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

In re:

Chapter 11

ZACHRY HOLDINGS, INC., et al.¹

Debtors.

(Jointly Administered)

Case No. 24-90377 (MI)

FOURTH DECLARATION OF JASON NEW IN SUPPORT OF DEBTORS' APPLICATIONS FOR ENTRY OF AN ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF LAZARD FRÉRES & CO. LLC AS INVESTMENT BANKER FOR THE DEBTORS

I, Jason New, pursuant to 28 U.S.C. § 1746 of title 28 of the United States Code, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a Vice Chairman of Investment Banking and a Managing Director at Lazard Fréres & Co. LLC ("Lazard"). I am over the age of eighteen, am authorized to submit this Declaration, and am competent to testify on the matters addressed in this fourth declaration (the

"Fourth Declaration").

2. I submit this Fourth Declaration in support of the *Debtors' Emergency Application* for Entry of an Order Authorizing the Retention and Employment of Lazard Fréres & Co. LLC as Investment Banker for the Debtors (the "Application") [Docket No. 1102], filed October 8, 2024, and the Debtors' Emergency Supplemental Application for Entry of an Order Authorizing and Approving an Amendment to the Retention and Employment of Lazard Fréres & Co. LLC as

¹ The last four digits of Zachry Holdings, Inc.'s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors' proposed claims and noticing agent at www.veritaglobal.net/ZHI. The location of the Debtors' service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.



Investment Banker for the Debtors (the "Supplemental Application") [Docket No. 1901], filed January 11, 2025,² and to supplement the disclosures set forth in the Declaration of Jason New in Support of Debtors' Emergency Application for Entry of an Order Authorizing the Retention and Employment of Lazard Fréres & Co. LLC as Investment Banker for the Debtors, attached as Exhibit B to the Application (the "First Declaration"), the Declaration of Jason New in Support of Debtors' Emergency Supplemental Application for Entry of an Order Authorizing and Approving an Amendment to the Retention and Employment of Lazard Fréres & Co. LLC as Investment Banker for the Debtors, attached as Exhibit B to the Supplemental Application (the "Second Declaration"), and the Declaration of Jason New in Support of Debtors' Emergency Supplemental Application for Entry of an Amendment to the Retention and Employment of Lazard Fréres & Co. LLC as Investment Banker for the Debtors, attached as Exhibit B to the Supplemental Application (the "Second Declaration"), and the Declaration of Jason New in Support of Debtors' Emergency Supplemental Application for Entry of an Order Authorizing and Approving an Amendment to the Retention and Employment of Lazard Fréres & Co. LLC as Investment Banker for the Debtors, (the "Third Declaration").

3. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth herein.³ To the extent any information disclosed herein requires amendment or modification as additional information becomes available to Lazard, and to the extent required by Bankruptcy Rule 2014(a), a supplemental declaration will be submitted to this Court reflecting such amended or modified information.

Newly Identified Potential Parties in Interest

4. In connection with my First Declaration, Lazard obtained from the Debtors and their advisors the names of individuals and entities that may be parties in interest in these chapter 11 cases (the "**Potential Parties in Interest**"), and such parties are listed in <u>Schedule 1</u> attached

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

³ Certain disclosures herein relate to matters within the personal knowledge of other professionals at Lazard and are based on information provided by them.

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to the First Declaration (the "**Potential Parties in Interest List**"). Thereafter, the Debtors and their advisors supplemented the lists of Potential Parties in Interest with the names of additional Potential Parties in Interest, which are listed on <u>Schedule 1</u> attached hereto (the "Fifth and Sixth Potential Parties in Interest List").⁴

5. Following the procedure set forth in my First Declaration, Lazard conducted a disclosure review with respect to Lazard's connections to the incremental names listed on the Fifth and Sixth Potential Parties in Interest List. To the extent that this inquiry revealed that any of the names on the Fifth and Sixth Potential Parties in Interest List (or their apparent affiliates or entities that Lazard believes to be affiliates, as the case may be) entered into any such engagement agreements with Lazard within the last three years, such parties are listed on <u>Schedule 2</u> annexed hereto. To the best of my knowledge and belief, Lazard's representation of each entity listed on Schedule 2 (or their apparent affiliates or entities that Lazard believes to be affiliates or entities that Lazard believes to be affiliates decise that are unrelated to these cases. Given the size of Lazard and the breadth of Lazard's client base, however, it is possible that despite the good faith efforts described herein Lazard may now or in the future be retained by one or more of the Potential Parties in Interest in unrelated matters without my knowledge.

Affirmative Statement of Disinterestedness

6. Based upon the information available to me, I believe that Lazard is a "disinterested person" within the meaning of section 101(14) of the Bankruptcy Code, and does not hold or represent an interest adverse to the Debtors' estates with respect to the matters upon which it is to be employed.

⁴ As Lazard's Application was later than the Debtors' other professionals, the Potential Parties in Interest List provided was a combined list comprised of what other professionals have referred to as the Potential Parties in Interest List, the Second Potential Parties in Interest List, the Third Potential Parties in Interest List, and the Fourth Potential Parties in Interest List. See, e.g., Docket No. 2099 ¶ 4.

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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: April 8, 2025 New York, New York LAZARD FRÉRES & CO. LLC

/s/ Jason New

Jason New Vice Chairman of Investment Banking Managing Director Case 24-90377 Document 2720 Filed in TXSB on 04/08/25 Page 5 of 11

Schedule 1

Potential Parties in Interest

Claims Objection Parties 1st Call Leasing Of Texas LLC 24HR Safety, LLC 360 Landscape Irrigation LLC **3v** Industrial Inc 513 Omega LLC 5J Oilfield Services LLC A-1 Fire & Safety A-1 Peterson Plumbing, Inc Accent Pest Control, Inc. Adriana K. Levine Advantage Interests, Inc Aerzen USA Corp Air Compressor Sales, Inc. Air Products and Chemicals Inc Airgas USA, LLC Airgas, Inc. Airtool Equipment Rental Inc Alamo Filter Company Inc. Alamo Height Minor Emergency ALL Crane Rental of Louisiana, LLC Allied Fitting LP Allied Staff Augmentation Partners, Inc Alloy and Stainless Piping Inc Allterra Central, Inc Alpha Supply LLC Aluma Systems Concrete Constru Amarillo Bolt Company Inc Amarillo Gear Company Ambius American Arbitration Association American Food & Vending Ser Mo American Mat & Timber LLC American Steel and Supply, Inc. Amistco Seperation Products Andreu Palma Lavin & Solis Pll Anew Transport LLC Angela M. Lalko Ankura Consulting Group LLC Applied Flow Technology APS Fireco Houston LLC Aquilex LLC Ariba Inc Armando Ceja Ordonez Arnold Oil Company **ASP** Enterprises Associates For International Research Inc AT&T Corp Atlas Rfid Solutions LLC Austin Fire Equipment LLC

AVEVA Software, LLC Aviation Service Supply Co **Aztec Bolting Services** B and H Distributors Inc B and L Enterprises B and S Construction, Inc B&B Ice, Inc. Baker Hughes Holdings LLC Balthazar Electriks Balthazar Enterprises Inc Barnhart Crane & Rigging Co **Barnhart Plant Services** Bartholow Rental Co Inc Bayou Concrete LLC Bayou Transportation Services Bearcom Operating LLC Bennet Truck Transport Berger Transfer and Storage Berkeley Outside Services Inc Bexar County Bill Clark Pest Control Bill Spitzer and Associates, Inc Billy Elizondo Bishop Lifting Products, Inc. Bob Barta Lumber Company Bobby Zeigler Bo-Mac Contractors, Ltd. Bonneville Industrial Supply, Co Boss Ltg Inc **BPH Scaffolding LLC** Bradford Capital Holdings, LP for PRR Landscaping and Lawncare, LLC Brand Industrial Holdings Inc Brand Property Restoration LLC Brandsafway Industries LLC Brandsafway Solutions LLC Brazos Bottom Services, LLC Brazosport Safety Council Inc Brazosport Tire Briggs Industrial Solutions, Inc. Browns Heavy Equipment Inc Bufkin Partner Ltd Bureau Veritas Certification North America, Inc. Bureau Veritas Inspection and Insurance Company Butler Signature Events, LLC C Johnnie On The Spot Inc Calvert Eaves Clarke and Stelly LLP Candace Gillis Cannonball Trucking Inc Canon Financial Services, Inc.

Capitol Coffee Systems Inc Carez Carter Carolina Lift Stations Carr Concrete Corporation Casi Bobb Causin LLC Caxperts Gmbh CCJ and Associates LLC CDW Direct, LLC **CED** Industrial Central Texas Iron Works Central Texas Iron Works Inc Chad A Calais Champion Delivery Inc Champion Direct Services LLC Champion Hi Tech Mfg Co of Okla Inc Champion Industrial Sales Co Chaparral Industrial Services, LLC Charles Gosey Cintas Corporation No. 2 City of Dallas Water Utilities Clemtex Inc **Climax Portable Machine Tools** Clinton Thompson Club Car Wash Operating LLC Coastal Ice & Water LLC Code Red Safety and Rental LLC Code Red Safety and Rentals LLC Cogbill Construction LLC Cogbill Construction, LLC Comcast Holdings Corporation Commercial Siding & Maint Co Commonwealth Electric Company of the Midwest Competition Roofing Inc Concur Technologies, Inc Consensus Cloud Solutions Inc Construction Materials Inc **Contractors Access Equipment** Contractors Safety Council Of Contractors Source Inc (CSI) Control Management, Inc. d/b/a Albireo Energy Copper State Bolt & Nut Co Inc Corpus Christi Gasket And Fastener, Inc. Crane Certification Inspection Services, LLC CRG Financial LLC as Assignee of Corporate Claims Management CRG Financial LLC On Behalf Of Mountain Crane Service, LLC Crown Electric Engineering and Manufacturing, LLC **Cunningham Graphics** Curtiss-Wright Flow Control Corporation, Farris Engineering Division Cyrinthia Singleton D. Reynolds Company d/b/a The Reynolds Co. D.H. Pace Company, Inc. Daiohs Usa Inc

Daniella Gallardo Alaniz Dan-Loc Group LLC Darrall Wayne Taylor Dash Truck Equipment Sales, Inc. Datashield Corporation Davey Kent Acceptance Corp Deborah M Walls Delta Fuel Company LLC Delta Machine and Ironworks LL Department of Treasury - Internal Revenue Service Detail Products Inc Dingee Plumbing Contractors Inc. Discount Locksmith And Surveillance LLC Disinfx Inc Distribution International SOU Diversified Underground Inc DMI LLC Dooley Tackaberry, Inc. Dot Group International Doyle & Wachtstetter Inc DS Services Of America Inc Eagle Pass ISD EAP Consultants LLC EarthCam Inc. East Baton Rouge Parish Sherif Economical Janitorial and Paper Supplies, LLC Egar Inc El Campo Refrigeration Electro Rent Corporation dba Intellirent Elliott Tool Technologies Inc Elmer Moore **Encompass Machines Inc** Encore Welding & Industrial Energy Pipe and Supply, LLC Energy Rental Solutions LLC Enterprise Holdings Inc Envision Technology Solutions Inc Epic Tool and Rental, Inc Eptura Inc Equipment Depot Equipmentshare, Inc Erickson Immigration Group PC ERS Rental Solutions, LLC Euler Hermes Agent for Gopher Mats, LLC Euler Hermes Agent For Sabel Steel Service, Inc. Euler Hermes Agent for Specialty Metal Products, Inc. EVCO Industrial Hardware, Inc. Everest Water And Coffee LLC F E Moran Inc Special Hazards Systems Factiva Inc Fair Harbor Capital, LLC for Diversified Materials And Consulting LLC Federal Iron and Metal Inc Federal Signal Corp Ferguson Enterprises, LLC

Ferrara Logistics Services LLC Ferrara Transport Services LLC Five Star Food Service, Inc. Flexim Americas Corporation Flowserve Corporation, Inc. Foster Safety LLC Four Point Solutions LLC Fred Z Hernandez Jr Fugro USA Land, Inc. Fulkrum Technical Resources Ltd Furniture Marketing Group, Inc. G and G Enterprises Construction Corp. Gabriella Rivers Gartner, Inc. Geiger Bro dba Geiger Gelco Corp Gelco Fleet Trust, Together with its Affiliate and Servicing Agent, Element Fleet Corporation -Collectively, Element Fleet General Crane Service Co General Equipment & Supply Co. George Leverette Glesby Marks Ltd Global Scaffolding & Insulatio Global Tax Network US, LLC Godwin Formwork Solutions LLC Gopher Mats, LLC, dba Viking Mat Company Graybar Electric Company, Inc. Great Western Leasing and Sales, LLC d.b.a Great Western Trailer Green Oasis LLC Gucci One Fabrications LLC Gulf Coast Occupational Gulf Coast Paper Co Gulf Coast Safety Council Gulf Coast Structural Steel And Fab Gulf Coast Tool & Rental Hatcher Mobile Service, LLC Hayden and Company HD Supply Facilities Maintenance, LTD Heatwave Supply Inc Henneman Engineering Inc Heritage Envirn Srvs LLC Heritage-Crystal Clean, Inc. Hewlett-Packard Financial Services Hicks Thomas LLP High Country Fusion Hireright Gis Intermediate His Mechanical LLC Hiwin Corporation Hogan Lovells US LLP Hoisting Wire Rope and Sling LLC Holt Industrial Air Systems Ll Hukariascendent Inc Hurricane Tool And Supply Inc Hydraulic Supply and Service Co.

Hytorc Of Texas Inc iCIMS. Inc. IMI Critical Engineering LLC Industrial Analyzer Specialist Industrial Instrument Works Inc. Industrial Scientific Corp Industrial Solutions & Innovat Industrial Welding Supply Co of Harvey, Inc Infokeepers Of Puerto Rico Intelliwave Technologies Inc Intergraph Corporation d/b/a Hexagon Asset Lifecycle Intelligence Division International Business Machines Corporation Intertek Surveying Services USA, LLC Intrepid Industries Inc. Invacor Solutions LLC **IRISNDT** Ironclad Environmental Solutio Isn Software Corporation James Meehan. Jay Waalen Enterprises Jeison M. Castrejon Jeo Consulting Group Inc Jess Parker Jesus Gomez Jeta Corporation Jim Hawk Truck Trailers Jim Valien JJ Keller and Associates Inc Joaquin Cantu John Kirkwood John McDonald Jonathan Wiley Jones Lang LaSalle Americas, Inc. Jonh McDonald Jordan Industrial Controls Inc Jose Lozoya JT REPAIR INC Kardex Remstar LLC Kegco Inc Keilers Holdings Inc Keith Industries Kelkar LLC Kempco Inspection Services, Inc. Kentech Technical Services Ltd Kevin M Fontenot Kinemetrics. Inc. Kleberg County Kobelco Construction Machinery Konica Minolta L. B. Foster Company Ladd Supply Co., Inc Lake Hardware & Lumber Co Inc Lakeview Glass & Mirror Inc Lamco & Associates Landauer, Inc

Landcare Innovations Inc. Lavher. Inc. Leonard Holmes LGC US Asset Holdings, LLC Lightning Bolt & Supply Inc Linde Gas & Equipment Inc LinkedIn Corporation Lion Pipe LLC Lockwood Partners LLC Logan Contractors Supply Inc Lone Star Lumber & Hardware Ll Lone Star Rigging LP Louisiana Fire Extinguishers Inc Lumivero LLC M & D Supply, Inc. M & P Flange & Pipe Protection M&D Supply, Inc. M&M Valve & Regulator LLC MacAllister Machinery Co., Inc. DBA MacAllister Rentals Madden Bolt Corporation Magid Glove & Safety Mfg Co Magnum Custom Trailer Mfg. Co., Inc. Mammoet USA Holdings Inc. Mannings Office Solutions LLC Marathon Fitness Marsden South, LLC Marsh And Mclennan Agency LLC Matagorda Concrete Inc Material Control Inc Matheson Tri-Gas, Inc. Maurice Bruton Maxim Crane Works, L.P. Mcfarlane Douglass & Companies Mcgill Maintenance Partnership Mchale & Associates Inc Mejia Industrial Supply Meridian Equipment, Inc. MGX Equipment Services, LLC Michael Wolski Midwest Laboratories Inc Midwest Rentals LLC MineralTech, LLC Mitre Software Corporation Mitrowski Welding & Constr MLN COMPANY Mobile Modular Management Corporation Motion Industries, Inc. Motorola MRO Industrial Group LLC Munros Uniform Services Murphy Tractor and Equipment Co., Inc. Mustang Rental Services Nalco Company LLC Nancy Mendoza Nebraska Iowa Supply Co Inc

NES Global Limited Newtron Beaumont L.L.C. Niece Equipment LP Nikkiso Cryo, Inc. Noel Hernandez Non-Destructive Inspection Cor Nooter/Eriksen, Inc. Norco Inc North America Delta Energy Services Inc Northern Safety Co Inc Northwest Insulation Company, Inc. NTT Data Business Solutions Inc. Nucor Rebar Fabrication South LLC O3 Insight, Inc. OJay Enterprises, LLC dba Swagelok Louisiana Omaha Neon Sign Co Inc Oracle America, Inc., Successor in Interest to Primavira Orion Construction, LLC OZ Group Pace Analytical Services, Inc PackSaddle Services, LLC Palacios Marine and Industrial Coatings, Inc. Paragon Micro, Inc. Paraoccdocs Inc Paraoccdocs LLC Paratech LLC Partner Industrial Coatings, LP Pedro Rodriguez Peerless Dynamics LLC PendleCo LLC Penn Tool Sales and Service Peri Formwork Systems Inc Petroleum Materials LLC Piping Enterprise Company Inc Piping Technology & Products, Inc. PK Technology LLC Plant Interscapes Inc Port Arthur Technical Services, LLC PPG Protective & Marine Coatings PPI Quality & Engineering LLC Prairie Mechanical Corporation Precision Weld Testing and Training Premier Expediting Services LLC Prime Industrial Access LLC Pro Chem Inc Prostar Services Inc Pro-Surve Techical Services, LLC Protech Sales Usa Corp PSS Industrial Group Quality Compressed Air Service Quality Mat Company Questar Gas Company Quovias Horton Rachel Boechler Randy L Brown

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Ray Donley **RDO** Equipment Company Read Ice Inc RedGaurd, LLC Renegade Industrial Supply LLC Response Supply Ltd Reu Padilla Rexel USA. Inc Richard R Reyna Ricoh-USA Inc. RISA Tech. Inc. Rita Thomas Rivers Edge Water Jet Technolo RMD Kwikform North America, Inc. Robert R Nelson Jr Robert S Hill Rocscience Inc RS Water Holding LLC S&S Tool & Supply Inc Safety Council of SWLA Sarens USA Inc Satellite Shelters Inc Satwa Occupational LLC Scada Systems Ltd Scallon Controls Inc. Scheele Engineering Schimberg Co. Scott Equipment Company, LLC Secorp Industries Partnership Sentinel Integrity Solutions, Inc. SFS USA Hold Inc Shane J Chapman Owner Sheinberg Tool Co Inc Shermco Industries, Inc. Siemens Energy, Inc. Simply Smart Holdings LLC SKCO LLC Sky Climber Access Solutions Slimvision2.0LLC South Texas Steel Service Company LLC Southeastern Freight Lines Southern Surplus and Supplies Southern Truck & Equipment Inc Southwest Galvanizing Inc Specialties Company Specialty Maintenance Products Spectrum Inspection Engineering Inc. SPX Flow US LLC State Fire Marshal State of New Jersey - Division of Taxation Bankruptcy Unit STP and I Public Company Limited STS Industrial, Inc. Stumpf Welding Supplies Sumida Brokers & Consulting K.K. Suncor Energy U.S.A. Inc.

Sunshine Bus Sales, Inc. Superior Heat Exchangers, LLC Suretec Information Systems In Susman Godfrey LLP Tata Consultancy Services Limited Tavon G Walker TDF Rentals and Leasing LLC Teadit NA Team Industrial Services Inc. Tennille, Inc. Texas Gulf Coast Fluid System Texas Materials Group, Inc. Texas Motor Transportation Con Texas Outhouse Inc Texas Stress Inc Texas Temperature Control Services, Inc The City of Bryan The Fa Bartlett Tree Expert Co The Footbridge Companies LLC The Gauge & Instrument Shop, Inc. The Greater San Antonio Chamber of Commerce The Paige Company Container Inc The Sefa Group Inc The Vine Wellness Group LLC Thomas Supply Thompson Construction Group, Inc. dba Thompson Turner Construction Tier 1 Integrity LLC Tiger Industrial Rentals LLC Timothy Stahlin Tioga Pipe Inc TJS Lube Stop 1 Inc Tomball Welding Service LLC Torcsill Foundations LLC Torque Tools Inc. Total Safety U.S., Inc. Trane US INC TRC Master Fund LLC for Brock Services, LLC Treasure Valley Coffee Inc Tricon Tool And Supply, Inc. Trident Supply LLC Trillium Advisory Group ULC Trilogy Resources, LLC Triplex Inc TSA Advet Technologies **Tubes Incorporated** Turnaround Logistics Inc Twinco Inc UFP New Waverly, LLC UFP Saginaw, LLC UKG Kronos Systems LLC United Energy Services LLC USA Industries LLC Utility Payment Processing For Utility Trailer Sales Southeast TX Inc. Vallen Distribution Inc

Valley Corporation Varella Enterprises LLC dba Texas Proud H2O Vaughn Concrete Products Veritiv Operating Company VFC Group LLC Vincent Oddo Interior Service Visual Edge W.W. Grainger, Inc. Walthall Oil Company Warren Equipment Co DBA Warren CAT Warren Paving Inc Warren Power & Machinery Inc. Wasatch Energy Sales LLC Waskey Bridges Inc Waste Connections of Nebraska, Inc. Waterfleet LLC WB Mason Co Inc Weiss Perkins Welkin Technologies LLC Wesco Distribution Inc. West Texas Cooling Tower Fabri Westbank Janitorial & Paper Supply LLC Western Concrete Pumping Inc Western Oilfields Supply Co Williams Scotsman, Inc. Willscot Mobile Mini Inc Wood Group USA Inc. WS Vending LLC Wylie & Son Inc XCEED Engineering and Yard Mule Specialists, Inc. Zayra Fernandez

Creditor

Encina Development Group LLC Lisa Anderson Marissa Tarango

Miscellaneous

Curtiss-Wright Flow Control Company Jun Kanazawa Specialty Distribution Group, LLC

Restructuring Professionals (Other)

Tydings & Rosenberg LLP Foley & Lardner LLP Lazard Fréres & Co. LLC Matthews, Shiels, Knott, Eden, Davis & Beanland, L.L.P. Watt, Tieder, Hoffar & Fitzgerald, LLP

Transferred Claim

Argo Partners

Schedule 2

Engagements with Potential Parties in Interest

Ambius Air Products and Chemicals Inc Airgas, Inc. Airgas USA, LLC AVEVA Software, LLC Baker Hughes Holdings LLC Canon Financial Services, Inc. **Comcast Holdings Corporation** Equipment Depot Hewlett-Packard Financial Services International Business Machines Corporation Intertek Surveying Services USA, LLC Siemens Energy, Inc. Tata Consultancy Services Limited Chevron Phillips Chemical Company LLC Equipment Depot Texas Inc. Hitachi Energy USA Inc. Professional Service Industries, Inc. dba INTERTEK Sun Coast Resources LLC