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

In re:

CCA Construction, Inc.,¹

Debtor.

Chapter 11

Case No. 24-22548 (CMG)

**APPLICATION IN LIEU OF MOTION IN SUPPORT OF ENTRY
OF STIPULATION AND CONSENT ORDER REGARDING BUDGET
FOR THE AUTHORIZED INVESTIGATION OF THE EXAMINER**

The committee (the “**Special Committee**”) of independent directors of the board of CCA Construction, Inc. (the “**Debtor**” or “**CCA**”), by and through its undersigned counsel, respectfully states the following in support of this application (the “**Application**”), pursuant to D.N.J. LBR 9019-4(b), seeking the approval and entry of the proposed *Stipulation and Consent Order Regarding Budget for the Authorized Investigation of the Examiner* (the “**Proposed Stipulation**”), a copy of which is attached hereto as **Exhibit 1**, and respectfully states as follows:

1. On December 22, 2024, CCA filed a voluntary petition for relief under title 11 of the United States Code, 11 U.S.C. §§ 101–1532, in the United States Bankruptcy Court for the District of New Jersey.

¹ 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.



2. On March 5, 2025, the Court entered the *Order Granting the Appointment of an Examiner* [Docket No. 211] (the “Examiner Order”).

3. On April 29, 2025, per the Examiner Order, the U.S. Trustee filed the *Notice of Appointment of Examiner* [Docket No. 280] and the *Application for Order Approving Appointment of Examiner* [Docket No. 281].

4. On May 7, 2025, the Court entered the *Order Approving the Appointment of a Chapter 11 Examiner by the United States Trustee* [Docket No. 296], approving the appointment of the Examiner.

5. On June 2, 2025, the Court entered the *Order Approving Examiner’s Scope and Budget for Investigation* [Docket No. 351] (the “Scope & Budget Order”).²

6. Paragraph 5 of the Scope & Budget Order provides:

The fees and expenses of the Examiner and all professionals retained by the Examiner in connection with the Authorized Investigation shall not exceed \$100,000 in the aggregate (the “Budget”); **provided, however, nothing herein shall preclude (i) the Special Committee and the Examiner from agreeing on additional funding for the Budget** [emphasis added] or (ii) the Examiner from seeking Court approval for an increase in the Budget, subject to the Special Committee’s and the Debtor’s right to oppose such relief.

7. This Application is submitted pursuant to D.N.J. LBR 9019-4(b) in lieu of a motion in support of the Special Committee’s request that the Court enter the Proposed Stipulation, as presented. After entry of the Scope & Budget Order on June 2, 2025, the Examiner approached CCA and the Special Committee to discuss an increase to the Budget for the Examiner to conduct his Authorized Investigation. Following good faith negotiations, the Parties agreed to the terms of the Stipulation, which provides for an increase in the Examiner’s Budget to \$500,000 and the

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Scope & Budget Order.

Examiner's agreement not to seek, or take any action in furtherance of, entry of an order providing for (a) a further increase to the Budget or (b) an expansion of the Examiner's Authorized Investigation set forth in Paragraph 1 of the Scope & Budget Order. The Stipulation limits the Examiner's Budget to \$500,000 and by the Examiner's agreement set forth in the Stipulation, avoids future litigation with the Examiner over the amount of the Budget or his Authorized Investigation. As such, the Special Committee submits that the Proposed Stipulation is in the best interest of CCA and its estate.

8. No previous application for the relief sought herein has been made to this or any other Court.

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Dated: July 2, 2025

DUANE MORRIS LLP

/s/ Morris S. Bauer

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Exhibit 1

Proposed Stipulation

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**STIPULATION AND CONSENT ORDER REGARDING BUDGET FOR
THE AUTHORIZED INVESTIGATION OF THE EXAMINER**

The relief set forth on the following pages, numbered two (2) through five (5), is
ORDERED.

¹ 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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Debtor: CCA Construction, Inc.

Case No.: 24-22548 (CMG)

Caption of Order: Stipulation and Consent Order Regarding Budget for the Authorized Investigation by the Examiner

This Stipulation of Consent Order (the “**Stipulation**”) is entered into as of this [●] day of June by and between CCA Construction, Inc. as debtor and debtor in possession in the above-captioned chapter 11 case (the “**Debtor**”) and Todd Harrison, the Court-appointed examiner through his undersigned counsel (the “**Examiner**,” and, together with the Debtor, the “**Parties**”) and hereby stipulate and agree as follows:

RECITALS

WHEREAS, on December 22, 2024, CCA filed a voluntary petition for relief under title 11 of the United States Code, 11 U.S.C. §§ 101–1532, in the United States Bankruptcy Court for the District of New Jersey.

WHEREAS, on March 5, 2025, the Court entered the *Order Granting the Appointment of an Examiner* [Docket No. 211] (the “Examiner Order”).

WHEREAS, on April 29, 2025, per the Examiner Order, the U.S. Trustee filed the *Notice of Appointment of Examiner* [Docket No. 280] and the *Application for Order Approving Appointment of Examiner* [Docket No. 281].

WHEREAS, on May 7, 2025, the Court entered the *Order Approving the Appointment of a Chapter 11 Examiner by the United States Trustee* [Docket No. 296], approving the appointment of the Examiner.

WHEREAS, on June 2, 2025, the Court entered the *Order Approving Examiner’s Scope and Budget for Investigation* [Docket No. 351] (the “Scope & Budget Order”).²

WHEREAS, Paragraph 5 of the Scope & Budget Order provides:

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Scope & Budget Order.

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Debtor: CCA Construction, Inc.

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The fees and expenses of the Examiner and all professionals retained by the Examiner in connection with the Authorized Investigation shall not exceed \$100,000 in the aggregate (the “Budget”); **provided, however, nothing herein shall preclude (i) the Special Committee and the Examiner from agreeing on additional funding for the Budget** [emphasis added] or (ii) the Examiner from seeking Court approval for an increase in the Budget, subject to the Special Committee’s and the Debtor’s right to oppose such relief.

WHEREAS, the Parties desire to memorialize their agreement in this Stipulation.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION, IT IS SO ORDERED AS FOLLOWS:

1. Pursuant to Paragraph 5 of the Scope & Budget Order, the Special Committee and the Examiner have agreed that the Budget as provided for in Paragraph 5 of the Scope & Budget Order shall be increased and fixed at \$500,000.

2. In consideration of the Special Committee’s agreement to increase the Budget, the Examiner agrees not to seek, or take any action in furtherance of, entry of an order providing for (a) a further increase to the Budget or (b) an expansion of the Examiner’s Authorized Investigation set forth in Paragraph 1 of the Scope & Budget Order. If the Examiner seeks, or takes any action in furtherance of, (a) or (b) above, the Special Committee withdraws its agreement to the increased Budget set forth in paragraph 1 hereof.

3. The Special Committee reserves its right to oppose any further increases to the Budget or expansion of the Examiner’s Authorized Investigation set forth in Paragraph 1 of the Scope & Budget Order.

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Debtor: CCA Construction, Inc.

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4. The Parties are authorized to take all actions necessary to effectuate the relief granted pursuant to and in accordance with this Stipulation.

5. The Parties acknowledge that this Stipulation is the joint work product of the Parties, and that, accordingly, in the event of ambiguities, no inferences shall be drawn against any Party on the basis of authorship of this Stipulation.

6. Each Party represents and warrants to the other that it has the power and authority to enter into this Stipulation. Each person who executes this Stipulation on behalf of a Party hereto represents that he or she is duly authorized to execute this Stipulation on behalf of such Party and that each such Party has full knowledge of, and has consented to, this Stipulation.

7. The terms and conditions of this Stipulation shall be immediately effective and enforceable upon approval by the Court.

8. The Court retains sole and exclusive jurisdiction to enforce the provisions of this Stipulation.

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Debtor:	CCA Construction, Inc.
Case No.:	24-22548 (CMG)
Caption of Order:	Stipulation and Consent Order Regarding Budget for the Authorized Investigation by the Examiner

Dated: July 2, 2025

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/s/ Morris S. Bauer

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MCDERMOTT WILL & EMERY LLP

/s/ Darren Azman

Darren Azman (admitted *pro hac vice*)
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