

Exhibit “A”

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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|--|---|-------------------------|
| In re: | : | Chapter 11 |
| | : | |
| Newbury Common Associates, LLC, et al. | : | Case No. 15-12507 (LSS) |
| | : | |
| | : | |
| Debtors | : | |

ORDER DIRECTING THE APPOINTMENT OF AN EXAMINER

Upon consideration of the United States Trustee’s Motion for the Entry of an Order Converting or Dismissing This Chapter 11 Case (the “Motion”), and finding that due and sufficient notice of the Motion having been given; and it appearing that the court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and this is a core proceeding under 28 U.S.C. § 157(b)(2); and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED; and
2. The United States Trustee’s Office is hereby directed to appoint an examiner pursuant to 11 U.S.C. § 1104.
3. The examiner shall:
 - a. investigate the assets, liabilities and financial condition of the Debtors;
 - b. investigate the background and events that led to this bankruptcy filing;
 - c. probe the specific allegations against DiMenna;
 - d. investigate the extent to which Kelly and Merritt were involved in mismanagement of the Debtors’ financial affairs, including any commingling and transfers of assets;

e. examine the operation of the Debtors' businesses (including how the Debtors are funding this case).

DATED: _____, 2016
Wilmington, Delaware

Laurie S. Silverstein
United States Bankruptcy Judge