

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
	)	
Computer Simulation & Analysis, Inc., ¹	)	Case No. 24-90391 (MI)
	)	
Reorganized Debtor.	)	
	)	

**REORGANIZED DEBTORS' MOTION FOR ENTRY OF AN ORDER AUTHORIZING
THE DEBTORS TO FILE UNDER SEAL CERTAIN INFORMATION CONTAINED IN
THE DEBTORS' AMENDED OBJECTION TO PROOF OF CLAIM OF JOHN
MCDONALD (CLAIM NO. 1666)**

If you object to the relief requested, you must respond in writing. Unless otherwise directed by the Court, you must file your response electronically at <https://ecf.txsb.uscourts.gov/> within twenty-one days from the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk within twenty-one days from the date this motion was filed. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

The above-captioned reorganized debtors and debtors in possession (collectively, the “**Reorganized Debtors**” or “**Debtors**”) state as follows in support of this motion (the “**Motion**”):

Relief Requested

1. The Reorganized Debtors seek entry of an order, substantially in the form attached hereto (the “**Order**”), authorizing the Reorganized Debtors to file under seal a certain exhibit to

¹ The last four digits of the federal tax identification number for Computer Simulation & Analysis, Inc. are 4097. The location of the Reorganized Debtor’s service address in this chapter 11 case is: P.O. Box 240130, San Antonio, Texas 78224. On June 27, 2025, the Bankruptcy Court entered the *Final Decree Closing Certain of the Chapter 11 Cases* (Case No. 24-90377 (MI), Docket No. 3178) closing the chapter 11 cases for Zachry Holdings, Inc., Zachry EPC Holdings, Inc., Zachry Engineering Corporation, ZEC New York, Inc., Zachry High Voltage Solutions, LLC, UE Properties, Inc., ZEC Michigan, Inc., Zachry Constructors, LLC, Zachry Industrial, Inc., Zachry Enterprise Solutions, LLC, Moss Point Properties, LLC, Zachry Nuclear Construction Inc., Zachry Nuclear, Inc., Zachry Nuclear Engineering, Inc., Zachry Plant Services Holdings, Inc., JVIC Fabrication, LLC, Zachry Industrial Americas, Inc., Zachry Maintenance Services, LLC, J.V. Industrial Companies, LLC, Madison Industrial Services Team, LLC.



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the *Reorganized Debtors' Amended Objection to Proof of Claim of John McDonald (No. 1666)* (the “**Amended Objection**”), filed concurrently herewith.²

Background

A. The Chapter 11 Cases

2. On May 21, 2024 (the “**Petition Date**”), each Reorganized Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code commencing the above-captioned chapter 11 cases. The Reorganized Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. These chapter 11 cases are being jointly administered pursuant to Bankruptcy Rule 1015(b). No party has requested the appointment of a trustee or examiner in these chapter 11 cases. On June 4, 2024, the Office of the United States Trustee for the Southern District of Texas appointed an official committee of unsecured creditors pursuant to section 1102 of the Bankruptcy Code (the “**Committee**”) [Docket No. 176].

3. A detailed description of the Reorganized Debtors and their businesses, including the facts and circumstances giving rise to these chapter 11 cases, is set forth in the *Declaration of Mohsin Y. Meghji in Support of Debtors' Petitions and Requests for First Day Relief* [Docket No. 7].

4. On July 16, 2024, the Reorganized Debtors filed their Schedules of Assets and Liabilities and Statements of Financial Affairs (collectively, the “**Schedules and Statements**”) See Docket Nos. 510–531. On August 30, 2024 and December 2, 2024, several of the Reorganized Debtors filed amendments to their Schedules and Statements. See Docket Nos. 855-865, 1564.

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

5. On July 26, 2024, the Court entered the *Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, (IV) Approving Notice of Bar Dates, and (V) Granting Related Relief* [Docket No. 636] (the “**Bar Date Order**”). The Bar Date Order established September 16, 2024, at 5:00 p.m. (prevailing Central Time) as the deadline for all non-governmental entities holding or wishing to assert a “claim” (as defined in section 101(5) of the Bankruptcy Code) against any of the Reorganized Debtors that arose before the Petition Date to file proof of such claim. The bar date for claims related to the amended Schedules and Statements was October 4, 2024, at 5:00 p.m. (prevailing Central Time), and for filing proofs of claim related to the second amended Schedules and Statements is January 2, 2025, at 5:00 p.m. (prevailing Central Time). The deadline for all governmental entities holding or wishing to assert a claim against any of the Debtors that arose prior to the Petition Date to file proof of such claim was November 18, 2024, at 5:00 p.m. (prevailing Central Time).

6. On February 26, 2025, the Bankruptcy Court held a combined hearing on final approval of the Disclosure Statement³ and confirmation of the Plan.⁴ The Court entered the order approving the Disclosure Statement and confirming the Plan on February 27, 2025.⁵ The Effective Date occurred on April 10, 2025 [Docket No. 2731].

³ The “**Disclosure Statement**” refers to the Disclosure Statement for the Modified First Amended Joint Chapter 11 Plan of Reorganization of Zachry Holdings, Inc. and its Debtor Affiliates [Docket No. 1986].

⁴ The “**Plan**” refers to the Further Modified First Amended Joint Chapter 11 Plan of Reorganization of Zachry Holdings, Inc. and its Debtor Affiliates [Docket No. 2362].

⁵ Findings of Fact, Conclusions of Law, and Order (I) Approving the Debtors’ Disclosure Statement on a Final Basis and (II) Confirming the Further Modified First Amended Joint Chapter 11 Plan of Reorganization of Zachry Holdings, Inc. and its Debtor Affiliates [Docket No. 2431].

B. The Claims

7. Some of the Reorganized Debtors' current and former employees have filed Proofs of Claim, such as for unpaid paid time off ("PTO"), missing overtime payments, unpaid benefits, etc., that implicate the Reorganized Debtors' employment policies ("**Employment Claims**"). The Amended Objection concerns one of these claims. The Reorganized Debtors have reviewed each of these Employment Claims, including the claim subject to the Amended Objection, and determined that Reorganized Debtors' employment policies are relevant evidence in response to the Employment Claims.

8. The Court has previously permitted the Reorganized Debtors to file its employment policies under seals in similar Objections to Employment Claims. *See, e.g.* Case No. 24-90377, Dkt. Nos. 2499, 2501, 2502, 2504, 2507.

9. By this Motion, the Reorganized Debtors seek authority to file under seal the employment policy or policies (the "**Exhibit**") as Exhibit C to the Amended Objection.

Basis for Relief

10. Section 105(a) of the Bankruptcy Code, which codifies the bankruptcy court's inherent equitable powers, empowers the Court to "issue any order, process or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a). Pursuant to section 107(b) of the Bankruptcy Code, the Court shall, on request of a party in interest, protect an entity with respect to confidential commercial information. "Commercial information [under Section 107(b)] has been defined as information which would cause an unfair advantage to competitors by providing them information as to the commercial operations of the debtor." *In re Genesis Glob. Holdco, LLC*, 652 B.R. 618, 632 (Bankr. S.D.N.Y. 2023). "Commercial information

need not rise to the level of a trade secret to qualify for protection under section 107(b).” *In re Borders Group, Inc.*, 462 B.R. 42, 47 (Bankr. S.D.N.Y. 2011).

11. While there is a presumption in favor of public access to court records, access to judicial records is not without limits. *Id.* Section 105(a) of the Bankruptcy Code codifies the Court’s inherent equitable powers and empowers it to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a). When read in conjunction with section 105(a) of the Bankruptcy Code, section 107(b) authorizes the Court to take immediate action, including sealing pleadings, to protect parties-in-interest from the immediate and future harm of disclosure of confidential commercial information.

12. The Exhibit includes information that falls under the category of “confidential commercial information.” Specifically, the Exhibit includes information that would provide an unfair advantage to the Reorganized Debtors’ competitors by providing them information as to the commercial operations of the Reorganized Debtors. The Exhibit includes information about site-specific policies pertaining to payroll, timesheets, attendance and scheduling. The Reorganized Debtors’ competitors will have an unfair competitive advantage over Debtors in the marketplace if they receive information regarding the Reorganized Debtors’ workforce management as reflected in the Exhibit.

13. Accordingly, the Reorganized Debtors request that the Court permit the Reorganized Debtors to file the Exhibit. The Reorganized Debtors submit that filing the Exhibit under seal is necessary and appropriate under section 107 of the Bankruptcy Code. The Reorganized Debtors, therefore, request that the Court grant the requested relief.

Notice

14. The Reorganized Debtors will provide notice of this Motion to: (a) Class Counsel; (b) the U.S. Trustee; (c) counsel to the Committee; (d) the United States Attorney's Office for the Southern District of Texas; (e) the state attorneys general for the states in which the Debtors operate; (f) the Internal Revenue Service; (g) the Prepetition Agent; and (h) any party that has requested notice pursuant to Bankruptcy Rule 2002 and Bankruptcy Local Rule 9013-1(d). Based on the nature of the relief requested, no other or further notice need be provided.

Conclusion

For the foregoing reasons, the Reorganized Debtors respectfully request that the Court enter the Proposed Order granting the relief requested in this Motion and such other and further relief as the Court deems appropriate under the circumstances.

Respectfully submitted,

/s/ D. Ryan Cordell, Jr.

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Counsel for Reorganized Debtors

Certificate of Service

I certify that on August 4, 2025 I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ D. Ryan Cordell, Jr.
D. Ryan Cordell, Jr.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

Computer Simulation & Analysis, Inc.,¹

Reorganized Debtor.

Chapter 11

Case No. 24-90391 (MI)

**ORDER AUTHORIZING THE DEBTORS TO FILE UNDER SEAL CERTAIN
INFORMATION CONTAINED IN THE DEBTORS' AMENDED OBJECTION TO
PROOF OF CLAIM OF JOHN MCDONALD (CLAIM NO. 1666)**

Upon the motion (the “**Motion**”)² of the above-captioned reorganized debtors and debtors in possession (collectively, the “**Reorganized Debtors**”) for entry of an order (this “**Order**”) authorizing the Reorganized Debtors to file under seal a certain exhibit to the Reorganized Debtors’ Amended Objection to Proof of Claim of John McDonald (No. 1666) (the “**Amended Objection**”), all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and that this Court may enter a final order consistent with Article III of the United States Constitution; 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

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found that the relief requested in the Motion is in the best interests of the Reorganized Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Reorganized Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court, if applicable (the "**Hearing**"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish, if any, establish just cause for the relief granted herein; and upon all of the proceedings had before this 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. Pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Bankruptcy Local Rule 9037-1, the Reorganized Debtors are authorized to file the Amended Objection with the applicable Exhibit under seal.
3. The Exhibit shall remain confidential, shall remain under seal, and shall not be made available to anyone other than this Court, the U.S. Trustee, and counsel to the Committee on a professional eyes-only basis (all on a confidential basis), without further order of this Court. The Clerk of the Court shall treat the Exhibit as confidential.
4. To the extent that the Exhibit is attached or referred to in any further pleadings or documents filed with this Court related to these chapter 11 cases, this Order shall apply to such pleading or document.
5. Any party who receives the Exhibit in accordance with this Order shall not disclose or otherwise disseminate such Exhibit to any other person or entity, without the consent of the Debtors or further order of this Court.

6. Nothing in this Order prejudices the rights of any party in interest, including the U.S. Trustee, to seek, on appropriate motion, the unsealing of the Exhibit or any part thereof.

7. The Reorganized Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

8. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

9. This Court shall retain exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: _____, 2025
Houston, Texas

THE HON. MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE