**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**

The relief set forth on the following pages, numbered three (3) through fifteen (15), is

hereby **ORDERED**.

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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Upon the *Debtor's Motion for Entry of an 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* (the “**Motion**”),<sup>2</sup> and based on the record in these chapter 11 cases; and the Court having jurisdiction over this matter 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, dated June 6, 2025 (Bumb, C.J.); and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and this Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that sufficient notice of the Motion has been given; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors and other parties in interest; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before the Court; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief

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<sup>2</sup> Capitalized terms not otherwise 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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granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor;

**IT IS HEREBY FOUND THAT:**

A. The Debtor has all the necessary authority to propose and prosecute the Plan and the Disclosure Statement.

B. The Debtor has provided adequate notice of the Motion, and the time fixed for filing objections thereto, and no other or further notice need be provided with respect to the Motion.

C. The period, set forth below, during which the Debtor may solicit the Plan is a reasonable and adequate period of time under the circumstances for creditors entitled to vote to make an informed decision to accept or reject the Plan, including to make an informed decision to object to the Plan.

D. The notice substantially in the form attached hereto as **Exhibit 1** (the “**Confirmation Hearing Notice**”) and the procedures set forth below for providing such notice to known and unknown creditors and interest holders of the time, date and place of the combined hearing to consider final approval of the Disclosure Statement and confirmation of the Plan, and the contents of the Confirmation Hearing Notice comply with Bankruptcy Rules 2002 and 3017 and constitute sufficient notice to all interested parties.

E. The notice substantially in the form attached hereto as **Exhibit 2** (the “**Non-Voting Status Notice and Opt-Out Form**” and, together with the Confirmation Hearing Notice,

(Page 5)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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the “**Non-Voting Notices**”), the procedures set forth below for providing such notice to holders of Claims or Interests in the Non-Voting Classes of their non-voting status, and the content of the Non-Voting Notices, comply with the requirements of the Bankruptcy Code and are appropriate for the Non-Voting Classes who are deemed to accept or reject the Plan.

F. The procedures for solicitation and tabulation of votes to accept or reject the Plan (as more fully set out in the Motion and in this Order below) provide for a fair and equitable process and are consistent with the section 1126 of the Bankruptcy Code. The form of the Ballot attached hereto as **Exhibit 3** is sufficiently consistent with Official Form No. 314, adequately addresses the particular needs of this chapter 11 case, and is appropriate for the Voting Classes to vote to accept or reject the Plan.

**NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is **GRANTED** to the extent set forth herein.
2. The Disclosure Statement is approved on an interim basis under section 1125 of the Bankruptcy Code and Bankruptcy Rule 3017. Any objections to the adequacy of the information contained in the Disclosure Statement are expressly reserved for consideration at the Confirmation Hearing.

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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3. The Confirmation Schedule is approved in its entirety as follows:

EVENT	DATE
Solicitation Deadline	January 9, 2026
Publication Deadline	Three (3) business days following entry of this Interim Approval and Procedures Order (or as soon as reasonably practicable thereafter)
Deadline to File Plan Supplement	January 29, 2026
Deadline to Object to final approval of the Disclosure Statement and Confirmation of the Plan	February 6, 2026, at 4:00 p.m. prevailing Eastern Time
Voting Deadline	February 6, 2026, at 4:00 p.m. prevailing Eastern Time
Deadline to File Certification of Balloting	February 8, 2026
Deadline for Debtor to File Confirmation Brief and/or Reply to any Plan or Disclosure Statement Objections	February 9, 2026
Combined Hearing on Final Approval of the Disclosure Statement and Confirmation of the Plan	February 11, 2026 (subject to the Court's availability)

4. The combined hearing on approval of the adequacy of the Disclosure Statement on a final basis and confirmation of the Plan is scheduled for February , 2026, at : .m. prevailing Eastern Time (the “**Confirmation Hearing**”). The deadline to file objections to the adequacy of the Disclosure Statement and confirmation of the Plan is February 6, 2026, at 4:00 p.m. prevailing Eastern Time (the “**Objection Deadline**”). The Confirmation Hearing may be continued from time to time by the Court or the Debtor without further notice other than adjournments announced in open court.

5. The deadline for the Debtor to file the Certification of Balloting is February 8, 2026 (or as soon as reasonably practicable thereafter).

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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6. The Deadline for the Debtor (and other parties in support of the Plan) to file a brief in support of confirmation of the Plan and/or a reply to any objections to the final approval of the Disclosure Statement and Confirmation of the Plan is February 9, 2026.

7. Objections to the adequacy of the Disclosure Statement and confirmation of the Plan, if any, must:

- a. be in writing;
- b. conform to the Bankruptcy Rules and Local Rules;
- c. state the name and address of the objecting party and the amount and nature of the Claim or Interest of such entity;
- d. state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection; and
- e. be filed, together with a proof of service, with the Court and served on the following parties: (i) counsel to the Debtor (A) Debevoise and Plimpton LLC, 66 Hudson Blvd., New York, New York 10001 (Attn: Natasha Labovitz, Erica S. Weisgerber, Elie J. Worenklein, and Chris Ceresa) and (B) Cole Schotz P.C., 25 Main Street, Hackensack, New Jersey 07601 (Attn: Michael D. Sirota, Warren A. Usatine, Felice R. Yudkin, and Ryan T. Jareck); (ii) the Office of the United States Trustee, One Newark Center, 1085 Raymond Boulevard, Suite 2100, Newark, New Jersey 07102 (Attn: Fran B. Steele, Esq. and Savanna Bierne, Esq.); and (iii) counsel for the DIP Lender, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068 (Attn: Andrew Behlmann, Michael A. Kaplan, Colleen M. Restel, Rasmeet K. Chahil, and Jeffrey L. Cohen).

8. The Confirmation Hearing Notice, in substantially the form attached hereto as Exhibit 1, complies with the requirements of Bankruptcy Rules 2002(b), 2002(d), and 3017(d) and is approved in all respects. The Confirmation Hearing Notice shall be served upon the Debtor's

(Page 8)

Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: 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

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creditors and all parties requesting notice pursuant to Bankruptcy Rule 2002 on or before

**January 9, 2026**, or as soon as reasonably practicable thereafter.

9. The Non-Voting Notices, substantially in the form attached hereto as **Exhibit B**, are hereby approved in all respects. The Non-Voting Notices shall be served upon all holders of Claims or Interests in the Non-Voting Classes (Classes 1 and 3) on or before **January 9, 2026**, or as soon as reasonably practicable thereafter.

10. The Debtor shall transmit a package (the “**Solicitation Package**”) containing, (a) cover letter describing the contents of the Solicitation Package, (b) the Disclosure Statement (and exhibits thereto, including the Plan), and are authorized but not required, to serve them on a flash drive in PDF format or with the appropriate website link at the Debtor’s discretion, (c) the Interim Compensation Approval Order (without exhibits), (d) the Confirmation Hearing Notice, (e) the Ballot, including voting instructions, and (f) a Business Reply Envelope to holders of Claims in the Voting Class (Class 2) on or before the Solicitation Deadline.

11. As part of the Solicitation Package, the Debtor shall distribute to creditors entitled to vote on the Plan the ballot based on Official Form No. 314, modified to address the particular circumstances of this chapter 11 case and to include certain additional information that the Debtor believes to be relevant and appropriate for the Voting Class to vote to accept or reject the Plan. The form of Ballot attached hereto as **Exhibit 3** is hereby approved.

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

Caption of Order: 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

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12. The deadline to submit Ballots to accept or reject the Plan or an Opt-Out Form, as applicable, shall be **February 6, 2026, at 4:00 p.m. prevailing Eastern Time** for holders of Claims and Interests in the Voting Class and Non-Voting Classes (the “**Voting Deadline**”).

13. Ballots shall be transmitted by mail, as part of the Solicitation Package, to the record holders of claims in the Voting Class. All other holders of Claims or Interests will not be provided with a Ballot because such holders either are unimpaired or impaired and presumed to accept or reject, respectively, the Plan under section 1126(f) of the Bankruptcy Code. Such non-voting holders will receive the Non-Voting Notices.

14. The procedures set forth in the Motion for effectively casting a Ballot and exercising an Opt-Out Form are hereby approved in their entirety. In order to cast a Ballot or exercise an Opt-Out Form, parties must fully complete and execute the Ballot or Opt-Out Form, as applicable, and return it by first class mail, over-night courier, or hand-delivery (or via the online portal, as described below) so as to be received by the Debtor’s noticing, claims and administrative agent, Kurtzman Carson Consultants, LLC dba Verita Global (the “**Balloting Agent**”) at the address set forth in the Ballot on or before the Voting Deadline.

15. Alternatively, parties may submit on or before the applicable Voting Deadline (i) a Ballot via electronic online transmission solely through the online portal on the Debtor’s case website, at <https://www.veritaglobal.net/ccaconstruction>, and clicking “Submit E-Ballot” (or similar link) on the left side of the homepage and following the instructions (the “**Balloting**

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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Portal") and follow the instructions, and (ii) an Opt-Out Form via electronic online transmission solely through the online portal on the Debtor's case website at <https://www.veritaglobal.net/ccaconstruction>, and clicking "Submit Opt-Out" (or similar link) on the left side of the homepage and following the instructions (the "**Opt-Out Portal**"). Parties submitting a Ballot or Opt-Out Form via the online portals must not submit a Ballot or Opt-Out Form by mail.

16. Ballots and Opt-Out Forms otherwise sent by facsimile, telecopy, or electronic submissions (other than through the online portal) will not be accepted. Only properly completed, executed, and timely submitted Ballots and Opt-Out Forms will be accepted.

17. The following Ballots and Opt-Out Forms, as applicable, will not be counted or considered for any purpose in determining whether the Plan has been accepted or rejected and/or the Opt-Out Form exercised:

- a. any Ballot or Opt-Out Form received after the applicable Voting Deadline (as may be extended by the Debtor as provided herein);
- b. any Ballot or Opt-Out Form that is illegible or contains insufficient information to permit the identification of the claimant;
- c. any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote to accept or reject the Plan;
- d. any Ballot that indicates neither an acceptance nor a rejection, or indicates both an acceptance and rejection, of the Plan;
- e. any Ballot that casts part of its vote in the same class to accept the Plan and part to reject the Plan;

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Debtor: CCA CONSTRUCTION, INC.

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- f. any form of Ballot or Opt-Out Form other than the form sent by the Balloting Agent, or a copy thereof;
- g. any Ballot received that the Balloting Agent cannot match to an existing database record;
- h. any Ballot or Opt-Out Form that does not contain an original signature<sup>3</sup>;
- i. any Ballot or Opt-Out Form that is submitted by facsimile, email, or by other electronic means (other than through the online portal); or
- j. any Ballot or Opt-Out Form sent to the Debtor's professionals or to Verita at any address other than the official address set forth on the Ballot.

18. Subject to any contrary order of the Court and except as otherwise set forth herein, the Debtor may waive any defects or irregularities as to any particular Ballot or Opt-Out Form at any time, either before or after the Voting Deadline, and any such waivers shall be documented in the Certification of Balloting prepared by the Balloting Agent.

19. The following hierarchy shall be used for purposes of determining the amount of a claim used to calculate acceptance or rejection of the Plan under section 1126 of the Bankruptcy Code, and the following conditions for purposes of determining the voting amounts and/or classifications shall apply, to the extent such Claim is not withdrawn or otherwise satisfied:

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<sup>3</sup> For the avoidance of doubt, any Ballot or Opt-Out Form submitted online, through the applicable portal in accordance with the instructions therein, will be deemed to contain an original signature.

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Debtor: CCA CONSTRUCTION, INC.

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- a. if a Claim is deemed Allowed under the Plan, an order of the Court or a stipulated agreement between the parties, such Claim will be temporarily allowed for voting purposes in the deemed allowed amount set forth therein;
- b. if a Claim for which a Proof of Claim has been timely filed for unknown or undetermined amounts, or is wholly unliquidated, or contingent (as determined on the face of the Claim or after a reasonable review of the supporting documentation by the Balloting Agent) and such Claim has not been Allowed, such Claim shall be temporarily allowed for voting purposes only, and not for purposes of allowance or distribution, at \$1.00;
- c. if a Claim, for which a Proof of Claim was timely filed, is listed as contingent, unliquidated or disputed in part, such Claim is temporarily allowed in the amount that is liquidated, non-contingent, and undisputed for voting purposes only, and not for purposes of allowance or distribution;
- d. if a Claim for which a Proof of Claim was timely filed or was listed in the Debtor's filed Schedules in an amount that is liquidated, non-contingent, and undisputed, such Claim is allowed for voting in the amount set forth on the Proof of Claim or the Debtor's filed Schedules;
- e. if a Claim has been estimated or otherwise allowed for voting purposes by order of the Court, such Claim is temporarily allowed in the amount so estimated or allowed by the Court for voting purposes only, and not for purposes of allowance or distribution;
- f. if a Claim is listed in the Debtor's Schedules as contingent, unliquidated, disputed or for \$0.00 and a Proof of Claim was not (i) filed by the applicable bar date for the filing of Proofs of Claim established by the Court; or (ii) deemed timely filed by an order of the Court before the Voting Deadline; such Claim shall be disallowed for voting purposes; provided, however, if the applicable bar date has not yet passed, such Claim shall be entitled to vote at \$1.00;
- g. Proofs of Claim filed for \$0.00 are not entitled to vote;
- h. if the Debtor has filed an objection or request for estimation as to a Claim at least fourteen (14) days before the Voting Deadline, such Claim is temporarily disallowed for voting purposes only and not for purposes of

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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allowance or distribution, except to the extent and in the manner as may be set forth in such objection, or as ordered by the Court before the Voting Deadline;

- i. for purposes of the numerosity requirement of section 1126(c) of the Bankruptcy Code separate Claims held by a single creditor in a particular Class shall be aggregated as if such creditor held one Claim against the Debtor in such Class, and the votes related to such Claims shall be treated as a single vote to accept or reject the Plan;
- j. notwithstanding anything to the contrary contained herein, any creditor who has filed or purchased duplicate Claims within the same Voting Class shall be provided with only one Solicitation Package and one Ballot for voting a single Claim in such Class, regardless of whether the Debtor has objected to such duplicate Claims; and
- k. If a Proof of Claim has been amended by a later Proof of Claim that is filed on or before the Record Date, the later filed amended Claim shall be entitled to vote in a manner consistent with these tabulation rules, and the earlier filed Claim shall be disallowed for voting purposes, regardless of whether the Debtor has objected to such amended Claim. Except as otherwise ordered by the Court, any amendments to Proof of Claim after the Record Date shall not be considered for purposes of these tabulation rules.

20. The record date for determining which holders of Claims and Interests are to be served with the Solicitation Package and the Non-Voting Notices shall be July 31, 2025 (the “**Record Date**”).

21. The Debtor shall submit by the Publication Deadline a form of the Confirmation Hearing Notice (modified as necessary) for publication on one occasion in the national edition of *The New York Times*, *The Wall Street Journal*, or *USA Today*.

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Debtor: CCA CONSTRUCTION, INC.

Case No. 24-22548 (CMG)

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22. With the exception of those entities in the Voting Class and Non-Voting Classes, the Debtor shall mail only the Confirmation Hearing Notice to other holders of Claims and Interests, all parties requesting notice pursuant to Bankruptcy Rule 2002, and any other parties on the creditor matrix, shall not be required to mail any Plan Documents to such entities. Instead, the Debtor is authorized to provide in the Confirmation Hearing Notice directions for such parties to obtain electronic copies of the Plan Documents from the Balloting Agent.

23. To the extent Claims in the Voting Class are subject to an objection other than a “reduce and allow” objection that is filed with the Court on or before fourteen (14) days before the Voting Deadline, the holder of such Claims shall not be entitled to vote to accept or reject the Plan unless one or more of the following has occurred no later than two (2) days before the Voting Deadline (each, a “**Resolution Event**”):

- a. an order of the Bankruptcy Court is entered allowing such Claim pursuant to section 502(b) of the Bankruptcy Code, after notice and a hearing;
- b. an order of the Bankruptcy Court is entered temporarily allowing such Claim for voting purposes only pursuant to Bankruptcy Rule 3018(a), after notice and a hearing;
- c. a stipulation or other agreement is executed between the holder of such Claim and the Debtor resolving the objection and allowing such Claim in an agreed upon amount; or
- d. the pending objection is voluntarily withdrawn by the objecting party.

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24. The holder of Claims in the Voting Class that are subject to a pending objection on a “reduce and allow” basis shall be entitled to vote on account of such Claim in the reduced amount contained in such objection.

25. The Solicitation Procedures are hereby approved in their entirety, provided that the Debtor reserves the right to amend or supplement the Solicitation Procedures and related documents to better facilitate the confirmation process.

26. The Solicitation Procedures for service of the Solicitation Package and the Notices set forth in the Motion satisfy the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules.

27. The Debtor is authorized to make non-material changes to the Disclosure Statement, Plan, Solicitation Procedures, Non-Voting Notices, Ballot, Confirmation Hearing Notice, Publication Notice, and related papers and pleadings without further order of the Court, including, without limitation, changes to correct typographical and grammatical errors and to make conforming changes among the foregoing documents before providing service thereof.

28. The Debtor is hereby authorized to take any action necessary or appropriate to implement the terms of, and the relief granted in, this Order without seeking further order of the Court.

29. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this order.

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30. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this order.

**EXHIBIT 1 TO ORDER**

**Confirmation Hearing Notice**

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 (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**

TO ALL PARTIES IN INTEREST, PLEASE TAKE NOTICE THAT:

1. **Filing of the Disclosure Statement and Plan.** On December [•], 2025, the above-captioned debtor and debtor in possession (the “Debtor”) filed the *Disclosure Statement for the Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [•]] (as amended from time to time and including all exhibits and supplements thereto, the “Disclosure Statement”) and the *Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [•]] (as may be amended, supplemented or modified, including all exhibits thereto, the “Plan”).<sup>2</sup>
2. **Interim Bankruptcy Court Approval of the Disclosure Statement and the Notice Procedures.** On January [•], 2026, the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”) entered an order [Docket No. [•]] (the “Interim Approval and Procedures Order”) approving, among other things, the Disclosure Statement on an interim basis and authorizing the Debtor to provide notice of their intent to seek confirmation of the Plan pursuant to certain procedures set forth therein, including the solicitation of votes to accept or reject the Plan. The Bankruptcy Court’s interim approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court.
3. **The Combined Hearing.** A combined hearing to consider final approval of the Disclosure Statement and confirm the Plan (the “Combined Hearing”) will commence on **February [•], 2026, at [•]:[•] [a/p].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. Please be advised that the Combined Hearing may be continued from time to time by the Bankruptcy Court or the Debtor without further notice other than by such adjournment being announced in open court or by a notice of adjournment filed with the Bankruptcy Court and served on parties entitled to notice under Bankruptcy Rule 2002 and the Local Rules or otherwise. In accordance with the Plan, the Plan may be modified, if necessary, before, during, or as a result of the Combined Hearing by further

<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 used but not otherwise defined herein have the meanings given to them in the Plan or Disclosure Statement, as applicable. The statements contained herein are summaries of the provisions contained in the Plan and Disclosure Statement and do not purport to be precise or complete statements of all the terms and provisions of the Plan or documents referred thereto. If there is a discrepancy between the terms herein and the Plan or Disclosure Statement, the Plan or Disclosure Statement, as applicable, shall govern and control. For a more detailed description of the Plan, please refer to the Disclosure Statement.

action of the Debtor and without further notice to or action, order, or approval of the Bankruptcy Court or any other Entity.

4. **Objections to Final Approval of the Disclosure Statement and Confirmation of the Plan.** The Bankruptcy Court has established **February 6, 2026, at 4:00 p.m. prevailing Eastern Time**, as the last date and time for filing and serving objections to the adequacy of the information in the Disclosure Statement and to confirmation of the Plan (the “Objection Deadline”). Any objection to the final approval of the Disclosure Statement and confirmation of the Plan must (a) be in writing, (b) conform to the Bankruptcy Rules and the Local Rules, (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such Entity, (d) state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection, and (e) be filed with the Clerk of the Bankruptcy Court for the District of New Jersey, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, and served on the following:

(i) counsel to the Debtor (A) Debevoise and Plimpton LLC, 66 Hudson Blvd., New York, New York 10001 (Attn: Natasha Labovitz, Erica S. Weisgerber, Elie J. Worenklein, and Chris Ceresa) and (B) Cole Schotz P.C., 25 Main Street, Hackensack, New Jersey 07601 (Attn: Michael D. Sirota, Warren A. Usatine, Felice R. Yudkin, and Ryan T. Jareck); (ii) the Office of the United States Trustee, One Newark Center, 1085 Raymond Boulevard, Suite 2100, Newark, New Jersey 07102 (Attn: Fran B. Steele, Esq. and Savanna Bierne, Esq.); and (iii) counsel for the DIP Lender, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068 (Attn: Andrew Behlmann, Michael A. Kaplan, Colleen M. Restel, Rasmeet K. Chahil, and Jeffrey L. Cohen), with proof of service of such objection filed when and as required under the Local Rules of the Bankruptcy Court.

5. The following chart summarizes the classification and treatment of Claims and Interests under the Plan:

<u>Claim/Equity Interest</u>	<u>Estimated Projected Amount of Claims</u>	<u>Treatment</u>	<u>Estimated Recovery</u>
Priority Non-Tax Claims (Class 1)	\$500	Unimpaired – Deemed to Accept	Est. Recovery Percentage: 100% Form of Recovery: Cash
General Unsecured Claims (Class 2)	\$489,385,500	Impaired	Est. Recovery Percentage: 100% Form of Recovery: Cash
Interests (Class 3)	N/A	Impaired – Deemed to Reject	Estimated Recovery Percentage: 0% Form of Recovery: None.

6. **Voting Procedures.** Holders of Class 2 Claims **known as of July 31, 2025** are entitled to vote to accept or reject the Plan. If you hold such a Claim, you will receive a solicitation package which shall include, among other things, a copy of (i) this Notice, (ii) the Plan (in hard copy paper format, or on a flash drive in PDF format or with the appropriate website link at the Debtor’s discretion), (iii) the Disclosure Statement (in hard copy paper format, or on a flash drive in PDF format or with the appropriate website link at the Debtor’s discretion), and (iv) a ballot. Please review the ballot and the instructions included therewith for how to vote on the Plan. Failure to follow the voting instructions may disqualify your vote. Please be advised that the holders of Class 2 Claims are the only holders of Claims or Interests that are entitled to vote on the Plan.

7. **Voting Deadline.** The deadline to vote on the Plan and/or and determine whether to exercise an election on the Opt-Out Form, as applicable, is **February 6, 2026, at 4:00 p.m. prevailing Eastern Time** for holders of Claims or Interests in the Voting Class and Non-Voting Classes. The Debtor’s notice, claims, and balloting agent, Kurtzman Carson Consultants, LLC dba Verita Global (the “Balloting Agent” or “Verita”), must receive your ballot with an original signature by the Voting Deadline, otherwise your vote will not be counted. In order for your Ballot to count, unless voting through Verita’s online portal (as described on each Ballot), you must (1) properly complete, date, and execute the Ballot and (2) deliver the Ballot by (a) first class mail, in the return envelope provided with each Ballot; (b) overnight courier; or (c) hand-delivery so that such Ballot is actually received by the Balloting Agent on or before the Voting Deadline.

8. **Directions to Obtain the Plan Documents and Make Inquiries.** If you have not received copies of the Plan, the Disclosure Statement, the Interim Approval and Procedures Order (the “Plan Documents”) and wish to obtain copies of the same, you may do so by: (a) accessing the Debtor’s chapter 11 case website at <https://www.veritglobal.net/ccaconstruction>; (b) writing to Verita at CCA Construction, Inc., c/o KCC dba Verita, 222 N Pacific Coast Highway, Suite 300, El Segundo, CA 90245 (c) calling Verita at (866) 506-4002 (Domestic) or +1 (781) 575-2094 (International); (iv) emailing Verita at [ccainfo@veritglobal.com](mailto:ccainfo@veritglobal.com) with a reference to “CCA Construction, Inc.” in the subject line; and/or (v) visiting (for a fee) PACER at <http://www.njb.uscourts.gov>.
9. **Settlement, Release, Exculpation, and Injunction Language in the Plan.** Please be advised that the Plan, as proposed, contains the following exculpation, releases, and injunction provisions:

Releases by the Debtor – Article 10.4(a) of the Plan

**PURSUANT TO SECTION 1123(B) OF THE BANKRUPTCY CODE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, AS OF THE EFFECTIVE DATE, THE DEBTOR, ITS ESTATE, AND ANY AND ALL OTHER ENTITIES WHO MAY PURPORT TO ASSERT ANY CAUSE OF ACTION BY, THROUGH, FOR, OR BECAUSE OF THE FOREGOING ENTITIES, SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE RELEASED PARTIES FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION, REMEDIES, AND LIABILITIES WHATSOEVER, IN EACH CASE, WHETHER PREPETITION OR POSTPETITION (INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR AND ITS ESTATE, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF ITS BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION), THE FORMULATION, PREPARATION, DISSEMINATION, NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(A) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN. ENTRY OF THE CONFIRMATION ORDER SHALL CONSTITUTE THE BANKRUPTCY COURT’S APPROVAL OF THE RELEASES DESCRIBED IN ARTICLE 10.4(A) OF THE PLAN BY THE DEBTOR, WHICH INCLUDES BY REFERENCE EACH OF THE RELATED PROVISIONS AND DEFINITIONS CONTAINED IN THIS PLAN, AND FURTHER, SHALL CONSTITUTE THE BANKRUPTCY COURT’S FINDING THAT EACH RELEASE DESCRIBED IN ARTICLE 10.4(A) OF THE PLAN IS: (I) IN EXCHANGE FOR THE GOOD AND VALUABLE CONSIDERATION PROVIDED BY THE RELEASED PARTIES, INCLUDING, WITHOUT LIMITATION, THE RELEASED PARTIES’ CONTRIBUTIONS TO IMPLEMENTING THE PLAN; (II) A GOOD-FAITH SETTLEMENT AND COMPROMISE OF THE CLAIMS RELEASED BY THE DEBTOR; (III) IN THE BEST INTERESTS OF THE DEBTOR AND ALL HOLDERS OF CLAIMS AND INTERESTS; (IV) FAIR, EQUITABLE, AND REASONABLE; (V) GIVEN AND MADE AFTER DUE NOTICE AND OPPORTUNITY FOR HEARING; (VI) A SOUND EXERCISE OF THE DEBTOR’S BUSINESS JUDGMENT; AND (VII) A BAR TO THE DEBTOR OR ITS ESTATE,**

**ASSERTING ANY CLAIM OR CAUSE OF ACTION RELATED THERETO, OF ANY KIND, AGAINST ANY OF THE RELEASED PARTIES OR THEIR PROPERTY.**

Consensual Releases by Holders of Claims and Interests (Third-Party Release) – Article 10.4(b) of the Plan

AS OF THE EFFECTIVE DATE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, EACH RELEASING PARTY SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE DEBTOR AND OTHER RELEASED PARTY FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION, REMEDIES, AND LIABILITIES WHATSOEVER (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR OR ITS ESTATE, THAT SUCH RELEASING PARTY WOULD HAVE BEEN LEGALLY ENTITLED TO ASSERT IN THEIR OWN RIGHT (WHETHER INDIVIDUALLY OR COLLECTIVELY) OR ON BEHALF OF THE HOLDER OF ANY CLAIM OR INTEREST, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF THEIR BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), THE FORMULATION, PREPARATION, DISSEMINATION, OR NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(B) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; AND (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN.

Exculpation and Limitation of Liability – Article 10.5 of the Plan

EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THE PLAN, NO EXCULPATED PARTY SHALL HAVE OR INCUR LIABILITY FOR, AND EACH EXCULPATED PARTY IS HEREBY EXCULPATED FROM, ANY CAUSE OF ACTION FOR ANY CLAIM RELATED TO ANY ACT OR OMISSION FROM THE PETITION DATE TO THE EFFECTIVE DATE IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF, THIS CHAPTER 11 CASE, IN WHOLE OR IN PART, THE DEBTOR, THE FORMULATION, PREPARATION, DISSEMINATION, NEGOTIATION, OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THE FILING OF THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN OR THE DISTRIBUTION OF CASH UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, EXCEPT FOR CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED IN A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE, BUT IN ALL RESPECTS, SUCH EXCULPATED PARTIES SHALL BE ENTITLED TO THE FULLEST EXTENT PERMITTED BY LAW TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES. THE EXCULPATED PARTIES HAVE, AND UPON

SUBSTANTIAL CONSUMMATION OF THE PLAN, SHALL BE DEEMED TO HAVE, PARTICIPATED IN GOOD FAITH AND IN COMPLIANCE WITH THE APPLICABLE LAWS WITH REGARD TO THE SOLICITATION OF, AND DISTRIBUTION OF, CONSIDERATION PURSUANT TO THE PLAN AND, THEREFORE, ARE NOT, AND ON ACCOUNT OF SUCH DISTRIBUTIONS SHALL NOT BE, LIABLE AT ANY TIME FOR THE VIOLATION OF ANY APPLICABLE LAW, RULE, OR REGULATION GOVERNING THE SOLICITATION OF ACCEPTANCES OR REJECTIONS OF THE PLAN OR SUCH DISTRIBUTIONS MADE PURSUANT TO THE PLAN.

Injunction – Article 10.6 of the Plan

**FROM AND AFTER THE EFFECTIVE DATE, ALL ENTITIES ARE PERMANENTLY ENJOINED FROM COMMENCING OR CONTINUING IN ANY MANNER, ANY CAUSE OF ACTION RELEASED OR TO BE RELEASED PURSUANT TO THE PLAN OR THE CONFIRMATION ORDER.**

**FROM AND AFTER THE EFFECTIVE DATE, TO THE EXTENT OF THE RELEASES AND EXONERATION GRANTED IN ARTICLE X OF THE PLAN, THE RELEASING PARTIES SHALL BE PERMANENTLY ENJOINED FROM COMMENCING OR CONTINUING IN ANY MANNER AGAINST THE RELEASED PARTIES AND THE EXONERATED PARTIES AND THEIR ASSETS AND PROPERTIES, AS THE CASE MAY BE, ANY SUIT, ACTION OR OTHER PROCEEDING, ON ACCOUNT OF OR RESPECTING ANY CLAIM, DEMAND, LIABILITY, OBLIGATION, DEBT, RIGHT, CAUSE OF ACTION, INTEREST OR REMEDY RELEASED OR TO BE RELEASED PURSUANT TO ARTICLE X OF THE PLAN.**

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THE PLAN OR FOR DISTRIBUTIONS REQUIRED TO BE PAID OR DELIVERED PURSUANT TO THE PLAN, ALL ENTITIES WHO HAVE HELD, HOLD OR MAY HOLD CLAIMS OR INTERESTS THAT HAVE BEEN RELEASED PURSUANT TO SECTION 10.3 OR ARE SUBJECT TO EXONERATION PURSUANT TO SECTION 10.4 OF THE PLAN, ARE PERMANENTLY ENJOINED, FROM AND AFTER THE EFFECTIVE DATE, FROM TAKING ANY OF THE FOLLOWING ACTIONS: (1) COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (2) ENFORCING, ATTACHING, COLLECTING OR RECOVERING BY ANY MANNER OR MEANS ANY JUDGMENT, AWARD, DECREE OR ORDER AGAINST SUCH ENTITIES ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (3) CREATING, PERFECTING OR ENFORCING ANY LIEN OR ENCUMBRANCE OF ANY KIND AGAINST SUCH ENTITIES OR THE PROPERTY OR ESTATE OF SUCH ENTITIES ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (4) ASSERTING ANY RIGHT OF SETOFF OR SUBROGATION OF ANY KIND AGAINST ANY OBLIGATION DUE FROM SUCH ENTITIES OR AGAINST THE PROPERTY OF SUCH ENTITIES; AND (5) COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS RELEASED, SETTLED OR DISCHARGED PURSUANT TO THE PLAN.

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE RELEASES, EXCULPATION, AND INJUNCTION PROVISIONS, AS YOUR RIGHTS MIGHT BE AFFECTED.

Dated: January [•], 2026

*/s/ DRAFT*

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**EXHIBIT 2 TO ORDER**

**Non-Voting Status Notice and Opt-Out Form**

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 NON-VOTING STATUS AND OPT-OUT FORM  
TO HOLDERS OR POTENTIAL HOLDERS OF UNIMPAIRED OR IMPAIRED CLAIMS  
OR INTERESTS CONCLUSIVELY PRESUMED TO ACCEPT OR REJECT THE PLAN**

**PLEASE TAKE NOTICE THAT** on December [•], 2025, the above-captioned debtor and debtor-in-possession (the “Debtor”) filed the *Disclosure Statement for the Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [•]] (as amended from time to time and including all exhibits and supplements thereto, the “Disclosure Statement”) and the *Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [•]] (as may be amended, supplemented or modified, including all exhibits thereto, the “Plan”).<sup>2</sup>

**PLEASE TAKE NOTICE THAT** on January [•], 2026, the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”) entered an order [Docket No. [•]] (the “Interim Approval and Procedures Order”) approving, among other things, the Disclosure Statement on an interim basis and authorizing the Debtor to provide notice of their intent to seek confirmation of the Plan pursuant to certain procedures set forth therein, including the solicitation of votes to accept or reject the Plan. The Bankruptcy Court’s interim approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court.

**PLEASE TAKE FURTHER NOTICE THAT** you are a holder or potential holder of a Claim or Interest against the Debtor that is not entitled to vote on the Plan due to the nature and treatment of such Claim or Interest under the Plan. Specifically, a holder of a Claim or Interest in a class that is not Impaired or is Impaired under the Plan is conclusively presumed to have accepted or rejected the Plan pursuant to section 1126(f) of the Bankruptcy Code and is not entitled to vote on the Plan.

**PLEASE TAKE FURTHER NOTICE THAT** a combined hearing to consider final approval of the Disclosure Statement and confirm the Plan (the “Combined Hearing”) will commence on **February [•], 2026, at [•]:[•] [a/p]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. Please be advised that the Combined Hearing may be continued from time to time by the Bankruptcy Court or the Debtor without further notice other than by such adjournment being announced in open court or by a notice of adjournment filed with the Bankruptcy Court and served on parties entitled to notice under Bankruptcy Rule 2002 and the Local Rules or otherwise. In accordance with the Plan, the Plan may be modified, if

<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 used but not otherwise defined herein have the meanings given to them in the Plan or Disclosure Statement, as applicable. The statements contained herein are summaries of the provisions contained in the Plan and Disclosure Statement and do not purport to be precise or complete statements of all the terms and provisions of the Plan or documents referred therein. If there is a discrepancy between the terms herein and the Plan or Disclosure Statement, the Plan or Disclosure Statement, as applicable, shall govern and control. For a more detailed description of the Plan, please refer to the Disclosure Statement.

necessary, before, during, or as a result of the Combined Hearing by further action of the Debtor and without further notice to or action, order, or approval of the Bankruptcy Court or any other Entity.

**PLEASE TAKE FURTHER NOTICE THAT** the Bankruptcy Court has established **February 6, 2026, at 4:00 p.m. prevailing Eastern Time**, as the last date and time for filing and serving objections to the adequacy of the information in the Disclosure Statement and to confirmation of the Plan (the “Objection Deadline”). Any objection to the final approval of the Disclosure Statement and confirmation of the Plan must (a) be in writing, (b) conform to the Bankruptcy Rules and the Local Rules, (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such Entity, (d) state with particularity the basis and nature of any objection to the Disclosure Statement, the Plan and, if practicable, a proposed modification to the Plan that would resolve such objection, and (e) be filed with the Clerk of the Bankruptcy Court for the District of New Jersey, Martin Luther King Jr. Building, 50 Walnut Street, Newark, New Jersey 07102, and served on the following: (i) counsel to the Debtor (A)Debevoise and Plimpton LLC, 66 Hudson Blvd., New York, New York 10001 (Attn: Natasha Labovitz, Erica S. Weisgerber, Elie J. Worenklein, and Chris Ceresa) and (B) Cole Schotz P.C., 25 Main Street, Hackensack, New Jersey 07601 (Attn: Michael D. Sirota, Warren A. Usatine, Felice R. Yudkin, and Ryan T. Jareck); (ii) the Office of the United States Trustee, One Newark Center, 1085 Raymond Boulevard, Suite 2100, Newark, New Jersey 07102 (Attn: Fran B. Steele and Savanna Bierne, Esq.); and (iii) counsel for the DIP Lender, Lowenstein Sandler LLP, One Lowenstein Drive, Roseland, New Jersey 07068 (Attn: Andrew Behlmann, Michael A. Kaplan, Colleen M. Restel, Rasmeet K. Chahil, and Jeffrey L. Cohen), with proof of service of such objection filed when and as required under the Local Rules of the Bankruptcy Court.

**PLEASE TAKE FURTHER NOTICE THAT** the Debtor’s Disclosure Statement, the Interim Approval and Procedures Order, the Plan, and the other documents and materials included in the Solicitation Package except Ballots may be obtained by any of the following means: (a) accessing the Debtor’s chapter 11 case website at <https://www.veritglobal.net/ccaconstruction>; (b) writing to Verita at CCA Construction, Inc., c/o KCC dba Verita, 222 N Pacific Coast Highway, Suite 300, El Segundo, CA 90245 (c) calling Verita at (866) 506-4002 (Domestic) or +1 (781) 575-2094 (International); (d) emailing Verita at [ccainfo@veritglobal.com](mailto:ccainfo@veritglobal.com) with a reference to “CCA Construction, Inc.” in the subject line; and/or (e) visiting (for a fee) PACER at <http://www.njb.uscourts.gov>.

The following chart summarizes the classification and treatment of Claims and Interests under the Plan:

<b>Claim/Equity Interest</b>	<b>Estimated Projected Amount of Claims</b>	<b>Treatment</b>	<b>Estimated Recovery</b>
Priority Non-Tax Claims (Class 1)	\$500	Unimpaired – Deemed to Accept	Est. Recovery Percentage: 100% Form of Recovery: Cash
General Unsecured Claims (Class 2)	\$489,385,500	Impaired	Est. Recovery Percentage: 100% Form of Recovery: Cash
Interests (Class 3)	N/A	Impaired – Deemed to Reject	Estimated Recovery Percentage: 0% Form of Recovery: None.

#### **CRITICAL INFORMATION REGARDING OBJECTING TO THE PLAN**

**PLEASE TAKE FURTHER NOTICE THAT THE PLAN CONTAINS RELEASE, EXCULPATION, AND INJUNCTION PROVISIONS.**

**ALTHOUGH YOU ARE NOT ENTITLED TO VOTE TO ACCEPT OR REJECT THE PLAN, THE OPT-OUT FORM ATTACHED HERETO PROVIDES YOU WITH THE OPTION TO NOT GRANT THE CONSENSUAL THIRD-PARTY RELEASE CONTAINED IN THE PLAN (THE “THIRD-PARTY RELEASE”).**

#### **Releases, Injunction, and Exculpation Provisions**

The Plan contains the following release, injunction, and exculpation provisions. **YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE RELEASE, INJUNCTION, AND EXCULPATION PROVISIONS, AS YOUR RIGHTS MAY BE AFFECTED.**

**Holders of Claims or Interests may opt out of the Third-Party Release set forth below by checking the appropriate box on their ballot or notice of non-voting status, as applicable.**

Releases by the Debtor – Article 10.4(a) of the Plan

PURSUANT TO SECTION 1123(B) OF THE BANKRUPTCY CODE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, AS OF THE EFFECTIVE DATE, THE DEBTOR, ITS ESTATE, AND ANY AND ALL OTHER ENTITIES WHO MAY PURPORT TO ASSERT ANY CAUSE OF ACTION BY, THROUGH, FOR, OR BECAUSE OF THE FOREGOING ENTITIES, SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE RELEASED PARTIES FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION, REMEDIES, AND LIABILITIES WHATSOEVER, IN EACH CASE, WHETHER PREPETITION OR POSTPETITION (INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR AND ITS ESTATE, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF ITS BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION), THE FORMULATION, PREPARATION, DISSEMINATION, NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(A) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN. ENTRY OF THE CONFIRMATION ORDER SHALL CONSTITUTE THE BANKRUPTCY COURT'S APPROVAL OF THE RELEASES DESCRIBED IN ARTICLE 10.4(A) OF THE PLAN BY THE DEBTOR, WHICH INCLUDES BY REFERENCE EACH OF THE RELATED PROVISIONS AND DEFINITIONS CONTAINED IN THIS PLAN, AND FURTHER, SHALL CONSTITUTE THE BANKRUPTCY COURT'S FINDING THAT EACH RELEASE DESCRIBED IN ARTICLE 10.4(A) OF THE PLAN IS: (I) IN EXCHANGE FOR THE GOOD AND VALUABLE CONSIDERATION PROVIDED BY THE RELEASED PARTIES, INCLUDING, WITHOUT LIMITATION, THE RELEASED PARTIES' CONTRIBUTIONS TO IMPLEMENTING THE PLAN; (II) A GOOD-FAITH SETTLEMENT AND COMPROMISE OF THE CLAIMS RELEASED BY THE DEBTOR; (III) IN THE BEST INTERESTS OF THE DEBTOR AND ALL HOLDERS OF CLAIMS AND INTERESTS; (IV) FAIR, EQUITABLE, AND REASONABLE; (V) GIVEN AND MADE AFTER DUE NOTICE AND OPPORTUNITY FOR HEARING; (VI) A SOUND EXERCISE OF THE DEBTOR'S BUSINESS JUDGMENT; AND (VII) A BAR TO THE DEBTOR OR ITS ESTATE, ASSERTING ANY CLAIM OR CAUSE OF ACTION RELATED THERETO, OF ANY KIND, AGAINST ANY OF THE RELEASED PARTIES OR THEIR PROPERTY.

Consensual Releases by Holders of Claims and Interests (Third-Party Release) – Article 10.4(b) of the Plan

AS OF THE EFFECTIVE DATE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, EACH RELEASING PARTY SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE DEBTOR AND OTHER RELEASED PARTY FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION,

REMEDIES, AND LIABILITIES WHATSOEVER (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR OR ITS ESTATE, THAT SUCH RELEASING PARTY WOULD HAVE BEEN LEGALLY ENTITLED TO ASSERT IN THEIR OWN RIGHT (WHETHER INDIVIDUALLY OR COLLECTIVELY) OR ON BEHALF OF THE HOLDER OF ANY CLAIM OR INTEREST, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF THEIR BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), THE FORMULATION, PREPARATION, DISSEMINATION, OR NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(B) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; AND (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN.

Definitions Related to the Third-Party Release:

UNDER THE PLAN, “*RELEASED PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE DEBTOR; (II) THE REORGANIZED DEBTOR; (III) THE PURCHASING ENTITY; (IV) THE DIP AGENT, (V) THE DIP LENDER, AND (VI) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I) THROUGH (V), THEIR RESPECTIVE CURRENT AND FORMER OFFICERS, DIRECTORS, EMPLOYEES, ATTORNEYS, ASSIGNS, ASSIGNEES, HEIRS, EXECUTORS, ESTATES, ADMINISTRATORS, ENTITIES IN WHICH THEY HAVE A CONTROLLING INTEREST, PARTNERSHIPS, PARTNERS, MEMBERS, TRUSTEES, TRUSTS, IMMEDIATE FAMILY MEMBERS, ACCOUNTANTS, INVESTMENT BANKERS, CONSULTANTS AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; *PROVIDED THAT*, NOTWITHSTANDING ANYTHING IN THE FOREGOING, ANY PERSON OR ENTITY THAT IS ENTITLED TO VOTE ON THE PLAN AND (A) VOTES TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES IN THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (B) VOTES TO REJECT THE PLAN OR ABSTAINS FROM VOTING ON THE PLAN AND, IN EACH CASE, OPTS OUT OF THE RELEASES PROVIDED BY THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (C) IS DEEMED TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES BY CHECKING THE BOX ON THE APPLICABLE FORM, SHALL NOT BE A RELEASED PARTY.

UNDER THE PLAN, “*RELEASING PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE RELEASED PARTIES (OTHER THAN THE DEBTOR AND REORGANIZED DEBTOR), (II) ALL HOLDERS OF CLAIMS OR INTERESTS THAT VOTE TO ACCEPT THE PLAN, (III) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE ENTITLED TO VOTE ON THE PLAN WHO EITHER (A) ABSTAIN FROM VOTING OR (B) VOTE TO REJECT THE PLAN AND, IN EACH CASE, DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT

THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE, (IV) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE DEEMED TO ACCEPT OR DEEMED TO REJECT THE PLAN AND DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE; AND (V) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I), (II), (III) AND (IV), SUCH ENTITY AND ITS CURRENT AND FORMER AFFILIATES, AND SUCH ENTITIES' AND THEIR CURRENT AND FORMER AFFILIATES' CURRENT AND FORMER DIRECTORS, MANAGERS, OFFICERS, PREDECESSORS, SUCCESSORS, AND ASSIGNS, SUBSIDIARIES, AND EACH OF THEIR RESPECTIVE CURRENT AND FORMER EQUITY HOLDERS, OFFICERS, DIRECTORS, MANAGERS, PRINCIPALS, MEMBERS, EMPLOYEES, AGENTS, ADVISORY BOARD MEMBERS, FINANCIAL ADVISORS, PARTNERS, ATTORNEYS, ACCOUNTANTS, MANAGED ACCOUNTS OR FUNDS, MANAGEMENT COMPANIES, FUND ADVISORS, INVESTMENT BANKERS, CONSULTANTS, REPRESENTATIVES, AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; PROVIDED, HOWEVER, THAT THE ENTITIES IDENTIFIED IN PART (V) SHALL BE RELEASING PARTIES ONLY TO THE EXTENT THE CORRESPONDING ENTITIES IN PARTS (I), (II), (III) AND (IV), ARE LEGALLY ABLE TO BIND SUCH ENTITIES IN PART (V) TO THE RELEASES CONTAINED IN THE PLAN UNDER APPLICABLE NON-BANKRUPTCY LAW.

NOTWITHSTANDING THE FOREGOING, NO HOLDER OF A CLAIM SHALL BE BOUND BY THE THIRD-PARTY RELEASE IF IT: (I) VALIDLY\_OPTS OUT OF THE RELEASES CONTAINED IN THE PLAN; OR (II) TIMELY FILES WITH THE BANKRUPTCY COURT ON THE DOCKET OF THE CHAPTER 11 CASE AN OBJECTION TO THE RELEASES CONTAINED IN THE PLAN THAT IS NOT RESOLVED BEFORE CONFIRMATION.

Exculpation and Limitation of Liability – Article 10.5 of the Plan

EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THE PLAN, NO EXCULPATED PARTY SHALL HAVE OR INCUR LIABILITY FOR, AND EACH EXCULPATED PARTY IS HEREBY EXCULPATED FROM, ANY CAUSE OF ACTION FOR ANY CLAIM RELATED TO ANY ACT OR OMISSION FROM THE PETITION DATE TO THE EFFECTIVE DATE IN CONNECTION WITH, RELATING TO, OR ARISING OUT OF, THIS CHAPTER 11 CASE, IN WHOLE OR IN PART, THE DEBTOR, THE FORMULATION, PREPARATION, DISSEMINATION, NEGOTIATION, OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THE FILING OF THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN OR THE DISTRIBUTION OF CASH UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, EXCEPT FOR CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED IN A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE, BUT IN ALL RESPECTS, SUCH EXCULPATED PARTIES SHALL BE ENTITLED TO THE FULLEST EXTENT PERMITTED BY LAW TO REASONABLY RELY UPON THE ADVICE OF COUNSEL WITH RESPECT TO THEIR DUTIES AND RESPONSIBILITIES. THE EXCULPATED PARTIES HAVE, AND UPON SUBSTANTIAL CONSUMMATION OF THE PLAN, SHALL BE DEEMED TO HAVE, PARTICIPATED IN GOOD FAITH AND IN COMPLIANCE WITH THE APPLICABLE LAWS WITH REGARD TO THE SOLICITATION OF, AND DISTRIBUTION OF, CONSIDERATION PURSUANT TO THE PLAN AND, THEREFORE, ARE NOT, AND ON ACCOUNT OF SUCH DISTRIBUTIONS SHALL NOT BE, LIABLE AT ANY TIME FOR THE VIOLATION OF ANY APPLICABLE LAW, RULE, OR REGULATION GOVERNING THE SOLICITATION OF ACCEPTANCES OR REJECTIONS OF THE PLAN OR SUCH DISTRIBUTIONS MADE PURSUANT TO THE PLAN.

Injunction – Article 10.6 of the Plan

**FROM AND AFTER THE EFFECTIVE DATE, ALL ENTITIES ARE PERMANENTLY ENJOINED FROM COMMENCING OR CONTINUING IN ANY MANNER, ANY CAUSE OF ACTION RELEASED OR TO BE RELEASED PURSUANT TO THE PLAN OR THE CONFIRMATION ORDER.**

**FROM AND AFTER THE EFFECTIVE DATE, TO THE EXTENT OF THE RELEASES AND EXONERATION GRANTED IN ARTICLE X OF THE PLAN, THE RELEASING PARTIES SHALL BE PERMANENTLY ENJOINED FROM COMMENCING OR CONTINUING IN ANY MANNER AGAINST THE RELEASED PARTIES AND THE EXONERATED PARTIES AND THEIR ASSETS AND PROPERTIES, AS THE CASE MAY BE, ANY SUIT, ACTION OR OTHER PROCEEDING, ON ACCOUNT OF OR RESPECTING ANY CLAIM, DEMAND, LIABILITY, OBLIGATION, DEBT, RIGHT, CAUSE OF ACTION, INTEREST OR REMEDY RELEASED OR TO BE RELEASED PURSUANT TO ARTICLE X OF THE PLAN.**

**EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THE PLAN OR FOR DISTRIBUTIONS REQUIRED TO BE PAID OR DELIVERED PURSUANT TO THE PLAN, ALL ENTITIES WHO HAVE HELD, HOLD OR MAY HOLD CLAIMS OR INTERESTS THAT HAVE BEEN RELEASED PURSUANT TO SECTION 10.4 OR ARE SUBJECT TO EXONERATION PURSUANT TO SECTION 10.4 OF THE PLAN, ARE PERMANENTLY ENJOINED, FROM AND AFTER THE EFFECTIVE DATE, FROM TAKING ANY OF THE FOLLOWING ACTIONS: (1) COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (2) ENFORCING, ATTACHING, COLLECTING OR RECOVERING BY ANY MANNER OR MEANS ANY JUDGMENT, AWARD, DECREE OR ORDER AGAINST SUCH ENTITIES ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (3) CREATING, PERFECTING OR ENFORCING ANY LIEN OR ENCUMBRANCE OF ANY KIND AGAINST SUCH ENTITIES OR THE PROPERTY OR ESTATE OF SUCH ENTITIES ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS; (4) ASSERTING ANY RIGHT OF SETOFF OR SUBROGATION OF ANY KIND AGAINST ANY OBLIGATION DUE FROM SUCH ENTITIES OR AGAINST THE PROPERTY OF SUCH ENTITIES; AND (5) COMMENCING OR CONTINUING IN ANY MANNER ANY ACTION OR OTHER PROCEEDING OF ANY KIND ON ACCOUNT OF OR IN CONNECTION WITH OR WITH RESPECT TO ANY SUCH CLAIMS OR INTERESTS RELEASED, SETTLED OR DISCHARGED PURSUANT TO THE PLAN.**

THIS NOTICE IS BEING SENT TO YOU FOR INFORMATIONAL PURPOSES AND TO PROVIDE YOU WITH THE ATTACHED OPT-OUT FORM WITH RESPECT TO THE THIRD-PARTY RELEASES INCLUDED IN THE PLAN. IF YOU HAVE QUESTIONS REGARDING YOUR RIGHTS UNDER THE PLAN OR ANYTHING STATED HEREIN OR THEREIN, YOU MAY CONTACT THE BALLOTING AGENT OR DEBTOR'S COUNSEL AT THE ADDRESSES PROVIDED BELOW.

Dated: January [•], 2026

*/s/ DRAFT*

---

**COLE SCHOTZ P.C.**

Michael D. Sirota  
Warren A. Usatine  
Ryan T. Jareck  
Felice R. Yudkin  
Court Plaza North, 25 Main Street  
Hackensack, NJ 07601  
Telephone: (201) 489-3000  
Facsimile: (201) 489-1536  
[msirota@coleschotz.com](mailto:msirota@coleschotz.com)  
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[fyudkin@coleschotz.com](mailto:fyudkin@coleschotz.com)  
[rjareck@coleschotz.com](mailto:rjareck@coleschotz.com)

-and-

**DEBEVOISE & PLIMPTON LLP**

M. Natasha Labovitz (admitted *pro hac vice*)  
Erica S. Weisgerber (admitted *pro hac vice*)  
Elie J. Worenklein  
66 Hudson Boulevard  
New York, NY 10001  
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[eworenklein@debevoise.com](mailto:eworenklein@debevoise.com)

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

**OPTIONAL: RELEASE OPT-OUT FORM**

You are receiving this opt out form (the “Opt-Out Form”) because you may be a holder of a Claim that is not entitled to vote on the *Chapter 11 Plan of CCA Construction, Inc.* [Docket No. [•]] (as amended, supplemented, or otherwise modified from time to time, the “Plan”). Holders of Claims and Interests are deemed to grant the Third-Party Releases set forth in the Notice unless a holder affirmatively opts out of the Third-Party Releases or timely objects to the Consensual Third-Party Releases on or before **February 6, 2026, at 4:00 p.m. prevailing Eastern Time**, and such objection is not resolved before confirmation.

If you believe you are a holder of a Claim or Interest with respect to CCA Construction, Inc. (the “Debtor”) and choose to opt out of the Third-Party Releases set forth in the Plan, you may submit your election to opt out through one of the following methods: (a) completing, signing, and returning the Opt-Out Form via first class mail or in the enclosed reply envelope provided, overnight courier, or hand delivery so that the Balloting Agent actually receives such form before the Voting Deadline or (b) completing, signing, and submitting the Opt-Out Form online via electronic online transmission through the customized online balloting portal on the Debtor’s case website, <https://www.veritaglobal.net/ccaconstruction>, and clicking on the “Submit Opt-Out” section of the website, so that the Balloting Agent actually receives such form before the Voting Deadline.

**RETURN INSTRUCTIONS:**

**If by First Class Mail, Overnight Courier, or Hand Delivery:**

CCA Construction, Inc., Ballot Processing  
c/o KCC dba Verita  
222 N Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

**If by online submission:**

Go to the case website (<https://www.veritaglobal.net/ccaconstruction>), click on “Submit Opt-Out” on the left side of the homepage, and follow the instructions to submit your form.

**IMPORTANT NOTE:**

You will need the following Unique Opt-Out ID and Pin to retrieve your customized electronic Opt-Out Form:

Unique Opt-Out ID: \_\_\_\_\_

Unique Opt-Out Pin: \_\_\_\_\_

**Opt-Out Form**

You must clearly sign and return this Opt-Out Form in the enclosed Business Reply Envelope or via first class mail, overnight courier, or hand delivery to CCA Construction, Inc., Ballot Processing, c/o KCC dba Verita, 222 N Pacific Coast Highway, Suite 300, El Segundo, CA 90245, to ensure that your hard copy Opt-Out Form is counted.

**KURTZMAN CARSON CONSULTANTS, LLC DBA VERITA GLOBAL (THE “BALLOTING AGENT”) MUST RECEIVE THIS OPT-OUT FORM ON OR BEFORE FEBRUARY 6, 2026, AT 4 P.M. PREVAILING EASTERN TIME (THE “VOTING DEADLINE”). IF THE OPT-OUT FORM IS RECEIVED AFTER THE VOTING DEADLINE, IT WILL NOT BE COUNTED.**

**ITEM 1. AMOUNT OF CLAIM OR INTEREST.**

The undersigned hereby certifies that, as of July 31, 2025 (the “Record Date”), the undersigned was the holder of a Class 1 Priority Non-Tax Claim or Class 3 Interest.

**ITEM 2. IMPORTANT INFORMATION REGARDING THE THIRD-PARTY RELEASE.**

AS A HOLDER OF A CLAIM OR INTEREST, YOU ARE SUBJECT TO THE CONSENSUAL THIRD-PARTY RELEASE CONTAINED IN THE PLAN, AS SET FORTH BELOW. YOU MAY CHECK THE BOX BELOW TO ELECT NOT TO GRANT THE RELEASE CONTAINED IN THE PLAN. YOU WILL NOT BE CONSIDERED TO GRANT THE CONSENSUAL THIRD-PARTY RELEASES UNDER THE PLAN ONLY IF (I) THE BANKRUPTCY COURT DETERMINES THAT YOU HAVE THE RIGHT TO OPT OUT OF THE RELEASES AND (II) YOU EITHER (A) CHECK THE BOX BELOW AND SUBMIT THE OPT-OUT FORM ON OR BEFORE THE VOTING DEADLINE OR (B) TIMELY OBJECT TO THE RELEASES CONTAINED IN THE PLAN AND SUCH OBJECTION IS NOT RESOLVED BEFORE CONFIRMATION. THE ELECTION TO WITHHOLD CONSENT TO GRANT THE CONSENSUAL THIRD-PARTY RELEASES IS AT YOUR OPTION.

**IF YOU DO NOT OPT OUT OF THE CONSENSUAL THIRD-PARTY RELEASE, IT WILL BE BINDING ON YOU.**

**OPT OUT** of the Consensual Third-Party Release Provision

Consensual Releases by Holders of Claims and Interests (Third-Party Release) – Article 10.4(b) of the Plan

**AS OF THE EFFECTIVE DATE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, EACH RELEASING PARTY SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE DEBTOR AND OTHER RELEASED PARTY FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION, REMEDIES, AND LIABILITIES WHATSOEVER (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR OR ITS ESTATE, THAT SUCH RELEASING PARTY WOULD HAVE BEEN LEGALLY ENTITLED TO ASSERT IN THEIR OWN RIGHT (WHETHER INDIVIDUALLY OR COLLECTIVELY) OR ON BEHALF OF THE HOLDER OF ANY CLAIM OR INTEREST, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF THEIR BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), THE FORMULATION, PREPARATION, DISSEMINATION, OR NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE**

ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(B) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; AND (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN.

Definitions Related to the Third-Party Release:

UNDER THE PLAN, “*RELEASED PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE DEBTOR; (II) THE REORGANIZED DEBTOR; (III) THE PURCHASING ENTITY; (IV) THE DIP AGENT, (V) THE DIP LENDER, AND (VI) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I) THROUGH (V), THEIR RESPECTIVE CURRENT AND FORMER OFFICERS, DIRECTORS, EMPLOYEES, ATTORNEYS, ASSIGNS, ASSIGNEES, HEIRS, EXECUTORS, ESTATES, ADMINISTRATORS, ENTITIES IN WHICH THEY HAVE A CONTROLLING INTEREST, PARTNERSHIPS, PARTNERS, MEMBERS, TRUSTEES, TRUSTS, IMMEDIATE FAMILY MEMBERS, ACCOUNTANTS, FINANCIAL ADVISORS, INVESTMENT BANKERS, CONSULTANTS AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; *PROVIDED THAT*, NOTWITHSTANDING ANYTHING IN THE FOREGOING, ANY PERSON OR ENTITY THAT IS ENTITLED TO VOTE ON THE PLAN AND (A) VOTES TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES IN THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (B) VOTES TO REJECT THE PLAN OR ABSTAINS FROM VOTING ON THE PLAN AND, IN EACH CASE, OPTS OUT OF THE RELEASES PROVIDED BY THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (C) IS DEEMED TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES BY CHECKING THE BOX ON THE APPLICABLE FORM, SHALL NOT BE A RELEASED PARTY.

UNDER THE PLAN, “*RELEASING PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE RELEASED PARTIES (OTHER THAN THE DEBTOR AND REORGANIZED DEBTOR), (II) ALL HOLDERS OF CLAIMS OR INTERESTS THAT VOTE TO ACCEPT THE PLAN, (III) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE ENTITLED TO VOTE ON THE PLAN WHO EITHER (A) ABSTAIN FROM VOTING OR (B) VOTE TO REJECT THE PLAN AND, IN EACH CASE, DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE, (IV) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE DEEMED TO ACCEPT OR DEEMED TO REJECT THE PLAN AND DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE; AND (V) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I), (II), (III) AND (IV), SUCH ENTITY AND ITS CURRENT AND FORMER AFFILIATES, AND SUCH ENTITIES’ AND THEIR CURRENT AND FORMER AFFILIATES’ CURRENT AND FORMER DIRECTORS, MANAGERS, OFFICERS, PREDECESSORS, SUCCESSORS, AND ASSIGNS, SUBSIDIARIES, AND EACH OF THEIR RESPECTIVE CURRENT AND FORMER EQUITY HOLDERS, OFFICERS, DIRECTORS, MANAGERS, PRINCIPALS, MEMBERS, EMPLOYEES, AGENTS, ADVISORY BOARD MEMBERS, FINANCIAL ADVISORS, PARTNERS, ATTORNEYS, ACCOUNTANTS, MANAGED ACCOUNTS OR FUNDS,

MANAGEMENT COMPANIES, FUND ADVISORS, INVESTMENT BANKERS, CONSULTANTS, REPRESENTATIVES, AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; PROVIDED, HOWEVER, THAT THE ENTITIES IDENTIFIED IN PART (V) SHALL BE RELEASING PARTIES ONLY TO THE EXTENT THE CORRESPONDING ENTITIES IN PARTS (I), (II), (III) AND (IV), ARE LEGALLY ABLE TO BIND SUCH ENTITIES IN PART (V) TO THE RELEASES CONTAINED IN THE PLAN UNDER APPLICABLE NON-BANKRUPTCY LAW.

**NOTWITHSTANDING THE FOREGOING, NO HOLDER OF A CLAIM SHALL BE BOUND BY THE THIRD-PARTY RELEASE IF IT: (I) VALIDLY\_OPTS OUT OF THE RELEASES CONTAINED IN THE PLAN; OR (II) TIMELY FILES WITH THE BANKRUPTCY COURT ON THE DOCKET OF THE CHAPTER 11 CASE AN OBJECTION TO THE RELEASES CONTAINED IN THE PLAN THAT IS NOT RESOLVED BEFORE CONFIRMATION.**

**Item 3. Certifications.**

By signing this paper Opt-Out Form, the undersigned certifies each of the following:

- (a) that, as of the Voting Record Date, either (i) the Entity is the holder of the Claims or Interests set forth in Item 1 or (ii) the Entity is an authorized signatory for an Entity that is a holder of the Claims or Interests set forth in Item 1;
- (b) that the holder has received a copy of the *Notice of Non-Voting Status to Holders or Potential Holders of Claims and Opt Out-Form* and that this Opt-Out Form is submitted pursuant to the terms and conditions set forth therein;
- (c) that the Entity has submitted the same respective election concerning the releases with respect to all Claims or Interests in a single Class set forth in Item 1; and
- (d) that no other Opt-Out Forms have been submitted or, if any other Opt-Out Forms have been submitted with respect to such Claims, then any such earlier Opt-Out Forms are hereby revoked.

Name of Holder:	(Print or Type)
Signature:	
Name of Signatory:	(If other than Holder)
Title:	
Address:	
Telephone Number:	
Email:	
Date Completed:	

**IF ELECTING TO OPT OUT OF THE THIRD-PARTY RELEASE, PLEASE  
COMPLETE, SIGN, AND DATE THIS OPT-OUT FORM AND RETURN IT IN THE ENVELOPE  
PROVIDED OR BY ONE OF THE FOLLOWING METHODS:**

<b>If by first class mail, overnight courier, or hand delivery:</b>  CCA Construction, Inc., Ballot Processing c/o KCC dba Verita 222 N Pacific Coast Highway, Suite 300 El Segundo, CA 90245	<b>If online:</b>  Go to the case website ( <a href="https://www.veritaglobal.net/ccaconstruction">https://www.veritaglobal.net/ccaconstruction</a> ), click on “Submit Opt-Out” on the left side of the homepage, and follow the instructions to submit your form.
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If you have any questions about this Opt-Out Form, the Opt-Out instructions, or the Procedures, please call the Debtor’s Restructuring Hotline:

Telephone: (866) 506-4002 (Domestic) or +1 (781) 575-2094 (International) OR  
Email: [ccainfo@veritaglobal.com](mailto:ccainfo@veritaglobal.com) with a reference to “CCA Construction” in the subject line.

**IF THE SOLICITATION AGENT DOES NOT ACTUALLY RECEIVE THIS OPT-OUT FORM BEFORE  
THE VOTING DEADLINE, WHICH IS 4:00 P.M. PREVAILING EASTERN TIME ON FEBRUARY 6,  
2026, YOUR ELECTION TRANSMITTED HEREBY WILL NOT BE EFFECTIVE.**

**EXHIBIT 3 TO ORDER**

**Ballot - Class 2 General Unsecured Claim**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re:

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

Debtor.

Chapter 11

Case No. 24-22548 (CMG)

**BALLOT FOR ACCEPTING OR REJECTING  
THE CHAPTER 11 PLAN OF CCA CONSTRUCTION, INC.**

**CLASS 2 — GENERAL UNSECURED CLAIMS**

**PLEASE READ AND FOLLOW THE ENCLOSED INSTRUCTIONS FOR  
COMPLETING BALLOTS CAREFULLY BEFORE COMPLETING THE BALLOT**

**THIS BALLOT MUST BE ACTUALLY RECEIVED BY THE DEBTOR'S AGENT, KURTZMAN  
CARSON CONSULTANTS, LLC DBA VERITA GLOBAL (THE “BALLOTTING AGENT” OR “VERITA”)  
BY FEBRUARY 6, 2026, AT 4:00 P.M. PREVAILING EASTERN TIME (THE “VOTING DEADLINE”)**

The Debtor has sent this Ballot to you because their records indicate that you are a holder of a Class 2 General Unsecured Claim, and accordingly, you have a right to vote to accept or reject the *Chapter 11 Plan of CCA Construction, Inc.* [Docket No. •] (as may be amended, supplemented or modified, including all exhibits thereto, the “Plan”). Your rights are described in the *Disclosure Statement for the Chapter 11 Plan of CCA Construction, Inc.* and all exhibits related thereto [Docket No. •] (as amended from time to time and including all exhibits and supplements thereto, the “Disclosure Statement”). On January •, 2026, the Bankruptcy Court entered an order [Docket No. •] (the “Interim Approval and Procedures Order”)<sup>2</sup> approving on an interim basis the adequacy of the Disclosure Statement. At the Confirmation Hearing, the Debtor will seek final approval of the adequacy of the Disclosure Statement, as well as confirmation of the Plan.

Copies of the Disclosure Statement, the Interim Approval and Procedures Order, the Plan, and certain other materials contained in the Solicitation Package are included in the packet you are receiving with this Ballot. Additionally, the Solicitation Package may be obtained by: (a) accessing the Debtor's chapter 11 case website at <https://www.veritglobal.net/ccaconstruction>; (b) writing to Verita at CCA Construction, Inc., c/o KCC dba Verita, 222 N Pacific Coast Highway, Suite 300, El Segundo, CA 90245 (c) calling Verita at (866) 506-4002 (Domestic) or +1 (781) 575-2094 (International); (d) emailing Verita at [ccainfo@veritglobal.com](mailto:ccainfo@veritglobal.com) with a reference to “CCA Construction, Inc.” in the subject line; and/or (e) visiting (for a fee) PACER at <http://www.njb.uscourts.gov>. Bankruptcy Court approval of the Disclosure Statement does not indicate approval of the Plan by the Bankruptcy Court. This Ballot may not be used for any purpose other than to vote to accept or reject the Plan. If you believe you have received this Ballot in error, please contact the Verita at the address or email address set forth above.

<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 used but not otherwise defined herein shall have the meanings set forth in the Plan, the Disclosure Statement or the Interim Approval and Procedures Order, as applicable.

*You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and the Plan's classification and treatment of your Claim. Your Claim has been placed in Class 2 (General Unsecured Claims) under the Plan.*

**If the Balloting Agent does not receive your Ballot on or before the Voting Deadline, February 6, 2024, at 4:00 p.m. prevailing Eastern Time and if the Voting Deadline is not extended, your vote as either an acceptance or rejection of the Plan will not count. If the Bankruptcy Court confirms the Plan, it will bind you regardless of whether you vote.**

**Item 1. Amount of Class 2 General Unsecured Claim for Voting.<sup>3</sup>**

The undersigned hereby certifies that as of the Record Date, July 31, 2025, the undersigned was the holder of a Class 2 General Unsecured Claim in the amount set forth below (insert amount in box below):

\$ \_\_\_\_\_

**Item 2. Class 2 General Unsecured Claim Vote on the Plan.**

The holder of the Class 2 General Unsecured Claim set forth in Item 1 votes to (please check one):

ACCEPT THE PLAN       REJECT THE PLAN

**ANY BALLOT THAT IS EXECUTED BY THE HOLDER OF A CLAIM BUT THAT INDICATES BOTH AN ACCEPTANCE AND A REJECTION OF THE PLAN OR DOES NOT INDICATE EITHER AN ACCEPTANCE OR REJECTION OF THE PLAN WILL NOT BE COUNTED.**

**Item 3. Opt Out of the Third-Party Release Provision**

**CHECK THE BOX BELOW TO OPT OUT OF THIRD-PARTY RELEASE PROVISION OF THE PLAN. IF YOU DO NOT OPT OUT OF THE THIRD-PARTY RELEASE, IT WILL BE BINDING ON YOU.**

The undersigned holder of the Class 2 General Unsecured Claim set forth in Item 1 elects to:

Opt Out of the Third-Party Release Provision

Consensual Releases by Holders of Claims and Interests (Third-Party Release) – Article 10.4(b) of the Plan

**AS OF THE EFFECTIVE DATE, FOR GOOD AND VALUABLE CONSIDERATION, THE ADEQUACY OF WHICH IS HEREBY CONFIRMED, EACH RELEASING PARTY SHALL BE DEEMED TO HAVE CONCLUSIVELY, ABSOLUTELY, UNCONDITIONALLY, IRREVOCABLY, AND FOREVER RELEASED, WAIVED, AND DISCHARGED THE DEBTOR AND OTHER RELEASED PARTY FROM ANY AND ALL CLAIMS, OBLIGATIONS, RIGHTS, SUITS, DAMAGES, CAUSES OF ACTION, REMEDIES, AND LIABILITIES WHATSOEVER (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), INCLUDING ANY DERIVATIVE CLAIMS ASSERTED OR THAT MAY BE ASSERTED ON BEHALF OF THE DEBTOR OR ITS ESTATE, THAT SUCH RELEASING PARTY WOULD HAVE BEEN LEGALLY ENTITLED TO ASSERT IN THEIR OWN RIGHT (WHETHER INDIVIDUALLY OR COLLECTIVELY) OR ON BEHALF OF THE HOLDER OF ANY CLAIM OR INTEREST, WHETHER KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN,**

<sup>3</sup> For voting purposes only, subject to tabulation rules.

EXISTING OR HEREINAFTER ARISING, IN LAW, EQUITY, OR OTHERWISE, BASED ON OR RELATING TO, OR IN ANY MANNER ARISING FROM, IN WHOLE OR IN PART, THE DEBTOR OR THE CONDUCT OF THEIR BUSINESS (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION UP UNTIL THE EFFECTIVE DATE), THE FORMULATION, PREPARATION, DISSEMINATION, OR NEGOTIATION OF THE PLAN, THE DISCLOSURE STATEMENT, ANY CONTRACT, INSTRUMENT, RELEASE, OR OTHER AGREEMENT OR DOCUMENT CREATED OR ENTERED INTO IN CONNECTION WITH THE PLAN, THE DISCLOSURE STATEMENT, THIS CHAPTER 11 CASE, THE PURSUIT OF CONFIRMATION, THE PURSUIT OF CONSUMMATION, THE ADMINISTRATION AND IMPLEMENTATION OF THE PLAN, INCLUDING THE DISTRIBUTION OF PROPERTY UNDER THE PLAN, OR ANY OTHER RELATED AGREEMENT, OR UPON ANY OTHER ACT OR OMISSION, TRANSACTION, AGREEMENT, EVENT, OR OTHER OCCURRENCE TAKING PLACE ON OR BEFORE THE EFFECTIVE DATE (IN EACH CASE, WHETHER PREPETITION OR POSTPETITION) RELATED OR RELATING TO THE FOREGOING. NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THE FOREGOING, THE RELEASES SET FORTH IN ARTICLE 10.4(B) OF THE PLAN SHALL NOT RELEASE (I) ANY RELEASED PARTY FROM CLAIMS OR CAUSES OF ACTION ARISING FROM AN ACT OR OMISSION THAT IS JUDICIALLY DETERMINED BY A FINAL ORDER TO HAVE CONSTITUTED ACTUAL FRAUD, WILLFUL MISCONDUCT, OR GROSS NEGLIGENCE; AND (II) ANY POST-EFFECTIVE DATE OBLIGATIONS OF ANY PARTY OR ENTITY UNDER THE PLAN OR ANY DOCUMENT, INSTRUMENT, OR AGREEMENT EXECUTED TO IMPLEMENT THE PLAN.

Definitions Related to the Third-Party Release:

UNDER THE PLAN, “*RELEASED PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE DEBTOR; (II) THE REORGANIZED DEBTOR; (III) THE PURCHASING ENTITY; (IV) THE DIP AGENT, (V) THE DIP LENDER, AND (VI) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I) THROUGH (V), THEIR RESPECTIVE CURRENT AND FORMER OFFICERS, DIRECTORS, EMPLOYEES, ATTORNEYS, ASSIGNS, ASSIGNEES, HEIRS, EXECUTORS, ESTATES, ADMINISTRATORS, ENTITIES IN WHICH THEY HAVE A CONTROLLING INTEREST, PARTNERSHIPS, PARTNERS, MEMBERS, TRUSTEES, TRUSTS, IMMEDIATE FAMILY MEMBERS, ACCOUNTANTS, FINANCIAL ADVISORS, INVESTMENT BANKERS, CONSULTANTS AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; *PROVIDED THAT*, NOTWITHSTANDING ANYTHING IN THE FOREGOING, ANY PERSON OR ENTITY THAT IS ENTITLED TO VOTE ON THE PLAN AND (A) VOTES TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES IN THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (B) VOTES TO REJECT THE PLAN OR ABSTAINS FROM VOTING ON THE PLAN AND, IN EACH CASE, OPTS OUT OF THE RELEASES PROVIDED BY THE PLAN BY CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE OR (C) IS DEEMED TO ACCEPT THE PLAN AND OPTS OUT OF THE RELEASES BY CHECKING THE BOX ON THE APPLICABLE FORM, SHALL NOT BE A RELEASED PARTY.

UNDER THE PLAN, “*RELEASING PARTY*” MEANS EACH OF THE FOLLOWING IN THEIR CAPACITY AS SUCH: (I) THE RELEASED PARTIES (OTHER THAN THE DEBTOR AND REORGANIZED DEBTOR), (II) ALL HOLDERS OF CLAIMS OR INTERESTS THAT VOTE TO ACCEPT THE PLAN, (III) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE ENTITLED TO VOTE ON THE PLAN WHO EITHER (A) ABSTAIN FROM VOTING OR (B) VOTE TO REJECT THE PLAN AND, IN EACH CASE, DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE BALLOT OR FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE, (IV) ALL HOLDERS OF CLAIMS OR INTERESTS THAT ARE DEEMED TO ACCEPT OR DEEMED TO REJECT THE PLAN AND DO NOT OPT OUT OF THE THIRD PARTY RELEASES PROVIDED FOR IN ARTICLE 10.4(B) OF THE PLAN BY NOT CHECKING THE BOX ON THE APPLICABLE FORM INDICATING THAT THEY ELECT TO OPT OUT OF GRANTING

**SUCH RELEASES IN THE PLAN SUBMITTED ON OR BEFORE THE VOTING DEADLINE; AND (V) WITH RESPECT TO EACH OF THE FOREGOING ENTITIES IN CLAUSES (I), (II), (III) AND (IV), SUCH ENTITY AND ITS CURRENT AND FORMER AFFILIATES, AND SUCH ENTITIES' AND THEIR CURRENT AND FORMER AFFILIATES' CURRENT AND FORMER DIRECTORS, MANAGERS, OFFICERS, PREDECESSORS, SUCCESSORS, AND ASSIGNS, SUBSIDIARIES, AND EACH OF THEIR RESPECTIVE CURRENT AND FORMER EQUITY HOLDERS, OFFICERS, DIRECTORS, MANAGERS, PRINCIPALS, MEMBERS, EMPLOYEES, AGENTS, ADVISORY BOARD MEMBERS, FINANCIAL ADVISORS, PARTNERS, ATTORNEYS, ACCOUNTANTS, MANAGED ACCOUNTS OR FUNDS, MANAGEMENT COMPANIES, FUND ADVISORS, INVESTMENT BANKERS, CONSULTANTS, REPRESENTATIVES, AND OTHER PROFESSIONALS, EACH IN ITS CAPACITY AS SUCH; PROVIDED, HOWEVER, THAT THE ENTITIES IDENTIFIED IN PART (V) SHALL BE RELEASING PARTIES ONLY TO THE EXTENT THE CORRESPONDING ENTITIES IN PARTS (I), (II), (III) AND (IV), ARE LEGALLY ABLE TO BIND SUCH ENTITIES IN PART (V) TO THE RELEASES CONTAINED IN THE PLAN UNDER APPLICABLE NON-BANKRUPTCY LAW.**

**NOTWITHSTANDING THE FOREGOING, NO HOLDER OF A CLAIM OR INTEREST SHALL BE BOUND BY THE THIRD-PARTY RELEASE IF IT: (I) VALIDLY OPTS OUT OF THE RELEASES CONTAINED IN THE PLAN; OR (II) TIMELY FILES WITH THE BANKRUPTCY COURT ON THE DOCKET OF THE CHAPTER 11 CASE AN OBJECTION TO THE RELEASES CONTAINED IN THE PLAN THAT IS NOT RESOLVED BEFORE CONFIRMATION.**

**Item 4. Certifications**

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and to the Debtor:

- a. that either: (i) the Entity is the holder of the Class 2 Claim being voted; or (ii) the Entity is an authorized signatory for an Entity that is a holder of the Class 2 Claim being voted;
- b. that the Entity has received a copy of the Disclosure Statement and the Solicitation Package and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein;
- c. that the Entity has cast the same vote with respect to all Class 2 Claims that it holds or for which it is the authorized signatory; and
- d. that no other Ballots with respect to the amount of the Class 2 Claim identified in Item 1 have been cast or, if any other Ballots have been cast with respect to such Claims, then any such Ballots dated earlier are hereby revoked.

Name of holder: \_\_\_\_\_  
(Print or Type)

Signature: \_\_\_\_\_

Name of Signatory: \_\_\_\_\_  
(If other than holder)

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

Address: \_\_\_\_\_

Date Completed: \_\_\_\_\_

**RETURN INSTRUCTIONS:**

**If by First Class Mail, Overnight Courier or Overnight Mail:**

First-Class Mail  
CCA Construction, Inc., Ballot Processing  
c/o KCC dba Verita  
222 N Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

**If by online submission:**

Go to the case website (<https://www.veritaglobal.net/ccaconstruction>), click on “Submit E-Ballot” on the left side of the homepage, and follow the instructions to submit your form.

**IMPORTANT NOTE:**

You will need the following Unique E-Ballot ID and Pin to retrieve your customized electronic Ballot:

Unique E-Ballot ID: \_\_\_\_\_

Unique E-Ballot Pin: \_\_\_\_\_

IF THE BALLOTING AGENT DOES NOT *ACTUALLY RECEIVE* THIS BALLOT ON OR BEFORE FEBRUARY 6, 2026, AT 4:00 P.M. PREVAILING EASTERN TIME, (AND IF THE VOTING DEADLINE IS NOT EXTENDED), YOUR VOTE TRANSMITTED BY THIS BALLOT MAY BE COUNTED TOWARD CONFIRMATION OF THE PLAN ONLY IN THE DISCRETION OF THE DEBTOR.

**INSTRUCTIONS FOR COMPLETING THIS BALLOT**

1. The Debtor is soliciting the votes of holders of Claims with respect to the Plan attached as **Exhibit A** to the Disclosure Statement. Capitalized terms used in the Ballot or in these instructions but not otherwise defined therein or herein shall have the meaning set forth in the Disclosure Statement, a copy of which also accompanies the Ballot. **PLEASE READ THE PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THIS BALLOT.**
2. The Plan can be confirmed by the Bankruptcy Court and thereby made binding upon you if it is accepted by the holders of at least two-thirds in amount and more than one-half in number of Claims in at least one class of creditors that votes on the Plan and if the Plan otherwise satisfies the requirements for confirmation provided by section 1129(a) of the Bankruptcy Code. Please review the Disclosure Statement for more information.
3. To ensure that your Ballot is counted, you ***must*** complete and submit this Ballot as instructed herein. **Ballots will not be accepted by electronic mail or facsimile.**
4. **Use of Hard Copy Ballot.** To ensure that your Ballot is counted, you must: (a) complete your Ballot in accordance with these instructions; (b) clearly indicate your decision either to accept or reject the Plan in the boxes provided in Item 2 of the Ballot; and (c) clearly sign and submit your Ballot by first class mail, courier or hand delivery to CCA Construction, Inc., Ballot Processing, c/o KCC dba Verita, 222 N Pacific Coast Highway, Suite 300, El Segundo, CA 90245, so that it is actually received by the Balloting Agent before the Voting Deadline.
5. **Use of Online Ballot Portal.** To ensure that your electronic Ballot is counted, please go to the Debtor's case administration website at <https://www.veritaglobal.net/CCAConstruction>, click on "Submit E-Ballot" on the left side of the homepage, and follow the instructions.

The online balloting portal is the sole manner in which Ballots will be accepted via electronic or online transmission. **Ballots will not be accepted by facsimile, e-mail, or electronic means (other than the online balloting portal).**

6. Your Ballot (whether submitted by hard copy or through the online balloting portal) ***must*** be returned to the Balloting Agent so as to be ***actually received*** by the Notice, Claims, and Balloting Agent on or before the Voting Deadline. **The Voting Deadline is February 6, 2026, at 4:00 p.m. prevailing Eastern Time.**
7. If a Ballot is received after the Voting Deadline and if the Voting Deadline is not extended, it may be counted only in the sole and absolute discretion of the Debtor. Additionally, **the following Ballots will not be counted:**
  - (a) any Ballot received after the Voting Deadline (as may be extended by the Debtor as provided herein);
  - (b) any Ballot that is illegible or contains insufficient information to permit the identification of the claimant;
  - (c) any Ballot cast by a person or entity that does not hold a claim or interest in a class that is entitled to vote to accept or reject the Plan;
  - (d) any Ballot that indicates neither an acceptance nor a rejection, or indicates both an acceptance and rejection, of the Plan;
  - (e) any Ballot that casts part of its vote in the same class to accept the Plan and part to reject the Plan;
  - (f) any form of Ballot other than the official form sent by the Balloting Agent, or a copy thereof;
  - (g) any Ballot received that the Balloting Agent cannot match to an existing database record;
  - (h) any Ballot that does not contain an original signature (for the avoidance of doubt, Ballots submitted via the online portal will be deemed to contain an original signature);
  - (i) any Ballot that is submitted by facsimile, email or by other electronic means (other than through the online portal); or

- (j) any Ballot sent to the Debtor's professionals or to Verita at any address other than the official address set forth on the Ballot.
8. The method of delivery of Ballot to the Balloting Agent is at the election and risk of each holder of a General Unsecured Claim. Except as otherwise provided herein, such delivery will be deemed made only when the Balloting Agent **actually receives** the originally executed Ballot. In all cases, holders should allow sufficient time to assure timely delivery.
  9. If multiple Ballots are received from the same holder with respect to the same General Unsecured Claim or Interest, as applicable, before the Voting Deadline, the latest, timely received, and properly completed Ballot will supersede and revoke any earlier received Ballots.
  10. You must vote all of your Claims within a Voting Class to either to accept or reject the Plan and may **not** split your vote. Further, if a holder has multiple Claims or within a Voting Class, the Debtor may, in their discretion, aggregate the Claims of any particular holder with multiple Claims within a Voting Class for the purpose of counting votes.
  11. This Ballot does **not** constitute, and shall not be deemed to be, (a) a Proof of Claim or (b) an assertion or admission of a Claim or Interest.
  12. **Please be sure to sign and date your Ballot.** If you are signing a Ballot in your capacity as a trustee, executor, administrator, guardian, attorney in fact, officer of a corporation, or otherwise acting in a fiduciary or representative capacity, you must indicate such capacity when signing and, if required or requested by the Balloting Agent, the Debtor, or the Bankruptcy Court, must submit proper evidence to the requesting party to so act on behalf of such holder. In addition, please provide your name and mailing address if it is different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
  13. Each ballot votes **only** your Claims indicated on that ballot, so please complete and return each ballot that you received.

PLEASE SUBMIT YOUR BALLOT PROMPTLY.

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT THESE VOTING INSTRUCTIONS OR THE PROCEDURES FOR VOTING, PLEASE CALL THE DEBTOR'S RESTRUCTURING HOTLINE

AT: (866) 506-4002 (DOMESTIC) or +1 (781) 575-2094 (INTERNATIONAL) OR  
EMAIL: CCAINFO@VERITAGLOBAL.COM WITH A REFERENCE TO  
"CCA CONSTRUCTION" IN THE SUBJECT LINE.

**IF THE BALLOTTING AGENT DOES NOT ACTUALLY RECEIVE THIS BALLOT ON OR BEFORE THE VOTING DEADLINE, WHICH IS ON FEBRUARY 6, 2026, AT 4:00 P.M. PREVAILING EASTERN TIME, (AND IF THE VOTING DEADLINE IS NOT EXTENDED), YOUR VOTE TRANSMITTED HEREBY MAY BE COUNTED ONLY IN THE DISCRETION OF THE DEBTOR.**