

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

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

**ASSENTED-TO MOTION TO EXTEND OBJECTION DEADLINE TO THE MOTION OF
OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR ORDER APPROVING
EMPLOYMENT OF STEPHEN R. PALUMBO AS CONSULTANT
(Expedited Determination Requested)**

Pursuant to MLBR 9013-1(g), Modern Continental Construction Co., Inc., the debtor and debtor-in-possession in the above captioned case (the “Debtor”), hereby requests that the Court enter an Order on an expedited basis extending the deadline on or before which the Debtor or 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 (collectively, the “Lender”) may object or otherwise respond to The *Motion of Official Committee of Unsecured Creditors for Order Approving Employment of Stephen R. Palumbo As Consultant* (the “Motion to Employ”) to and including Wednesday, November 26, 2008. The Official Committee of Unsecured Creditors (the “Committee”) has assented to the relief requested in this motion. In support of this motion, the Debtor respectfully states as follows:

1. On October 22, 2008, the Committee filed the Motion to Employ. The current deadline to object or otherwise respond to the Motion to Employ is November 3, 2008.

2. The Debtor requests that the Court extend the deadline on or before which the Debtor and/or the Lender may object or otherwise respond to the Motion to Employ to and including Wednesday, November 26, 2008.

3. The Debtor files this motion on an expedited basis pursuant to MLBR 9013-1(g) because the current objection deadline pursuant to MLBR 9013-1 is November 3, 2008. The Debtor also requests that the Court waive the obligation under MLBR 9013-1(g) to file a separate Motion for Expedited Consideration, on the grounds that under the circumstances, such a motion is superfluous and/or unnecessary.

4. The Committee has assented to the relief requested in this motion.

5. Based upon the foregoing, the Debtor submits that no party-in-interest will be prejudiced by the relief sought in the Motion to Employ or expedited determination of the same.

[The remainder of this page left blank intentionally.]

WHEREFORE, the Debtor respectfully requests that this Court enter an Order extending the deadline on or before which the Debtor or the Lender may object or otherwise respond to the Motion to Employ to and including Wednesday, November 26, 2008, and granting to the Debtor such other and further relief as the Court may deem just and proper in the circumstances.

Respectfully submitted,

MODERN CONTINENTAL
CONSTRUCTION CO., INC.,

By its counsel,

/s/ Christian J. Urbano

Harold B. Murphy (BBO #326610)

D. Ethan Jeffery (BBO #631941)

Christian J. Urbano (BBO #644471)

HANIFY & KING, Professional Corporation

One Beacon Street, 21st Floor

Boston, MA 02108

Tel: (617) 423-0400

Fax: (617) 556-8985

Email: cju@hanify.com

Dated: October 29, 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, Christian J. Urbano, hereby certify that on October 29, 2007, I caused a copy of the *Assented-to Motion to Extend Objection Deadline to the Motion of Official Committee of Unsecured Creditors for Order Approving Employment of Stephen R. Palumbo As Consultant* to be filed by this Court's CM/ECF System and/or by first-class mail, postage prepaid, on the following persons and entities listed on the attached Service List.

Dated: October 29, 2008

/s/ Christian J. Urbano
Christian J. Urbano (BBO #644471)
HANIFY & KING,
Professional Corporation
One Beacon Street
Boston, MA 02108
Tel: (617) 423-0400
Fax: (617) 556-8985
Email: cju@hanify.com

(Counsel to the Debtor)

Modern Continental Construction Co., Inc.

Case Number: 08-14558 (WCH)

Service List

VIA ECF

Eric K. Bradford, Esq. and Paula Bachtell
Office of the United States Trustee
10 Causeway Street
Boston, MA 02222
Email: Eric.K.Bradford@usdoj.gov
paula.bachtell@usdoj.gov

Michael J. Fencer, Esq. and Steven C. Reingold, Esq.
Jager Smith, PC
One Financial Center
Boston, MA 02111
Email: mfencer@jagersmith.com
sreingold@jagersmith.com
(*Counsel to Official Committee Of Unsecured Creditors*)

Paul O'Donnell III, Esq.
Jennifer V. Doran, Esq.
Hinckley, Allen & Snyder LLP
28 State Street
Boston, MA 02109
Email: jdoran@haslaw.com
(*Special Counsel to the Debtor*)

Jonathan K. Bernstein, Esq.
Bingham McCutchen LLP
One Federal Street
Boston, MA 02110-1726
Email: jon.bernstein@bingham.com
(*Counsel to the Bank of America, N.A., Sovereign Bank, and Keybank National Association, Nationwide Life Insurance Company, Nationwide Life and Annuity Insurance Company, Provident Life and Accident Insurance Company and The Paul Revere Life Insurance Company*)

Stewart F. Grossman, Esq.
Pamela A. Harbeson, Esq.
Looney & Grossman
101 Arch Street
Boston MA 02110
Email: sgrossman@lgllp.com; pharbeson@lgllp.com
(*Counsel to Newman Associates, Inc.*)

Matthew J. Iverson, Esq. and Michael D. Vhay, Esq.
DLA Piper US LLP
33 Arch Street, 26th Floor
Boston, MA 02110
(*Local Counsel to St. Paul Fire and Marine Insurance Company, as Surety Lender Agent for 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*)
Michael.vhay@dlapiper.com
Matthew.iverson@dlapiper.com

Richard Kremen, Esq. and Jodie Buchman, Esq., and Bruce S. Barnett, Esq.
DLA Piper US LLP
6225 Smith Avenue
Baltimore, MD 21209-3600
Email: richard.kremen@dlapiper.com; jodie.buchman@dlapiper.com
(*Counsel to St. Paul Fire and Marine Insurance Company, as Surety Lender Agent for 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*)

Hugh J. Gorman, Esq.
Sherin and Lodgen LLP
101 Federal Street
Boston, MA 02110
Email: hjgorman@sherin.com
(*Counsel to Lidell Brothers, Inc.*)

Jacob Aaron Esher, Esq., Lynne F. Riley, Esq.
Altman Riley Esher, LLP
100 Franklin Street
Boston, MA 02110
Email: esher@are-law.com; riley@are-law.com
(*Counsel to Angel Del Valle and Raquel Ibarra Mora, Co-Administrators of the Estate of Milena Del Valle, and Angel Del Valle, Individually*)

Christopher J. Panos, Esq.
William R. Moorman, Esq.
Craig and Macauley, PC
Federal Reserve Plaza, 600 Atlantic Avenue
Boston MA 02110
Email: panos@craigmacauley.com;
moorman@craigmacauley.com
(*Counsel to Bechtel/Parson Brinkerhoff*)

Sally Sauer, Esq.
Sauer & Sauer
1410 Providence Highway, Suite 416
Norwood MA 02062
Email: sallysauer@norwoodlight.com
(Counsel to Mass Bay Electrical Corp)

Michael L. Mahoney, Esq., Eugene M. Mullen, Jr., Esq.
Michael J. Callahan, Esq.
Mullen & McGourty
52 Temple Place, 4th Floor
Boston, MA 02111
Email: mmahoney@m2esq.com;
(Modern Continental Construction)

Thomas A. Dougherty, Esq.
142 Main Street, Suite 402
Brockton, MA 02301
Email: T.TDougherty2@verizon.net
(Counsel to Smyrna Rebar, Inc.)

Scott L. Machanic, Esq. and Holly A. Anderson, Esq.
Cunningham, Machanic, Cetlin, Johnson & Harney, LLP
220 North Main Street
Natick, MA 01760
Email: smachanic@cmlaw.net
(Counsel to Coni Buro)

John P. Connelly, Esq., Robert A. McCall, Esq. and Eric R. LeBlanc, Esq.
Peabody & Arnold, LLP
600 Atlantic Avenue
Boston, MA 02110
Email: rmccall@peabodyarnold.com
(Counsel to Powers Fasteners, Inc.)

Roger N. LeBoeuf, Esq.
Heald & LeBoeuf, Ltd.
One Turks Head Place
76 Westminster Street, Suite 600
Providence, RI 02903-2817
Email: rnl@healdandleboeuf.com
(Counsel to New England Foundation Co., Inc.)

Anne R. Sills, Esq.
Gregory A. Geiman, Esq.
Segal Roitman, LLP
111 Devonshire Street, 5th Floor
Boston MA 02109
Email: asills@segalroitman.com; ggeiman@segalroitman.com
(Counsel to Mass. Laborers' Health & Welfare Fund, et al.)

Patrick J. Sweeney, Esq.
Orlandi & Sweeney, P.C.
The Willard Building
1266 Furnace Brook Parkway, Suite 105
Quincy MA 02169
Email: psweeney@oandspc.com
(Counsel to Franco and Anna DeSimone)

Joseph G. LaRusso, Esq.
City Hall M-5
One City Hall Square
Boston, MA 02201
Email: joseph.larusso@cityofboston.gov
(Counsel to the City of Boston, MA William F. Sinnott Corporation Counsel)

James P. Ponsetto, Esq., Joseph P. Davis, III, Esq., and Endicott Peabody, Esq.
Greenberg Traurig, LLP
One International Place
Boston MA 02110
Email: ponsettoj@gtlaw.com; davisjo@gtlaw.com;
peobodyk@gtlaw.com
(Counsel to National Union Fire Insurance Co. of Pittsburg, PA)

Kenneth M. Diesenhof, Esq.
Law Offices of Kenneth M. Diesenhof, PC
142 Main Street, Suite 407
Brockton, MA 02301
Email: ken.diesenhof@verizon.net
(Counsel to Smyrna Rebar, Inc.)

Herbert Weinberg, Esq.
Rosenberg & Weinberg
805 Turnpike Street
North Andover, MA 01845
Email: hweinberg@jrhlwlaw.com
(Counsel to David Harper)

Nancy D. Adams, Esq. and John T. Morrier, Esq.
Mintz, Levin, Cohn, et al
One Financial Center
Boston, MA 02111
Email: ndadams@mintz.com
(Counsel to HNTB Corporation)

Michael J. Callahan, Esq. and Michael L Mahoney, Esq.
Mullen & McGourty
52 Temple Place, 4th Floor
Boston, MA 02111
Email: mmahoney@m2esq.com
(Counsel to the Debtor)

Charles A Roberts, Esq.
254 Main Street
P.O. Box 280009
Charlestown, MA 02129
Email: CharlesA.Roberts@juno.com
(Counsel to Architectural Paving & Stone)

Francis A. Shannon, III, Esq.
Shannon Law Associates, Inc.
One Bowdoin Square, 9th Floor
Boston, MA 02114
Email: fashannon@shannonlawassociates.com
(Counsel to City Lights Electrical Co., Inc. and City Lights Electrical Co., Inc./Tri-State Signal, Inc., A Joint Venture)

Susan N.K. Gummow, Esq.
Clausen Miller P.C.
10 South LaSalle Street
Chicago, IL 60603
Email: sgummow@clausen.com
(Counsel to National Union Fire Insurance Company of Pittsburgh)

Marshall Newman, Esq.
Newman & Newman, P.C.
One McKinley Square
Boston MA 02109
Email: mfn@newmanlegal.com
(Counsel to Paul Murphy, Trustee of Yensomal Realty Trust)

Ryan D. Sullivan, Esq.
Bodoff & Associates, P.C.
225 Friend Street, Suite 704
Boston, MA 02114
Email: rsullivan@bodofflaw.com
(Counsel to American Excelsior Co.)

Patrick J. Loftus, III, Esq.
9 Park Street, Suite 500
Boston, MA 02108
Email: soxdctr@aol.com
(Counsel to Commerce Insurance Company)

VIA FIRST CLASS

Internal Revenue Service
Special Procedures Function STOP 20800
P.O. Box 9112
JFK Building
Boston, MA 02203

Gerald Tutor, Esq.
Corrigan, Johnson & Tutor, P. A.
246 Walnut Street, Suite 101
Newton, MA 02460
(Counsel to David Harper)

Office of the Attorney General
Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108

New England Foundation Co., Inc.
c/o Deirdre O'Neill
One Westinghouse Plaza
Building D
Boston, MA 02136

Massachusetts Dept. of Revenue
Bankruptcy Unit
P.O. Box 9564
Boston, MA 02114-9564

Commonwealth of Massachusetts
Division of Unemployment Assistance
Bankruptcy Unit, 5th Floor, Attn: Chief Counsel
19 Staniford Street
Boston, MA 02144-2502

Travelers
Attn: Stacy Baral
Account Resolution
One Tower Square
5MN
Hartford, CT 06183-4044

John P. Graceffa, Esq., Joseph H. Caffrey, Esq. and Craig E. Rourke, Esq.
Morrison Mahoney, LLP
250 Summer Street
Boston, MA 02110
(Counsel to Newman Associates, Inc.)

BATG Environmental, Inc.
c/o Michael J. Donato
448 Broadway
Taunton, MA 02780

Testa Corp.
c/o Abdi Behjat
360 Audubon Road
Wakefield, MA 01880

John McCormack, Esq.
Sloane & Walsh, LLP
3 Center Plaza
Boston, MA 02108
(Counsel to Bechtel/Parsons Brinckerhoff)

URS Corporation
c/o Andrew P. Botti, Esq.
Donvan Hatem LLP
Two Seaport Lane
Boston, MA 02210

Robert L. Kaufman, Esq.
Brown, Brown & Klass
28118 Agoura Road, Suite 103
Agoura Hills, CA 91301
(Special Counsel to Debtor)

Lewis S. Rosenbloom, Esq., Mohsin N. Khambati, Esq.
Dewey & LeBoeuf, LLP
Two Prudential Plaza, Ste. 3700
180 North Stetson Avenue
Chicago, IL 60601
(Counsel to Fireman's Fund Insurance Company)