

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-30608 (JCW)

**EX PARTE MOTION FOR ORDER SHORTENING NOTICE AND
EXTENDING THE RESPONSE DEADLINE**

The Official Committee of Asbestos Personal Injury Claimants (the “Committee”), by and through the undersigned counsel, hereby files this *Ex Parte Motion for Order Shortening Notice and Extending the Response Deadline* (this “Motion to Shorten Notice”) requesting shortened notice of the *Motion of the Official Committee of Asbestos Personal Injury Claimants to Continue Hearing on the Joint Motion of the Debtors and the Future Claimants’ Representative for an Order (I) Establishing a Bar Date for Certain Known Asbestos Claims, (II) Approving Proof of Claim Form, (III) Approving Personal Injury Questionnaire, (IV) Approving Notice to Claimants, and (V) Granting Related Relief* (the “Motion”). In support of this Motion to Shorten Notice, the Committee respectfully states as follows:

1. The Committee respectfully requests that this Court shorten the required notice period, pursuant to Bankruptcy Rule 9006, so that the Motion can be heard by the Court on or before **January 14, 2021** and extend the response deadline under Bankruptcy Rule 9006(b) to allow time for this Motion to be heard.

2. This request is brought on an *ex parte* basis under Local Rule 9013-1(f).

¹ The Debtors are the following entities (the last four digits of the Debtors’ taxpayer identification numbers follow in parentheses): Aldrich Pump LLC (2290) and Murray Boiler LLC (0679). The Debtors’ address is 800-E Beaty Street, Davidson, North Carolina 28036.



3. The Motion was filed seeking to continue the hearing date on the *Joint Motion of the Debtors and the Future Claimants' Representative for an Order (I) Establishing a Bar Date for Certain Known Asbestos Claims, (II) Approving Proof of Claim Form, (III) Approving Personal Injury Questionnaire, (IV) Approving Notice to Claimants, and (V) Granting Related Relief* [ECF No. 471] (the "Joint Motion") until after the Court issues its decision on the Debtors' request for a preliminary injunction.

4. It is necessary that the Motion be heard on or in advance of January 14, 2021 because that is the deadline for filing a response to the Joint Motion as dictated by the *Notice of Hearing* filed therewith [ECF No. 471-1].

5. The Joint Motion is currently scheduled to be heard on January 28, 2021, during the document review and production phase of the adversary proceeding.

6. Prior to filing the Motion, the Committee sought the filing parties' consent to continue the hearing on the Joint Motion. The Committee, for the reasons set forth in the Motion and in light of the nearly identical relief having been granted by this Court in *In re DBMP LLC*, felt that such consent was possible. Both the Debtor and the Future Claimant's Representative declined to consent, necessitating this filing.

7. The Committee will be prepared to be heard on the Motion at any time convenient to the Court and the joint movants, but has proposed the hearing be held January 14th to achieve multiple objectives (i) to be held prior to the expiration of the response deadline; (ii) to be set on a day that many of the firms involved in this case are already scheduled to be before the Court in the *In re DBMP LLC* case; and (iii) to give as much notice and opportunity to respond as possible under the circumstances.

8. In light of the significance of the Joint Motion and the resources required to prepare a thorough response, the Committee further hereby respectfully requests that the Court extend the response deadline to the Joint Motion until three days after a ruling on this Motion to Continue is issued. To do so would conserve resources and alleviate prejudice to the Committee while still allowing (if the hearing is held on January 14th as proposed) 9 days between the objection deadline and the hearing for the joint movants to file a reply – more time than is customary for briefing under the local rules of this Court.

WHEREFORE, the Committee respectfully requests that the Court grant the relief requested in this Motion to Shorten Notice and such other and further relief as the Court deems just and proper.

Dated: Charlotte, North Carolina
January 8, 2021

HAMILTON STEPHENS
STEELE + MARTIN, PLLC

/s/ Glenn C. Thompson

Glenn C. Thompson (Bar No. 37221)
525 North Tryon Street, Suite 1400
Charlotte, North Carolina 28202
Telephone: (704) 344-1117
Facsimile: (704) 344-1483
gthompson@lawhssm.com

Natalie D. Ramsey (DE Bar No. 5378)
Davis Lee Wright (DE Bar No. 4324)
ROBINSON & COLE LLP
1201 N. Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
nramsey@rc.com
dwright@rc.com

Kevin C. Maclay, Esq.
Todd E. Phillips, Esq.
James P. Wehner, Esq.
CAPLIN & DRYSDALE, CHARTERED
One Thomas Circle, NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
kmaclay@capdale.com
tphillips@capdale.com
jwehner@capdale.com

*Counsel to the Official Committee of Asbestos
Claimants*