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May 20, 2026

VIA CM/ECF AND E-MAIL
Honorable Michael B. Kaplan
United States Bankruptcy Court
Clarkson S. Fisher U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *In re CBRM Realty Inc., et al.*, Case No. 25-15343 (MBK)

Dear Judge Kaplan:

This firm serves as co-counsel to RLA Consulting LLC, in its capacity as Creditor Recovery Trustee (the "**Trustee**" or "**RLA**") in the above-referenced Chapter 11 cases of CBRM Realty, Inc. and its affiliated debtors and debtors-in-possession (collectively, the "**Debtors**") pending in the Bankruptcy Court for the District of New Jersey (the "**Court**").

We write to the Court as directed following the conclusion of the hearing held on May 13, 2026 (the "**Hearing**"), in connection with the *Motion of CBRM Realty, Inc., et al., for Entry of a Final Decree Closing Certain of the Chapter 11 Cases* (the "**Motion**")[1] [Doc. No. 795]. The Debtors and the Trustee informed the Court that the central dispute concerning the proposed form of order approving the Motion relates to the ultimate source of payment for the outstanding statutory quarterly fees due to the Office of the United States Trustee (the "**U.S. Trustee Fees**")—specifically, whether such fees should be paid by the Debtors or from funds allocated to the Creditor Recovery Trust.

In order to resolve nearly six (6) months of litigation between the Debtors and the Creditor Recovery Trust, the Trustee contributed $290,000 in full and final satisfaction of any obligations owed to the Wind-Down arising from this Court's entry of the *Order Resolving Debtors' Motion for Appointment of Wind-Down Officer, Approval of Wind-Down Budget, and Related Relief Regarding Access to Creditor Recovery Trust Funds* (the "**Wind-Down Officer Order**"), ¶6 [Doc. No. 786], entered on April 10, 2026.

Importantly, pursuant to the Wind-Down Officer Order, the Debtors represented that payment of the U.S. Trustee Fees would be made in order to moot the U.S. Trustee's request to convert these Chapter 11 cases to cases under Chapter 7. *See* Wind-Down Officer Order, ¶ 7.

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

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However, at the Hearing—held exactly one month after entry of the Wind-Down Officer Order—the Debtors acknowledged that there may be insufficient funds to satisfy the U.S. Trustee Fees, stating: "*It's just there's really a question of if the wind-down estate doesn't have sufficient funds where does the recourse lie*?" Tr. at 9:20-22 (Bankr. D.N.J. May 13, 2026).

Although the Trustee does not dispute the joint and several liability provisions contained in the confirmed Plans with respect to payment of the U.S. Trustee Fees, RLA respectfully submits that such fees should first be paid from available Debtor funds. To the extent sufficient funds do not exist, the Trustee's proposed form of order simply requires notice to the Court and parties in interest identifying the existence and basis of any asserted deficiency before recourse is sought against Creditor Recovery Trust assets.

The U.S. Trustee objects to the inclusion of that notice provision in the attached redlined proposed order. Accordingly, the Trustee respectfully requests that the Court enter the Trustee's proposed form of order.

The Trustee thanks the Court for its consideration of this matter.

Respectfully Submitted,

/s/ Richard J. Corbi
Richard J. Corbi, Esq.

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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY **Caption in Compliance with D.N.J. LBR 9004-1**	
In re: CBRM REALTY INC. *et al*., Debtors.[1]	Chapter 11 Case No. 25-15343 (MBK) (Jointly Administered)

ORDER GRANTING THE MOTION OF CBRM REALTY INC., ET AL. FOR FINAL DECREE CLOSING CERTAIN OF THE CHAPTER 11 CASES

The relief set forth on the following pages, numbered 2 through 7, is hereby **ORDERED.**

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: CBRM Realty Inc. (2420), Crown Capital Holdings LLC (1411), Kelly Hamilton Apts LLC (9071), Kelly Hamilton Apts MM LLC (0765), RH Chenault Creek LLC (8987), RH Copper Creek LLC (0874), RH Lakewind East LLC (6963), RH Windrun LLC (0122), RH New Orleans Holdings LLC (7528), RH New Orleans Holdings MM LLC (1951), and Laguna Reserve Apts Investor LLC (N/A). The location of the Debtors' service address in these chapter 11 cases is: In re CBRM Realty Inc., et al., c/o White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020.

Upon the motion (the "**Motion**")[2] of CBRM Realty Inc. and its debtor affiliates in the above-captioned cases (the "**Debtors**"), acting at the direction of the Wind-Down Officer (as defined in the CBRM Plan and the Crown Capital Plan), for entry of a final decree (this "**Final Decree**") pursuant to section 350(a) of the Bankruptcy Code and Bankruptcy Rule 3022, closing the Affiliate Cases, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey*, entered July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.) and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors' notice of the Motion was appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor,

[2] Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

IT IS HEREBY ORDERED THAT:

1. The Motion is granted to the extent set forth herein.

2. The following Affiliate Cases are hereby closed and a final decree is granted effective as of the date of entry of this Final Decree; *provided* that this Court shall retain jurisdiction as provided in the CBRM Plan, the Crown Capital Plan, each of the Confirmation Orders, and this Final Decree:

Affiliate Debtor	Case No.
Crown Capital Holdings LLC	25-15351
RH Lakewind East LLC	25-15344
RH Windrun LLC	25-15345
RH Copper Creek LLC	25-15346
RH New Orleans Holdings MM LLC	25-15347
RH New Orleans Holdings LLC	25-15348
RH Chenault Creek LLC	25-15349
Kelly Hamilton Apts MM LLC	25-15350
Kelly Hamilton Apts LLC	25-15352
Laguna Reserve Apts Investor LLC	25-18643

3. The Remaining Case of CBRM Realty Inc., Case No. 25-1543, shall remain open pending the entry of a final decree by this Court closing the Remaining Case.

4. Solely for administrative purposes, all filings or pleadings shall be filed, administered, and adjudicated in the Remaining Case without the need to reopen any Affiliate Case, and the Court retains jurisdiction and authority with regard to such remaining matters, whether or not they pertain to the Remaining Case or any of the Affiliate Cases.

5. The clerk shall designate on the dockets of the Affiliate Cases that the cases are now being administered under the Remaining Case. The Debtors shall make a docket entry in each of the Affiliate Cases substantially similar to the following:

> An order has been entered in this case directing that all further reporting concerning the administration of the assets and liabilities in this case will occur only in the case of CBRM Realty Inc., Case No. 25-15343. The docket in Case No. 25-15343 should be consulted for all matters affecting this case.

6. Pursuant to the Confirmation Orders, within twenty-one (21) days after the date of entry of this Final Decree, (i) the Debtors shall file all monthly operating reports of the Affiliate Cases due prior to the Effective Dates using UST Form 11-MOR, to the extent such reports have not been filed; and (ii) the Debtors, the Creditor Recovery Trust, the Creditor Recovery Trustee, and the Wind-Down Officer shall file all post-confirmation quarterly reports for each of the Affiliate Cases for each quarter (including any fraction thereof) such case is pending, using UST Form 11-PCR.

7. Pursuant to the Confirmation Orders, the Debtors were responsible for paying the appropriate sum of quarterly fees due and payable under 28 U.S.C. § 1930(a)(6)(A) and (B) (the "**Statutory Quarterly Fees**") for the Affiliate Cases on the Effective Date and the Debtors, the Creditor Recovery Trust, the Creditor Recovery Trustee, and the Wind-Down Officer were jointly and severally liable to pay Statutory Quarterly Fees when due and payable after the Effective Dates to the extent provided in the CBRM Plan and the Crown Capital Plan. As such, on or within twenty-one (21) days after the date of entry of the Final Decree, the Debtors, the Creditor Recovery Trust, the Creditor Recovery Trustee, and the Wind-Down Officer shall pay the

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appropriate sum of Statutory Quarterly Fees for the Affiliated Cases. This Court shall retain jurisdiction concerning the Statutory Quarterly Fees. To the extent the Statutory Quarterly Fees are not paid within twenty-one (21) days after entry of this Final Decree, the Affiliate Cases shall be reopened *nunc pro tunc* to the date this Order is entered upon submission of a certificate of default by the United States Trustee, by and through counsel, on five (5) calendar days' notice to counsel to the Debtors in the Affiliated Cases, without the need for filing a separate motion to reopen the cases. The Debtors consent to the reopening of the Affiliated Cases pursuant to the procedures set forth herein.

8. Pursuant to the Confirmation Orders, the Debtors, the Creditor Recovery Trust, the Creditor Recovery Trustee, and the Wind-Down Officer shall report quarterly disbursements for the Remaining Case using UST Form 11-PCR, and the Debtors, the Creditor Recovery Trust, the Creditor Recovery Trustee, and the Wind-Down Officer shall pay Statutory Quarterly Fees when due and payable under 28 U.S.C. § 1930(a)(6)(A) and (B) pending the entry of a final decree by this Court closing the Remaining Case; provided however, if the Statutory Quarterly Fees are not paid by the Debtors or Wind-Down Officer, then the Debtors or Wind-Down Officer shall file a notice with the Court explaining the reasons for non-payment by the Debtors or Wind-Down Officer.

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9. Entry of this Final Decree is without prejudice to (a) the rights of the Debtors or any party in interest to seek to reopen any of the Affiliate Cases for cause pursuant to section 350(b) of the Bankruptcy Code and (b) the rights of the Debtors or any entity authorized pursuant to the CBRM Plan or the Crown Capital Plan, as applicable, to (i) commence, prosecute,

and/or resolve any claims filed against any Debtor or any other person in these Chapter 11 Cases, or (ii) object to claims filed against any Debtor and (c) shall have no effect whatsoever on any contested matter, adversary proceeding, or other matters pending before this Court, as provided in the CBRM Plan or the Crown Capital Plan and the applicable Confirmation Order. Notwithstanding anything to the contrary contained in the CBRM Plan or the Crown Capital Plan, any failure of the Debtors, or any entity authorized pursuant to the CBRM Plan or the Crown Capital Plan, as applicable, to file an objection to a claim against or interest in any of the Chapter 11 Cases shall not constitute allowance of the claim and shall not result in such claim being deemed allowed against any Debtor. Any objections to claims against or interests in the Debtors may be filed, administered, and adjudicated in the Remaining Case.

10. Notwithstanding entry of this Final Decree, in accordance with Articles IV and VI of the CBRM Plan and the Crown Capital Plan, which were incorporated into and made part of the Confirmation Orders, the Debtors or the Creditor Recovery Trust (acting through the Creditor Recovery Trustee), as applicable, shall be entitled to prosecute claims and defenses, make distributions, and attend to other affairs on behalf of each of the other former Debtors as if such former Debtors' estates continued to exist.

11. For the avoidance of doubt, nothing contained herein shall impair or limit the claims that have been assigned to the Creditor Recovery Trust pursuant to the CBRM Plan and the Crown Capital Plan.

12. This Final Decree shall be immediately effective and enforceable upon its entry.

13. The Debtors and the Independent Fiduciary are authorized to take all actions necessary to effectuate the relief granted pursuant to this Final Decree.

14. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of the Bankruptcy Rules and Local Rules are satisfied by such notice. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Final Decree.