

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)**

In re:)	
)	
MODERN CONTINENTAL CONSTRUCTION CO., INC.)	Case No. 08-14558-WCH
)	Date: December 17, 2008
)	Time: 9:30 a.m.
)	
Debtor.)	Chapter 11
)	

**FIREMAN'S FUND INSURANCE COMPANY'S REQUEST FOR TELEPHONIC
APPEARANCE AT HEARING ON MOTION FOR APPROVAL OF SETTLEMENTS
RELATING TO CENTRAL ARTERY/TUNNEL**

Fireman's Fund Insurance Company ("FFIC"), by and through undersigned counsel, hereby requests leave of court, pursuant to Massachusetts Local Rule 9074-1, to make a telephonic appearance at the hearing on the Motion for approval of settlements relating to Central Artery/Tunnel Project (the "Motion") at 9:30 a.m. on December 17, 2008 before the Honorable William C. Hillman.

Counsel represents FFIC, a surety company, that has filed a claim in this case in excess of \$41.4 million. Counsel understands, from discussions with other parties, that the Debtor, the Committee, and the Sureties have agreed that all sides will be preserving and not waiving and/or compromising any defenses, rights, set-offs and/or claims of any type whatsoever. This request is made on the basis that counsel for FFIC is located in Chicago, Illinois. In light of FFIC's support for the settlement, and the stipulation by the parties, it would be burdensome in terms of cost and travel time to attend the hearing in person. FFIC therefore requests that the Court permit undersigned counsel to make a telephonic appearance at the hearing.

DATED: December 16, 2008

Respectfully Submitted,

/s/ Mohsin N. Khambati

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**UNITED STATES BANKRUPTCY COURT
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MODERN CONTINENTAL)	
CONSTRUCTION CO., INC.)	Case No. 08-14558-WCH
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CERTIFICATE OF SERVICE

I, Mohsin N. Khambati, hereby certify that on December 16, 2008, I caused to be served Fireman's Fund Insurance Company's Request for Telephonic Appearance by ECF and by First-Class U.S. Mail, Postage Prepaid, as indicated on the attached Exhibit A.

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EXHIBIT A**VIA ECF**

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Schumacher Landscaping
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Welshbach Electric Corporation
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