

Debtor filed the Motion, together with other “first-day” motions for administrative and other relief.

2. On June 25, 2008, this Court entered an order scheduling a continued hearing (the “Hearing”) on the Motion for Wednesday, July 2, 2008 at 1:30.

3. Lender respectfully requests that this Court authorize Richard Kremen, Esq., of DLA Piper US LLP (“DLA Piper”), to appear by telephone at the Hearing. Mr. Kremen has previously represented the Lender and is familiar with its relationship with the Debtor. He is the lead attorney for the Lender in connection with the agreement to authorize use of Debtor’s cash collateral and the ongoing negotiations regarding debtor-in-possession financing for the Debtor. On June 24, 2008, this Court approved a motion authorizing Mr. Kremen to appear *pro hac vice* in this Chapter 11 case, and his attendance at the Hearing is in the best interests of all parties.

4. Mr. Kremen works out of the Baltimore, Maryland offices of DLA Piper. Appearance by telephone will result in savings in travel time and reduction of expenses associated with traveling by airplane to and from the Hearing. See MLBR 9074-1 (providing that Court may consider nature of hearing, savings in travel time and reduction of expenses as good cause to grant telephonic appearance).

5. Lender seeks expedited determination of this motion because the Court entered the order scheduling the Hearing within seven days. Based upon the foregoing, good cause exists to grant the relief requested in this motion on an expedited basis. Lender respectfully request that, based upon the nature of the relief requested, the Court dispense with the requirement under MLBR 9013-1 that a separate motion for expedited determination be filed.

6. Lender submits that no party in interest will be prejudiced by the relief requested in this motion.

WHEREFORE, Lender respectfully requests that this Court enter an Order: (a) authorizing Richard Kremen, Esq., of DLA Piper US LLP to appear by telephone at the Hearing; and (b) granting to Lender such other and further relief as this Court deems just and proper in the circumstances.

Respectfully submitted,

SEABOARD SURETY COMPANY, ST. PAUL FIRE AND MARINE INSURANCE COMPANY, ST. PAUL GUARDIAN INSURANCE COMPANY, ST. PAUL MERCURY INSURANCE COMPANY, UNITED STATES FIDELITY AND GUARANTY COMPANY, FIDELITY AND GUARANTY INSURANCE UNDERWRITERS, INC., AND FIDELITY AND GUARANTY INSURANCE COMPANY

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Dated: June 25, 2008

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(Eastern Division)**

In re:)	
)	
)	
MODERN CONTINENTAL)	Chapter 11
CONSTRUCTION CO., INC.,)	
)	Case No. 08-14558 (WCH)
Debtor.)	

CERTIFICATE OF SERVICE

I, Matthew J. Iverson, hereby certify that on June 25, 2008, I caused a copy of the foregoing MOTION FOR ENTRY OF AN ORDER AUTHORIZING RICHARD KREMEN TO APPEAR BY TELEPHONE to be served by this Court's CM/ECF System and/or by first-class mail, postage prepaid, on the persons and entities listed on the attached service list.

Dated: June 25, 2008

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