

In further support hereof, the Debtor respectfully states as follows:

I. FACTUAL BACKGROUND

1. On June 23, 2008 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Massachusetts (the “Court”).

2. No trustee or examiner has been appointed, and no official committee of unsecured creditors has been appointed in this case. The Debtor continues to operate its business and manage its property as a debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

II. REQUESTED RELIEF

3. By this Motion, the Debtor requests an emergency hearing on the Motions.

A. Cash Collateral Motion

4. As provided in the Cash Collateral Motion, the use of Cash Collateral is required by the Debtor on a continuing basis. Without the use of Cash Collateral, the Debtor will be unable to meet its post-petition obligations to its employees and other creditors and will likely need to cease operations. Thus, the Debtor’s need for a hearing on an emergency basis is urgent.

B. Wage Motion

5. As provided in the Wage Motion, the Debtor needs to fund payroll on June 26, 2008. The June 26, 2008 payroll includes certain prepetition amounts owed to its employees. Without a hearing on an emergency basis, the Debtor will be unable to pay its employees for the prepetition period and may suffer irreparable damage, including the potential loss of critical employees. Thus, the Debtor’s need for an emergency hearing on the Wage Motion is similarly urgent.

C. The Cash Management Motion

6. As provided in the Cash Management Motion, the Debtor seeks entry of an order (a) authorizing the continued use of the Debtor's existing centralized cash management system, (b) authorizing the maintenance and continued use of the Debtor's existing bank accounts and business forms and waiving certain operating guidelines relating to bank accounts set forth in the United States Trustee Guidelines, and (c) granting an extension of time to comply with Section 345 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. Without a hearing on an emergency basis, the Debtor will be unable to fund, among other things, its wage and cash collateral obligations as set forth in the Cash Collateral Motion and the Wage Motion. Accordingly, the Debtor's need for an emergency hearing on the Cash Management Motion is similarly urgent.

D. Motion to Impound

7. As provided in the Motion to Impound, the Debtor seeks entry of an order impounding Exhibit A to the Wage Motion in order to keep confidential certain wage and benefit information of individual employees. Due to the timing of the Debtor's next payroll checks as described in the Wage Motion and in the instant motion, the Debtor's need for an emergency hearing on the Motion to Impound is similarly urgent.

8. The Debtor submits that no interested party will be prejudiced by the Court's granting the request for an emergency hearing or the relief requested in either the Cash Collateral Motion, the Wage Motion, the Cash Management Motion or the Motion to Impound.

NOTICE

9. The Debtor has or will serve this Motion by overnight mail, facsimile, by this Court's ECF System, and/or by e-mail, and will serve the notice of the hearing on this Motion in

the same manner, on the Office of the United States Trustee, each taxing authority that has a claim in this case, the Debtor's 20 largest unsecured creditors, all parties known by the Debtor claiming to have liens on or security interests in any of the Debtor's assets, and all parties who have filed a notice of appearance in this case. The Debtor submits that such service provides sufficient notice in light of the nature of the relief requested and request that the Court approve such notice.

WHEREFORE, the Debtors respectfully requests that this Court enter an Order:

- (i) Finding notice and service of this Motion to be appropriate;
- (ii) Scheduling an emergency hearing on each of the Cash Collateral Motion, the Wage Motion, the Cash Management Motion, and the Motion to Impound on or before Wednesday, June 25, 2008, at a time convenient to the Court's calendar; and
- (iii) Granting to the Debtor such other relief as the Court deems just and proper in the circumstances.

Respectfully submitted,

MODERN CONTINENTAL
CONSTRUCTION CO., INC.,

By its proposed counsel,

/s/ Christian J. Urbano
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