Docket #0872 Date Filed: 09/30/2026

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 Filed on September 30, 2026
by Clerk
U.S. Bankruptcy Court
District of New Jersey

ORDER GRANTING MOTION FOR ENTRY OF AN ORDER (A) ENFORCING CONFIRMED CHAPTER 11 PLANS, (B) REQUIRING CREDITOR RECOVERY TRUSTEE TO TRANSFER CASH TO FEE ESCROW ACCOUNT, AND (C) GRANTING RELATED RELIEF

The relief set forth on the following pages, numbered three (3) through five (5), is **ORDERED**.

DATED: September 30, 2026

Honorable Michael B. Kaplan
United States Bankruptcy Judge

[1] The Debtors in these chapter 11 cases are: CBRM Realty Inc., Crown Capital Holdings LLC, Kelly Hamilton Apts LLC, Kelly Hamilton Apts MM LLC, RH Chenault Creek LLC, RH Copper Creek LLC, RH Lakewind East LLC, RH Windrun LLC, RH New Orleans Holdings LLC, RH New Orleans Holdings MM LLC, and Laguna Reserve Apts Investor LLC.

25153432609300000000000001

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

WHITE & CASE LLP
Gregory F. Pesce (admitted *pro hac vice*)
111 South Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 881-5400
Email: gregory.pesce@whitecase.com

- and -

Andrew Zatz
Samuel P. Hershey (admitted *pro hac vice*)
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
Email: azatz@whitecase.com
sam.hershey@whitecase.com

Counsel to CBRM Realty Inc.

Upon the *Motion for Entry of an Order (A) Enforcing Confirmed Chapter 11 Plans, (B) Requiring Creditor Recovery Trustee to Transfer Cash to Fee Escrow Account, and (C) Granting Related Relief* [Docket No. 850] (the "**Motion**")[2] of CBRM Realty Inc., acting at the direction of the Wind-Down Officer (as defined in the CBRM Plan and the Crown Capital Plan), for entry of an order pursuant to sections 105(a) and 1142(b) of title 11 of the United States Code (the "**Bankruptcy Code**") enforcing the confirmed Plans and compelling the Creditor Recovery Trustee to fund the Fee Escrow Account; 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,

IT IS HEREBY ORDERED THAT:

1. The motion is GRANTED as set forth herein.

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

2. Except as indicated in Paragraphs 3 & 4 of this Order, the Creditor Recovery Trust shall not utilize any Creditor Recovery Trust Assets (as defined in the Amended Joint Chapter 11 Plan of CBRM Realty Inc. and Certain of its Debtor Affiliates (With Technical Modifications) [Dkt. No. 525, Ex. A] and the Modified Joint Chapter 11 Plan of Crown Capital Holdings LLC and Certain of its Debtor Affiliates [Dkt. No. 653, Ex. A]), other than the cash in the amount of $883,000 of funding (the "**Funding Amount**") described in paragraph five (5) of the Court's 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 [Docket No. 786] to satisfy any investigatory, preparatory, or other costs, fees, or disbursements incurred by the Creditor Recovery Trust prior to initiation of litigation ("**Pre-Litigation Costs**"). Similarly, the Funding Amount shall be used to satisfy any compensation owing to the Creditor Recovery Trustee, in the form of an agreed performance fee payable and measured on the basis of distributions to claimants under the confirmed CBRM and Crown Capital Plans (the "**Incentive Fee**").

3. Notwithstanding the foregoing—and for purposes of clarity—the Creditor Recovery Trust is authorized to surcharge future distributions and/or use other Creditor Recovery Trust Assets (or the cash proceeds thereof) to satisfy all fees, expenses, or disbursements obligated as part of a written fee agreement with counsel and/or other professionals retained to pursue recoveries ("**Recovery Costs**"). The Court further clarifies that the Incentive Fee is separate and apart from these Recovery Costs, and, as such, the Incentive Fee shall continue to be satisfied by the Funding Amount unless and until the Creditor Recovery Trustee is afforded relief under Paragraph 4 of this Order; or unless or until allowed professional compensation claims under Article II.A of the CBRM Plan are satisfied.

4. If the Creditor Recovery Trustee determines, in its sole discretion, that the Funding Amount is insufficient to fund the Incentive Fee or the Pre-Litigation Costs, the Creditor Recovery Trust may at such time request that the Court, after notice and a hearing, authorize the Creditor Recovery Trust to surcharge future distributions and/or use other Creditor Recovery Trust Assets (or the cash proceeds thereof) to satisfy any accrued but unpaid Incentive Fee or Pre-Litigation Costs or to grant other similar relief; provided, further, however, that the Creditor Recovery Trust shall provide the Court and all parties in interest with an accounting of all disbursements to be satisfied by the Funding Amount or other Creditor Recovery Trust Assets.

5. The rights of all parties regarding such requests for authorization or other relief, including rights of appeal, are expressly reserved.

6. This Court shall retain exclusive jurisdiction with respect to any matters related to or arising from the implementation of this Order.