

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

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

**MOTION FOR EXPEDITED CONSIDERATION OF MOTION OF
DEBTOR AND DEBTOR-IN-POSSESSION FOR ORDER PURSUANT
TO RULE 1007 OF THE FEDERAL RULES OF BANKRUPTCY
PROCEDURE EXTENDING THE TIME TO FILE SCHEDULE OF
ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL
AFFAIRS, OR, IN THE ALTERNATIVE, FOR A BRIDGE
ORDER PENDING CONSIDERATION OF SAME**

Pursuant to MLBR 9013-1(g), Modern Continental Construction Co., Inc. (the “Debtor”), the debtor and debtor-in-possession in the above captioned case, respectfully requests that this Court consider, on an expedited basis, the hearing on the *Motion of Debtor And Debtor-in-Possession For Order Pursuant to Rule 1007 of The Federal Rules of Bankruptcy Procedure Extending The Time to File Schedule of Assets And Liabilities And Statement of Financial Affairs* (the “Schedules Motion”). In the alternative, the Debtor requests that the Court grant a bridge order extending the deadline to file the schedules of assets and liabilities and statement of financial affairs (collectively the “Schedules”) to the later of (a) one week after the denial of the Schedules Motion, or (b) the deadline established by the Court in an order granting the Schedules Motion. The Schedules Motion seeks an extension of the deadline to file the Schedules to July 24, 2008.

In support of this motion, the Debtor avers as follows:

JURISDICTION

1. This Court has jurisdiction over this motion under 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of this proceeding and this motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

2. The basis for the relief requested in this motion is MLBR 9013-1(g).

BACKGROUND

3. On June 23, 2007 (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”).

4. The Debtor continues to operate as a debtor-in-possession pursuant to Sections 1107 and 1108 of the Code.

5. The Debtor is a closely-held Massachusetts corporation formed in 1967 to perform general contracting services. At one time, the Debtor was the largest heavy civil construction company in the northeastern United States and one of the largest in the country. The Debtor served as the largest contractor (in terms of the dollar amount of contracts awarded), on the historic “Big Dig” Central Artery/Tunnel project in Boston, Massachusetts (the “CA/T Project”).

6. The scope of the Debtor’s construction expertise included heavy civil, marine, transportation, power, design/build and microtunneling projects. Some of the Debtor’s more prominent projects included the construction of the San Francisco-Oakland Bay Bridge Seismic Retrofit, Back Bay Station and the Southwest corridor in Boston, MBTA Silver Line Immersed Tube Tunnels, Route 3 reconstruction from Route 128 to the New Hampshire border, Terminal E at Boston Logan Airport, the Deer Island Inter-Island Tunnel and a major portion of the CA/T Project.

7. The Debtor filed the Schedules Motion contemporaneously with the filing of this motion.

8. The deadline for the Debtor to file the Schedules is currently July 8, 2008.

RELIEF REQUESTED

9. Pursuant to MLBR 9013-1(g), the Debtor requests that the Court either consider the Schedules Motion on an expedited basis or grant a bridge order as described above.

10. Expedited consideration of the Schedules Motion is appropriate as the Debtor's inability to complete the Schedules within the period fixed by the Bankruptcy Rules was caused by, among other things, (a) the press of administrative and procedural issues at the outset of every large bankruptcy proceeding, (b) the existence of a post-petition mediation on the so-called "Big Dig" project, one of the major issues in the Debtor's case, that has required the expenditure of time that would otherwise be used to prepare the Schedules, and (c) the intervening 4th of July holiday.

11. No creditor or party in interest will be prejudiced by the relief requested in this motion.

NOTICE

12. The Debtor has served this Motion on: (a) the Office of the United States Trustee; (b) counsel to the Debtor's prepetition secured creditors; (c) the creditors holding the twenty (20) largest unsecured claims against the Debtor's estate; and (d) all parties who have filed a notice of appearance and request for documents in this case. In light of the nature of the relief requested herein, the Debtor submits that no other or further notice is required.

WHEREFORE, the Debtor respectfully requests that the Court (a) consider the Schedules Motion on an expedited basis, or, in the alternative granting a bridge order as described above, and (b) Granting such other and further relief as the Court deems appropriate.

Respectfully submitted,

MODERN CONTINENTAL
CONSTRUCTION CO., INC.,

By its proposed counsel,

/s/ D. Ethan Jeffery

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D. Ethan Jeffery (BBO #631941)

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Dated: July 2, 2008

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