

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	:	Chapter 11
ALDRICH PUMP LLC, <i>et al.</i> , ¹	:	Case No. 20-30608 (JCW)
Debtors.	:	

**MOTION FOR AN ORDER AUTHORIZING AND DIRECTING THE
PRODUCTION OF DOCUMENTS PURSUANT TO BANKRUPTCY RULE 2004**

The Official Committee of Asbestos Personal Injury Claimants (the “**Committee**”) by and through its undersigned counsel, hereby submits this motion (the “**Rule 2004 Motion**”) for entry of an order (the “**Order**”), substantially in the form attached hereto as Exhibit 1, authorizing and directing the production of documents pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 2004-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina (the “**Local Rules**”), as requested in the form of subpoenas (the “**Subpoenas**”) attached hereto as Exhibit 2. In support of the Rule 2004 Motion, the Committee respectfully represents as follows:

PRELIMINARY STATEMENT

1. Contemporaneously herewith, the Committee is filing its (i) Complaint for Substantive Consolidation of Debtors’ Estates with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors’ Asbestos Liabilities to Those Affiliates (the “**Complaint**”) initiating an Adversary Proceeding against Aldrich Pump LLC (“**Aldrich**”) and Murray Boiler LLC, (“**Murray**”), the debtors herein (together, the “**Debtors**”), and against Trane Technologies

¹ The Debtors are the following entities (the last four digits of their respective 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.



Company LLC (“**TTC**”) and Trane U.S. Inc. (“**Trane**”) (the “**Substantive Consolidation AP**”), and (ii) Motion of the Official Committee of Asbestos Personal Injury Claimants for Substantive Consolidation of the Debtors’ Estates with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors’ Asbestos Liabilities to Those Affiliates (the “**Substantive Consolidation Motion**”). As set forth in the Complaint and the Substantive Consolidation Motion, the Substantive Consolidation AP seeks to substantively consolidate (i) Aldrich with TTC, and (ii) Murray Boiler with Trane. Alternatively, the Substantive Consolidation AP seeks to reallocate the asbestos liabilities of Aldrich to TTC, and the asbestos liabilities of Murray to Trane.

2. In an abundance of caution, the Committee intends to provide notice of the Substantive Consolidation Motion to all of TTC’s creditors and all of Trane’s creditors. To accomplish this, the Committee needs the names and addresses of such creditors.

3. Accordingly, by this Motion, the Committee seeks entry of the Order, pursuant to Bankruptcy Rule 2004 and Local Rule 2004-1, authorizing and directing the production of documents by TTC and Trane, as requested in the Subpoenas, identifying the names and addresses of TTC’s and Trane’s creditors, and to the extent known, counsel for such creditors.

JURISDICTION AND VENUE

4. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of the Debtors’ chapter 11 cases in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

PROCEDURAL BACKGROUND

5. On June 18, 2020 (the “**Petition Date**”), the Debtors commenced these proceedings (together, the “**Chapter 11 Cases**”) by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”). On June 25, 2020, the Court entered its Order Directing the Joint Administration of the Debtors’ Chapter 11 Cases [ECF No. 114], which

provided that the Debtors' bankruptcy cases would be consolidated for procedural purposes only. The Debtors continue to act as a debtor-in-possession pursuant to 11 U.S.C. §§ 1107(a) and 1108.

6. On July 7, 2020, the Court entered its Order Appointing the Official Committee of Asbestos Personal Injury Claimants [ECF No. 147].

7. Contemporaneously herewith, the Committee is filing the Complaint initiating the Substantive Consolidation AP against Aldrich, Murray, TTC and Trane, and also filing the Substantive Consolidation Motion.

ARGUMENT

I. THE INFORMATION SOUGHT THROUGH THE 2004 MOTION IS RELEVANT AND NECESSARY TO THE ADMINISTRATION OF THE BANKRUPTCY CASE

8. Bankruptcy Rule 2004(a) provides that “[o]n motion of any party in interest, the court may order the examination of any entity” as to the “acts, conduct, or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of the debtor’s estate.” FED. R. BANKR. P. 2004(b). The examination may relate to “the operation of any business and the desirability of its continuance, the source of any money or property acquired or to be acquired by the debtor for purposes of consummating a plan and the consideration given or offered therefor, and any other matter relevant to the case or to the formulation of a plan.” *Id.*

9. Rule 2004 “commits to the sound discretion of the bankruptcy court the decision whether to require examination of a party.” *McLaughlin v. McPhail*, 707 F.2d 800, 804 (4th Cir. 1983). The scope of a Rule 2004 examination is to be “unfettered and broad,” as the plain language of the rule indicates. *In re Wash. Mut., Inc.*, 408 B.R. 45, 49-50 (Bankr. D. Del. 2009); *see* 9 COLLIER ON BANKRUPTCY ¶ 2004.02[1] (16th ed. rev. 2013); *see also In re Drexel Burnham Lambert Grp., Inc.*, 123 B.R. 702, 711 (Bankr. S.D.N.Y. 1991) (“The understanding generally

acceptable today is that the scope of a Rule 2004 examination is very broad.”); *In re Cont’l Forge Co.*, 73 B.R. 1005, 1007 (Bankr. W.D. Pa. 1987) (noting that the general purpose of Rule 2004 is to locate assets and to make those assets available for creditors). Courts have described a Rule 2004 examination as “the basic discovery device used in bankruptcy cases.” *In re French*, 145 B.R. 991, 992 (Bankr. D.S.D. 1992).

10. The relief requested in the Complaint and the Substantive Consolidation Motion, if granted, would have a significant impact on the bankruptcy cases and the formulation of a Chapter 11 plan, as the assets and creditors of TTC and Trane would be consolidated into the bankruptcy cases of Aldrich and Murray, respectively. Given the impact of substantive consolidation on the creditors of TTC and Trane, the Committee believes it appropriate to provide notice of the Substantive Consolidation Motion to such creditors. In fact, certain courts outside this Circuit have found that notice to the non-debtor’s creditors of the request for substantive consolidation is required. *See In re Mihranian*, 937 F.3d 1214, 1218 (9th Cir. 2019) (ruling that “a party moving for substantive consolidation must provide notice of the motion to the creditors of a putative consolidated non-debtor”); *In re S & G Fin. Servs. of S. Fla., Inc.*, 451 B.R. 573, 585 (Bankr. S.D. Fla. 2011) (stating that, “if and when the Court does conduct a substantive consolidation hearing . . . , adequate notice must be given not only to the [non-debtor] Defendants and Debtor, but also to the Defendants’ creditors”); *In re AAPC, Inc.*, 277 B.R. 785, 789 (Bankr. D. Utah 2002) (stating that creditors of non-debtor entities “must be given notice and an opportunity to be heard regarding consolidation”); *but cf. In re New Ctr. Hosp.*, 187 B.R. 560, 566 (E.D. Mich. 1995) (observing that debtors and non-debtors to be consolidated are alter egos and their business dealings are “so inextricably intertwined that no entity that had extended credit to the alter egos of the Debtor[s] could reasonably be said to be without notice”).

11. To provide such notice, the Committee needs the names and addresses of TTC's and Trane's creditors. This Rule 2004 Motion, seeking such information to allow for notice of the Substantive Consolidation Motion, is therefore directly relevant and important to the Bankruptcy Case and the related Substantive Consolidation AP.

II. THE INFORMATION SOUGHT THROUGH THE RULE 2004 MOTION IS LIMITED AND TARGETED

12. The document request to TTC and Trane sought through this Motion is intentionally targeted and specific. It seeks only the information necessary for the Committee to send notice of the Substantive Consolidation Motion to the creditors of TTC and Trane. Given the specific and limited nature of the information sought by the Committee, the burden on TTC and Trane in providing the names and addresses of their creditors should not be substantial. On the other hand, without such information, the Committee will be unable to provide actual notice of the Substantive Consolidation Motion to such creditors.

III. NOTWITHSTANDING THE FILING OF THE SUBSTANTIVE CONSOLIDATION AP, THE COURT SHOULD AUTHORIZE THE REQUEST UNDER BANKRUPTCY RULE 2004 TO OBTAIN INFORMATION TO ALLOW FOR NOTICE OF THE SUBSTANTIVE CONSOLIDATION MOTION TO TTC'S AND TRANE'S CREDITORS

13. Under the "pending proceeding rule," which has been adopted by the courts in this Circuit, once an adversary proceeding has commenced, "discovery may be had only pursuant to the discovery provisions of the Federal Rules of Civil Procedure." *In re Szadkowski*, 198 B.R. 140, 141 (Bankr. D. Md. 1996). However, the pending proceeding rule is not an absolute bar on discovery under Bankruptcy Rule 2004. *Id.* at 142 ("This is not to say that an order authorizing a Rule 2004 examination can never be obtained while an adversary proceeding or contested matter is pending."); *In re Se. Materials, Inc.*, No. 09-52606, 2010 WL 5128608, at *4 (Bankr. M.D.N.C. Dec. 10, 2010) ("However, the existence of an adversary proceeding does not create a blanket

prohibition on Rule 2004 examinations.”). “While a party may not use a 2004 examination with respect to ‘(1) entities affected by the pending adversary proceeding(s) and (2) issues addressed in its pending adversary proceeding(s), . . . a creditor may conduct Rule 2004 examinations regarding issues in addition to or beyond the scope of its pending adversary proceeding.’” *Id.* (alteration in original) (quoting *In re Buick*, 174 B.R. 299, 306 (Bankr. D. Colo. 1994)); *see also In re Ramadan*, No. 11-02734-8-SWH, 2012 WL 1230272, at *3 (Bankr. E.D.N.C. Apr. 12, 2012) (“Discovery of evidence *related* to the pending proceeding must be accomplished in accord with more restrictive provisions of [the Federal Rules of Bankruptcy Procedure], while *unrelated* discovery should not be subject to those rules simply because there is an adversary proceeding pending.” (alteration in original) (internal quotation marks and citations omitted)).

14. By this Rule 2004 Motion, the Committee does not seek discovery related to the claims asserted in the Substantive Consolidation AP, or any other substantive issues addressed in the Substantive Consolidation AP. Rather, the Rule 2004 Motion seeks limited information to address matters of procedure, namely, to allow for notice of the Substantive Consolidation Motion to TTC’s and Trane’s creditors.

15. Additionally, requiring the Committee to seek the names and mailing addresses of TTC’s and Trane’s creditors under the Federal Rules of Civil Procedure would only delay the notice of the Substantive Consolidation Motion to such creditors, since no discovery could be issued until after the parties have a conference under Bankruptcy Rule 7026(f). FED. R. BANKR. P. 7026(d)(1).

16. The Court should therefore authorize the document requests sought through the Rule 2004 Motion, notwithstanding the filing of the Substantive Consolidation AP.

RESERVATION OF RIGHTS

17. The Committee reserves the right to request and/or to conduct or seek any other discovery in the Bankruptcy Case, pursuant to Bankruptcy Rule 2004 or other applicable law, from any person or entity. Additionally, the Committee reserves the right to conduct discovery in the Substantive Consolidation AP.

CONCLUSION

WHEREFORE, the Committee respectfully requests entry of the Order attached hereto as Exhibit 1, requiring the production of documents pursuant to Bankruptcy Rule 2004 as requested under the form of subpoenas attached hereto as Exhibit 2, and for such other and further relief as is necessary and appropriate.

Respectfully submitted,

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

/s/ Glenn C. Thompson

Glenn C. Thompson (Bar No. 37221)
Robert A. Cox, Jr. (Bar No. 21998)
525 North Tryon Street, Suite 1400
Charlotte, North Carolina 28202
Telephone: (704) 344-1117
Facsimile: (704) 344-1483
Email: gthompson@lawhssm.com
rcox@lawhssm.com

*Local Counsel for the Official Committee of
Asbestos Personal Injury Claimants*

CAPLIN & DRYSDALE, CHARTERED
Kevin C. MacLay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
One Thomas Circle NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
Email: kmacLay@capdale.com
tphillips@capdale.com
jliesemer@capdale.com

*Counsel to the Official Committee of Asbestos
Personal Injury Claimants*

David Neier (admitted *pro hac vice*)
Carrie V. Hardman (admitted *pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 294-6700
Fax: (212) 294-4700
Email: dneier@winston.com
chardman@winston.com

*Special Litigation Counsel to the Official
Committee of Asbestos Personal Injury
Claimants*

Dated: October 18, 2021

ROBINSON & COLE LLP
Natalie D. Ramsey (admitted *pro hac vice*)
Davis Lee Wright (admitted *pro hac vice*)
1201 North Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
Email: nramsey@rc.com
dwright@rc.com

*Counsel to the Official Committee
of Asbestos Personal Injury Claimants*

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

:
:
:
:
:
:
:

Chapter 11

Case No. 20-30608 (JCW)

**[PROPOSED] ORDER GRANTING MOTION FOR AN ORDER
AUTHORIZING AND DIRECTING THE PRODUCTION OF
DOCUMENTS PURSUANT TO BANKRUPTCY RULE 2004**

This matter came before the Court on the Motion for an Order Authorizing and Directing the Production of Documents Pursuant to Bankruptcy Rule 2004 (the “**Motion**”)² filed by the Official Committee of Asbestos Personal Injury Claimants (the “**Committee**”). The Court having reviewed and considered the Motion, the exhibits thereto, and all related filings; and the Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) venue is proper in this district pursuant to 28 U.S.C. § 1409, (iii) this is a core proceeding

¹ The Debtors are the following entities (the last four digits of their respective 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.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

pursuant to 28 U.S.C. § 157(b), (iv) notice of the Motion was sufficient under the circumstances, (v) the information sought in the production of documents is relevant to the administration of the Debtors' bankruptcy cases and reorganization efforts, and (vi) that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. Pursuant to Bankruptcy Rule 2004, the Committee is authorized to serve discovery, substantially in the form of Exhibit 2 to the Motion, requesting production of documents, and Trane Technologies Company LLC and Trane U.S. Inc. are directed to comply with the request for production.
3. Such documents shall be provided within the time set forth in the subpoenas requesting production of such documents, or at such other time and place as may be ordered by the Court or agreed to by counsel.
4. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT

Western

District of North Carolina

In re Aldrich Pump LLC, et al.

Debtor

Case No. 20-30608

(Complete if issued in an adversary proceeding)

Chapter 11

Plaintiff

v.

Adv. Proc. No.

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: TRANE U.S. INC.

(Name of person to whom the subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See attached Exhibit A

PLACE	Office of Hamilton Stephens Steele + Martin, PLLC 525 N. Tryon Street, Suite 1400 Charlotte, NC 28202	DATE AND TIME
-------	---	---------------

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME
-------	---------------

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party) _____ Official Committee of Asbestos Personal Injury Claimants _____, who issues or requests this subpoena, are:

Robert A. Cox, Jr., Hamilton Stephens Steele+Martin, LLC, 525 N. Tryon St., Suite 1400, Charlotte, NC 28202

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
	:	
ALDRICH PUMP LLC, et al., ¹	:	Case No. 20-30608 (JCW)
	:	
Debtors.	:	
	:	

**REQUEST FOR PRODUCTION OF DOCUMENTS PURSUANT TO FEDERAL RULE
OF BANKRUPTCY PROCEDURE 2004 DIRECTED TO TRANE U.S. INC.**

Pursuant to Federal Rule of Bankruptcy Procedure 2004, the Official Committee of Asbestos Personal Injury Claimants (the “**Committee**”) requests that Trane U.S. Inc. produce the Documents described in the request below (the “**Request**,” or “**Request for Production**”) for inspection and copying at the offices of Hamilton Stephens Steele + Martin, PLLC, 525 N. Tryon Street, Suite 1400, Charlotte, NC 28203, on or before _____, or at such other time as may be ordered by the Court or agreed to by counsel.

The responses and production of Documents in response to the Request herein shall be in accordance with the instructions and definitions set forth below.

DEFINITIONS

1. The word “**and**” includes “or” and vice versa.
2. The word “**any**” is also used in the inclusive sense, *i.e.*, “any and/or all.”
3. “**Trane U.S. Inc.**” refers to the Delaware corporation formed as a result of, or in connection with, the Texas divisional merger on May 1, 2020.

¹ The Debtors are the following entities (the last four digits of their respective 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.

4. **“Document”** means all materials within the full scope of Federal Rule of Civil Procedure 34, including: all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including e-mail and attachments, correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, minutes, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings, printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes, and amendments of any of the foregoing), graphic or aural representations of any kind (including photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, magnetic, optical, or electronic records or representations of any kind (including computer files and programs, tapes, cassettes, discs, recordings, and metadata).

5. **“Including”** or **“includes”** means including without limitation.

6. The word **“or”** is used in the all-inclusive sense. If, for example, a request calls for any Documents that indicate x or y, any Documents that indicate both x and y should be produced, as well as any Documents that indicate either x or y.

7. A Document is in the **“possession, custody, or control”** of a person or entity if such person or entity has the legal right to obtain the Document, regardless of its source or present location.

8. The words **“you”** and **“your”** refer to Trane U.S. Inc.

INSTRUCTIONS

1. The Request set forth herein refers to all Documents in your possession, custody, or control, as well as Documents in the possession, custody, or control of your counsel, representatives, agents, servants, employees, experts, investigators, or consultants.

2. You must produce all non-identical copies of Documents, including drafts and copies upon which notations or additional writings have been made.

3. If e-mail or other Documents stored electronically have been “deleted” from a computer, but are still retrievable in some form, any such responsive Document should be retrieved and produced, either in hard copy or a readily readable electronically recorded form.

4. For any Document generated, maintained or stored electronically, produce with searchable text in the following format: single-page Group IV TIFF images at 300 DPI and associated multi-page text files containing extracted text or with appropriate software load files containing all requisite information for use with litigation support (e.g., Relativity[®], Concordance[®] OPT files), as agreed to by the parties. Each page image shall be named with a unique production number.

5. If you claim that any of the Documents requested is privileged or subject to immunity from discovery as trial preparation material or otherwise under the work product doctrine, please identify each such Document in your possession, custody, or control, and include in the identification a description of the Document, the date of the Document, the names of the addressee and the addressor, the identity of any person to whom a copy was given or communicated, the general subject matter of the Document, a statement of facts constituting the basis for any claim of privilege or immunity, and a specific basis on which privilege or immunity is claimed.

6. If any Document relating to the subject matter of these Request has been destroyed, describe the content of said Document, the location of any copies of said Document, the date of such destruction and the name of the person who ordered or authorized such destruction.

7. As used herein, the present tense includes the past tense, and vice-versa.

8. As used herein, the singular includes the plural, and vice-versa.

REQUEST FOR PRODUCTION OF DOCUMENTS

The Committee requests that the following documents be produced: Documents sufficient to identify (a) any and all current and potential creditors of Trane U.S. Inc., (b) any counsel of record for any such creditors, and (c) the current and respective mailing addresses of such creditors and counsel (or alternative contact information that would enable such creditors or counsel to receive actual notice from the Committee).

North Carolina

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

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

*Local Counsel for the Official Committee of
Asbestos Personal Injury Claimants*

CAPLIN & DRYSDALE, CHARTERED
Kevin C. Maclay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
One Thomas Circle NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
Email: kmaclay@capdale.com
tphillips@capdale.com
jliesemer@capdale.com

*Counsel to the Official Committee of Asbestos
Personal Injury Claimants*

ROBINSON & COLE LLP
Natalie D. Ramsey (admitted *pro hac vice*)
Davis Lee Wright (admitted *pro hac vice*)
1201 North Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
Email: nramsey@rc.com
dwright@rc.com

*Counsel to the Official Committee of Asbestos
Personal Injury Claimants*

WINSTON & STRAWN LLP

David Neier (admitted *pro hac vice*)

Carrie V. Hardman (admitted *pro hac vice*)

200 Park Avenue

New York, NY 10166

Telephone: (212) 294-6700

Fax: (212) 294-4700

Email: dneier@winston.com

chardman@winston.com

*Special Litigation Counsel to the Official
Committee of Asbestos Personal Injury
Claimants*

UNITED STATES BANKRUPTCY COURT

Western

District of North Carolina

In re Aldrich Pump LLC, et al.

Debtor

(Complete if issued in an adversary proceeding)

Case No. 20-30608

Chapter 11

Plaintiff

v.

Adv. Proc. No.

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: TRANE TECHNOLOGIES COMPANY LLC

(Name of person to whom the subpoena is directed)

☒ **Production: YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See attached Exhibit A

PLACE	Office of Hamilton Stephens Steele + Martin, PLLC 525 N. Tryon Street, Suite 1400 Charlotte, NC 28202	DATE AND TIME
-------	---	---------------

☐ **Inspection of Premises: YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME
-------	---------------

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party) _____ Official Committee of Asbestos Personal Injury Claimants _____, who issues or requests this subpoena, are:

Robert A. Cox, Jr., Hamilton Stephens Steele+Martin, LLC, 525 N. Tryon St., Suite 1400, Charlotte, NC 28202

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

:
: Chapter 11
:
: Case No. 20-30608 (JCW)
:
:
:

**REQUEST FOR PRODUCTION OF DOCUMENTS PURSUANT
TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004
DIRECTED TO TRANE TECHNOLOGIES COMPANY LLC**

Pursuant to Federal Rule of Bankruptcy Procedure 2004, the Official Committee of Asbestos Personal Injury Claimants (the “**Committee**”) requests that Trane Technologies Company LLC produce the Documents described in the request below (the “**Request**,” or “**Request for Production**”) for inspection and copying at the offices of Hamilton Stephens Steele + Martin, PLLC, 525 N. Tryon Street, Suite 1400, Charlotte, NC 28203, on or before _____, or at such other time as may be ordered by the Court or agreed to by counsel.

The responses and production of Documents in response to the Request herein shall be in accordance with the instructions and definitions set forth below.

DEFINITIONS

1. The word “**and**” includes “or” and vice versa.
2. The word “**any**” is also used in the inclusive sense, *i.e.*, “any and/or all.”

¹ The Debtors are the following entities (the last four digits of their respective 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. **“Trane Technologies Company LLC”** refers to the Delaware limited liability company formed as a result of, or in connection with, the Texas divisional merger on May 1, 2020.

4. **“Document”** means all materials within the full scope of Federal Rule of Civil Procedure 34, including: all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise (including e-mail and attachments, correspondence, memoranda, notes, diaries, minutes, statistics, letters, telegrams, minutes, receipts, returns, summaries, pamphlets, books, interoffice and intraoffice communications, offers, notations of any sort of conversations, working papers, applications, permits, file wrappers, indices, telephone calls, meetings, printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes, and amendments of any of the foregoing), graphic or aural representations of any kind (including photographs, charts, microfiche, microfilm, videotape, recordings, motion pictures, plans, drawings, surveys), and electronic, mechanical, magnetic, optical, or electronic records or representations of any kind (including computer files and programs, tapes, cassettes, discs, recordings, and metadata).

5. **“Including”** or **“includes”** means including without limitation.

6. The word **“or”** is used in the all-inclusive sense. If, for example, a request calls for any Documents that indicate x or y, any Documents that indicate both x and y should be produced, as well as any Documents that indicate either x or y.

7. A Document is in the **“possession, custody, or control”** of a person or entity if such person or entity has the legal right to obtain the Document, regardless of its source or present location.

8. The words **“you”** and **“your”** refer to Trane Technologies Company LLC.

INSTRUCTIONS

1. The Request set forth herein refers to all Documents in your possession, custody, or control, as well as Documents in the possession, custody, or control of your counsel, representatives, agents, servants, employees, experts, investigators, or consultants.
2. You must produce all non-identical copies of Documents, including drafts and copies upon which notations or additional writings have been made.
3. If e-mail or other Documents stored electronically have been “deleted” from a computer, but are still retrievable in some form, any such responsive Document should be retrieved and produced, either in hard copy or a readily readable electronically recorded form.
4. For any Document generated, maintained or stored electronically, produce with searchable text in the following format: single-page Group IV TIFF images at 300 DPI and associated multi-page text files containing extracted text or with appropriate software load files containing all requisite information for use with litigation support (e.g., Relativity[®], Concordance[®] OPT files), as agreed to by the parties. Each page image shall be named with a unique production number.
5. If you claim that any of the Documents requested is privileged or subject to immunity from discovery as trial preparation material or otherwise under the work product doctrine, please identify each such Document in your possession, custody, or control, and include in the identification a description of the Document, the date of the Document, the names of the addressee and the addressor, the identity of any person to whom a copy was given or communicated, the general subject matter of the Document, a statement of facts constituting the basis for any claim of privilege or immunity, and a specific basis on which privilege or immunity is claimed.

6. If any Document relating to the subject matter of these Request has been destroyed, describe the content of said Document, the location of any copies of said Document, the date of such destruction and the name of the person who ordered or authorized such destruction.

7. As used herein, the present tense includes the past tense, and vice-versa.

8. As used herein, the singular includes the plural, and vice-versa.

REQUEST FOR PRODUCTION OF DOCUMENTS

The Committee requests that the following documents be produced: Documents sufficient to identify (a) any and all current and potential creditors of Trane Technologies Company LLC, (b) any counsel of record for any such creditors, and (c) the current and respective mailing addresses of such creditors and counsel (or alternative contact information that would enable such creditors or counsel to receive actual notice from the Committee).

North Carolina

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

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

*Local Counsel for the Official Committee of
Asbestos Personal Injury Claimants*

CAPLIN & DRYSDALE, CHARTERED
Kevin C. MacLay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
One Thomas Circle NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
Email: kmacLay@capdale.com
tphillips@capdale.com
jliesemer@capdale.com

*Counsel to the Official Committee of
Asbestos Personal Injury Claimants*

WINSTON & STRAWN LLP
David Neier (admitted *pro hac vice*)
Carrie V. Hardman (admitted *pro hac vice*)
200 Park Avenue
New York, NY 10166
Telephone: (212) 294-6700
Fax: (212) 294-4700
Email: dneier@winston.com
chardman@winston.com

*Special Litigation Counsel to the Official
Committee of Asbestos Personal Injury
Claimants*

ROBINSON & COLE LLP
Natalie D. Ramsey (admitted *pro hac vice*)
Davis Lee Wright (admitted *pro hac vice*)
1201 North Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
Email: nramsey@rc.com
dwright@rc.com

*Counsel to the Official Committee of Asbestos
Personal Injury Claimants*

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
	:	
ALDRICH PUMP LLC, <i>et al.</i> , ¹	:	Case No. 20-30608 (JCW)
	:	
Debtors.	:	
	:	

NOTICE OF HEARING

PLEASE TAKE NOTICE that on October 18, 2021 the Official Committee of Asbestos Personal Injury Claimants filed a *Motion for an Order Authorizing and Directing the Production of Documents Pursuant to Bankruptcy Rule 2004* (the "Motion") in this case.

PLEASE TAKE FURTHER NOTICE that your rights may be affected by the Motion. You should read the Motion carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult with one.

PLEASE TAKE FURTHER NOTICE that, pursuant to Fed. R. Bankr. P. 9006 and the Case Management Order, written responses, if any, must be filed on or before **November 1, 2021** (the "Response Deadline"), in order to be considered. If you do not want the Court to grant the relief requested in the Motion, or if you oppose it in any way, you **MUST**:

1. File a formal, written response with the Bankruptcy Court at:

Clerk, United States Bankruptcy Court
Charles Jonas Federal Building
401 West Trade Street
Charlotte, North Carolina 28202
2. Serve a copy of your response on all parties in interest, including:
 - a) U.S. Bankruptcy Administrator
402 West Trade Street
Charlotte, NC 28202

¹ The Debtors are the following entities (the last four digits of their respective 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.

- b) HAMILTON STEPHENS STEELE + MARTIN, PLLC
Glenn C. Thompson
525 North Tryon Street, Suite 1400
Charlotte, North Carolina 28202
- c) ROBINSON & COLE LLP
Natalie D. Ramsey
Davis Lee Wright
1000 N. West Street, Suite 1200
Wilmington, Delaware 19801
- d) CAPLIN & DRYSDALE, CHARTERED
Kevin C. Maclay
Todd E. Phillips
Jeffrey A. Liesemer
One Thomas Circle NW, Suite 1100
Washington, DC 20005
- e) WINSTON & STRAWN LLP
David Neier
Carrie V. Hardman
200 Park Avenue
New York, NY 10166

PLEASE TAKE FURTHER NOTICE that a **status** hearing on the Motion will be held on **November 17, 2021 at 1:00 p.m. (ET)** before the Honorable J. Craig Whitley at the United States Bankruptcy Court, Charles Jonas Federal Building, Courtroom 2B, 401 West Trade Street, Charlotte, North Carolina 28202.

PLEASE TAKE FURTHER NOTICE that, if you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting the relief requested. No further notice of the hearing will be given.

[Signatures appear on the following page]

Dated: October 18, 2021
Charlotte, North Carolina

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

/s/ Glenn C. Thompson

Glenn C. Thompson (Bar No. 37221)
Robert A. Cox, Jr. (Bar No. 21998)
525 North Tryon Street, Suite 1400
Charlotte, North Carolina 28202
Telephone: (704) 344-1117
Facsimile: (704) 344-1483
Email: gthompson@lawhssm.com
rcox@lawhssm.com

*Local Counsel for the Official Committee of
Asbestos Personal Injury Claimants*

CAPLIN & DRYSDALE, CHARTERED
Kevin C. Maclay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
One Thomas Circle NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
Email: kmaclay@capdale.com
tphillips@capdale.com
jliesemer@capdale.com

*Counsel to the Official Committee of Asbestos
Personal Injury Claimants*

David Neier (admitted *pro hac vice*)
Carrie V. Hardman (admitted *pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 294-6700
Fax: (212) 294-4700
Email: dneier@winston.com
chardman@winston.com

*Special Litigation Counsel to the Official
Committee of Asbestos Personal Injury
Claimants*

ROBINSON & COLE LLP
Natalie D. Ramsey (admitted *pro hac vice*)
Davis Lee Wright (admitted *pro hac vice*)
1201 North Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
Email: nramsey@rc.com
dwright@rc.com

*Counsel to the Official Committee
of Asbestos Personal Injury Claimants*