

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
	:	
Debtors.	:	(Jointly Administered)
	:	

**MOTION OF THE DEBTORS
FOR AN ORDER APPROVING THE DEBTORS'
PROPOSED CASE MANAGEMENT ORDER FOR ESTIMATION**

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), hereby move the Court for entry of an order approving the Debtors' proposed case management order (the "Debtors' Proposed CMO," attached hereto as Exhibit A) to govern the instant proceeding for estimation of asbestos claims ("Estimation Proceeding").

On April 18, 2022, this Court entered the *Order Authorizing Estimation of Asbestos Claims* [Dkt. 1127] (the "Estimation Order"). The parties to that Estimation Proceeding are the Debtors, the Official Committee of Asbestos Personal Injury Claimants (the "ACC"), and Joseph W. Grier, III, as the representative for future asbestos claimants in the above-captioned cases (the "FCR" and, together with the Debtors and the ACC, the "Parties").² Pursuant to the Estimation Order, the Parties are to "negotiate a separate case management order for estimation" and may submit separate proposed case management orders in the event they are unable to

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 All Parties have agreed that Trane Technologies Company LLC ("New Trane Technologies") and Trane U.S. Inc. ("New Trane") should be added as parties to the Estimation Proceeding, and included as parties to whatever form of the case management order the Court ultimately enters.



consensually reach agreement on a proposed case management order. See Estimation Order at ¶ 4.

The Debtors' Proposed CMO sets forth a schedule for the commencement and completion of two major aspects of the Estimation Proceeding: (a) Written Discovery (as defined in the Debtors' Proposed CMO) and (b) completion and return of the Personal Injury Questionnaires (the "PIQs" or, individually, a "PIQ"). The Debtors' Proposed CMO provides for the completion of these two items, along with the resolution of any disputes concerning the same, before setting forth a schedule for the remainder of the Estimation Proceeding. At this point, while no Written Discovery has been submitted, and the Parties continue to negotiate the final contours of the PIQs, it is clear from the Bestwall case that it is nearly impossible to lay out a precise schedule for the remainder of the Estimation Proceeding until these tasks are completed, and disputes concerning the same are resolved. The Debtors' Proposed CMO, as a result, does not attempt to do so.

In addition, the Debtors' Proposed CMO seeks to streamline the Written Discovery and PIQ process in an effort to avoid some of the disputes and motion practice that have pervaded the Bestwall case. The Debtors' Proposed CMO proposes a six month Written Discovery and PIQ schedule with a two month period following that to analyze and raise any disputes to the Court concerning Written Discovery and the PIQs. The Debtors' Proposed CMO also calls for the use of categorical privilege logging to identify the categories of privilege asserted and allow the parties to raise any disputes concerning the same, while avoiding the incredibly costly and burdensome document-by-document privilege logging process that has taken place in Bestwall.

In support of this Motion, the Debtors respectfully state as follows.

BACKGROUND

1. On June 18, 2020 (the "Petition Date"), the Debtors commenced their reorganization cases (the "Chapter 11 Cases") by filing voluntary petitions for relief under chapter 11 of the Bankruptcy Code. These Chapter 11 Cases have been consolidated for procedural purposes only and are being administered jointly.

2. On September 24, 2021, the Debtors filed the *Motion of the Debtors for Estimation of Prepetition Asbestos Claims* [Dkt. 833] (the "Estimation Motion").

3. After briefing and oral argument on December 2, 2021, at the January 26, 2022 hearing the Court announced it would grant the Estimation Motion, and that an Estimation Proceeding would take place to estimate the Debtors' aggregate liability for all current and future asbestos-related personal injury claims, including an estimation of mesothelioma claims, plus the application of a "gross-up" for non-mesothelioma claims. The Court entered the Estimation Order on April 18, 2022.

4. The Estimation Order provides that: "[t]he Debtors, the ACC, and the FCR will negotiate a separate case management order for estimation (the "Estimation CMO"). Separate proposed case management orders may be submitted by the Debtors, the ACC, or the FCR if the parties are unable to consensually resolve any disputes related to the Estimation CMO. The negotiated Estimation CMO, or any proposed case management orders, will be submitted to the Court within three weeks of the date of this Order." Estimation Order at ¶ 4.

5. On May 3, 2022, counsel for the Debtors contacted counsel for the ACC and the FCR to discuss the Estimation CMO. The parties agreed to meet and confer on May 6, 2022.

6. On May 5, 2022, in anticipation of the conference the next day, the Debtors sent a proposed case management order (the form of which is substantially similar to the Debtors' Proposed CMO attached as Exhibit A hereto) to the ACC and FCR for consideration.

7. The Parties met and conferred on May 6, 2022 to discuss the proposed case management order and case management issues for the Estimation Proceeding generally. During that call, the Debtors indicated that they would provide a draft Discovery Plan and ESI Protocol (the "Debtors' Discovery Plan"), and the ACC indicated that it would provide comments to the Debtors' Proposed CMO.

8. On May 13, 2022, the Debtors provided the ACC with a proposed discovery plan (the form of which is substantially similar to the Debtors' Proposed Discovery Plan attached hereto as Exhibit B).

9. On May 24, 2022, the ACC provided their own proposed case management order and discovery plan.³

10. Given the impending June 1, 2022 submission date, and the desire to meet and confer again, the Parties agreed to extend the date to submit proposed case management orders to June 9, 2022. *See Second Agreed Order Extending Deadline to Submit Estimation Case Management Order Under Order Authorizing Estimation of Asbestos Claims* [Dkt. 1200].

11. The Parties again met and conferred on June 3, 2022. While the Parties were able to narrow some minor differences between their competing drafts of the case management order and discovery plan (with the agreed changes reflected in the Debtors' Proposed CMO and Debtors' Proposed Discovery Plan, attached hereto as Exhibits A and B),

³ The description of the ACC's draft case management order (the "ACC's Proposed CMO") and discovery plan (the "ACC's Proposed Discovery Plan") in this Motion is based on the last version the Debtors received from the ACC on May 24, 2022.

they were unable to reach agreement on a number of fundamental issues underlying their competing case management proposals, and in particular, the issues described in Section B of the Motion. See infra pp. 8-14.

12. After the Parties were unable to resolve their material differences during the June 3, 2022 meet and confer, they agreed they would each submit their own proposed case management orders on June 9, 2022, for discussion and argument at the hearing on June 30, 2022.

13. The Debtors' Proposed CMO includes the following components which differ from the ACC's Proposed CMO⁴:

- A 180-day schedule for completion of all Written Discovery and the PIQs (the exact deadline for completion of the PIQs will be set forth in a separate order approving the PIQs).
- A 60-day period after the expiration of the initial 180-day schedule for the submission of any motions to compel or any other motions seeking compliance with Written Discovery or the PIQs.
- A mechanism whereby the 180-day schedule for completion of Written Discovery and the PIQs will be extended pending resolution of any motions to compel.
- The negotiation and ultimate entry of a joint discovery plan modeled after the Debtors' Proposed Discovery Plan.
- The use of categorical privilege logging.
- The setting of all other dates for the Estimation Proceeding, including depositions, expert discovery, and pretrial and trial dates by the Court pursuant to a second case management order at the conclusion of the completion of Written Discovery and the PIQs.

⁴

On June 9, 2022, as the Debtors were preparing to file the instant Motion, counsel for the Debtors again spoke with counsel for the ACC, during which time counsel for the ACC suggested that the ACC: (1) may be amenable to categorical privilege logging for certain categories of documents, and that (2) the ACC may be amenable to delaying at least a portion of its proposed "initial disclosure" requirements (see infra, pp. 9-12) until near the end of Written Discovery. As of this filing, however, the ACC has not yet provided the Debtors any details concerning the contours of such a proposal.

RELIEF REQUESTED

14. By this Motion, the Debtors seek entry of the Debtors' Proposed CMO, which is attached hereto as Exhibit A. Concurrently herewith, the Debtors are also separately filing a *Motion of the Debtors for an Order Authorizing the Parties to Use Categorical Privilege Logs When Claiming Material Is Privileged or Otherwise Protected From Discovery* (the "Categorical Privilege Log Motion").

BASIS FOR RELIEF REQUESTED

A. The Main Approach of the Debtors' Proposed CMO.

15. The Debtors have observed, based in large part on the events in the Bestwall case, that it is unwise to seek to set a full schedule for the Estimation Proceeding unless and until Written Discovery and the PIQs have been completed and disputes concerning the same have been resolved. In Bestwall, both written discovery and the PIQ stages have been replete with a variety of motion practice and discovery disputes, including the issuance of sanctions against certain claimants for failure to properly respond to the PIQs. See e.g., In re Bestwall LLC, No. 17-31795 [Dkts. 1967, 2154, 2277, 2326, 2401] (Bankr. W.D.N.C. 2017) ("Bestwall"). The original case management order in Bestwall called for fact discovery to end in September 2021. See Bestwall, [Dkt. 1685] at 5. Currently, as a result of these continuing discovery disputes, it does not appear that fact discovery will be concluded until, at the earliest, November 2022, 14 months beyond the original deadline. See Bestwall, Transcript of February 24, 2022 Hearing at 9-10.

16. Given the potential uncertainty as to when fact discovery may actually end if discovery disputes arise in these cases, the Debtors suggest that it is premature at this time to attempt to precisely set the estimation schedule beyond the conclusion of Written Discovery and the PIQ process. Once Written Discovery and the PIQ process actually are concluded, the

Parties, as well as the Court, will be in a much better position to assess the remainder of the estimation process and the timing of the various stages needed to reach an estimation trial.

17. The Debtors' Proposed CMO sets forth a 180-day period for Written Discovery, but also allows a 60-day period thereafter for the Parties to analyze the discovery and PIQs they have received and raise any disputes to the Court concerning any perceived non-compliance. This deadline for the filing of any motions to compel at the end of this 60-day period should provide an opportunity to clearly define the end of Written Discovery and the PIQ process. That is, once any motions to compel are resolved and satisfied, that will be the end of any disputes as to Written Discovery and the PIQ process.

18. Conversely, the ACC's Proposed CMO appears to recycle many of the same elements that the Bestwall Official Committee of Asbestos Claimants and Future Claimants' Representative (collectively, the "Bestwall Claimant Representatives") proposed in that case. The ACC's Proposed CMO calls for a considerably longer Written Discovery period than the Debtors (one year v. 180 days), and does not provide any period for the parties to raise or resolve any disputes concerning the responses received. The ACC's Proposed CMO also includes many of the most burdensome elements of the case management order in Bestwall, including document-by-document privilege logging and substantial "initial disclosure" requirements solely placed on the Debtors not found under the Federal Rules of Civil Procedure or any other legal authority. By taking this approach, the ACC's Proposed CMO does not appear to attempt to address any of the problems which have occurred in Bestwall, including the numerous discovery and PIQ related motions, motions to reconsider, sanctions, privilege logs with 500,000 individual entries, multiple extensions of the schedule, and the resulting drain on estate resources caused by the same.

19. The Debtors' Proposed CMO provides a more efficient, streamlined path forward in this Estimation Proceeding.

B. The Differences Between the Debtors' Proposed CMO and the ACC's Proposal.

20. In addition to the: (1) length of the schedule for Written Discovery and the PIQ process; and (2) Debtors' proposal that dates not be set beyond the conclusion of Written Discovery and the PIQ process, the material differences between the Parties' two case management order proposals are:

- (a) the recognition of the PIQ in the case management order;
- (b) "initial disclosure" requirements;
- (c) the schedule for witness disclosures;
- (d) the manner of handling discovery disputes; and
- (e) privilege logging.

The Role of the PIQ in the Case Management Order

21. The Debtors' Proposed CMO provides a process for resolution of disputes concerning the PIQ in much the same way as it treats all other Written Discovery. The ACC's Proposed CMO does not so much as mention the PIQ, let alone incorporate the PIQ in any way into the case management process.

22. The ACC's approach is unwise. As the Court is aware, the PIQ represents a critical source of information for the Debtors concerning asbestos claims filed against them.

23. In Bestwall, the debtor has faced significant resistance to completion of the PIQs from certain groups of claimants. This resistance has resulted in extensive motion practice, sanctions orders issued by Judge Beyer against recalcitrant claimants, and delay to the overall estimation process. See e.g., Bestwall, [Dkts. 2095, 2401, 2553].

24. Since similar efforts to disrupt the PIQ process in these cases may occur, the Debtors' Proposed CMO lays out a timeline and a process to address the PIQ as part of the overall Estimation Proceeding. The Debtors' Proposed CMO also ensures that, like with all other Written Discovery, the PIQ process will be completed before the Parties move forward with the remainder of pretrial activities for the Estimation Proceeding, and that certain claimants' refusal to engage in the PIQ process will not prejudice the Debtors in their efforts to prepare their case.

25. Given the importance of the PIQ to this Estimation Proceeding, it should be addressed as part of the case management order, and it should be addressed in the same way as all other Written Discovery.

"Initial Disclosure" Requirements

26. The ACC's Proposed CMO seeks to impose a burdensome "initial disclosure" requirement on the Debtors not provided for under Bankruptcy Rule 9014, FRCP 26(a)(1), or any other legal authority.

27. Bankruptcy Rule 9014, which governs the Estimation Proceeding, provides that the "following subdivisions of Fed. R. Civ. P. 26, as incorporated by Rule 7026, shall not apply in a contested matter unless the court directs otherwise: 26(a)(1) (mandatory disclosure)... ." See Fed. R. Bank. Pr. 9014(c).

28. The Debtors' Proposed CMO follows the language of Bankruptcy Rule 9014. The ACC's proposal, on the other hand, not only seeks to deviate from Bankruptcy Rule 9014 and incorporate FRCP 26(a)(1) into this contested matter, but seeks to impose disclosure requirements far in excess of those provided under FRCP 26(a)(1). Indeed, the ACC's proposal requires the Debtors to prove aspects of their case under the guise of so-called "initial disclosures." See ACC's Proposed CMO at ¶ 3. The ACC's proposal should be rejected.

29. The "initial disclosures" required from the Debtors under the ACC's proposal would include (a) identification of "no less than 20 custodians most likely to have discoverable information in their possession, custody, or control"; (b) identification of "no less than 10 non-custodial data sources most likely to contain non-duplicative discoverable information"; and (c) identification of "shared repositories, shared databases, and shared drives reasonably likely to contain discoverable information." Id.

30. There is no basis for requiring the Debtors to disclose an arbitrary number of "no less than 20" custodians or "no less than 10" non-custodial data sources, particularly at a stage of the case when no estimation-related discovery requests have been served. In some cases, the Debtors may not have 10 or more data sources containing responsive information. A better approach is the one provided for in both the Debtors' and the ACC's proposed discovery plans, which instead provide for the parties to meet and confer within 15 days of the entry of a case management order concerning the identification of document custodians. See Debtors' Discovery Plan at § 2.1.1. The ACC's proposal, which the Debtors agreed to add to their own Discovery Plan, includes a right for the ACC to request additional custodians beyond those identified by the Debtors, and to seek court relief if no agreement on such additional custodians can be reached. See id. What the Debtors are not agreeable to is a requirement that they identify some arbitrary minimum number of data sources, regardless of whether any such data sources might possibly have information responsive or relevant to this Estimation Proceeding.

31. The "initial disclosures" required from the Debtors under the ACC's Proposed CMO also would include extensive information concerning the Debtors' legacy asbestos-containing products, including, among other things, years of manufacture, "type and use of product," "formulation," types and sources of asbestos, manufacturing facilities' location, date

of first and last sale, "site or location, if known," "serial number," "photograph or other identifying information," "names of all distributors and installers," "copies of all purchase and sales records," and "all testing records." See ACC's Proposed CMO at ¶ 3(d).

32. These types of "initial disclosures" are not provided under Bankruptcy Rule 9014, FRCP 26(a)(1), or any other legal authority. Instead, they are essentially discovery requests, which are inappropriate as "initial disclosures." Clearly, if the ACC wishes to propound a discovery request seeking this information it is free to do so. By classifying what are broad discovery requests as "initial disclosures," the ACC seeks to circumvent the well-established rules, case law, and meet and confer requirements that govern breadth, scope, and burden in regards to discovery. The Debtors' Proposed CMO allows the rules to do what they are designed to do.

33. The last set of "initial disclosures" proposed by the ACC seeks to have the Debtors identify all resolved mesothelioma claims (a) for which the Debtors "contend that the plaintiff's identification of Old Trane's or Old IRNJ's product was false, incomplete, or misleading;" (b) for which the Debtors "contend that the plaintiff did not disclose, or did not fully disclose, their potential exposure to asbestos-containing products of other manufacturers;" (c) for which the Debtors "contend that the plaintiff did not disclose, or did not fully disclose claims made to asbestos personal injury trusts;" (d) that Debtors or their counsel or experts have "reviewed to date in connection with the Estimation Proceeding;" and (e) that Debtors' counsel or experts "have requested" as of the date of the case management order. See ACC's Proposed CMO at ¶ 3(e).

34. Beyond the points discussed above, the ACC's "initial disclosure" request is particularly premature. The Court has just approved the Debtors' trust discovery motion,

which seeks to provide the Debtors the tools to identify these very types of cases. So again, the ACC's inquiry might be suitable for a discovery request that the Debtors will be required, under the rules, to respond to and reasonably supplement, but it is not appropriate before discovery has even begun. Likewise, the request that the Debtors list resolved claims that they, their counsel or their experts have "reviewed" or "requested" in connection with the Estimation Proceeding is a matter that should be explored in the normal course of discovery pursuant to the rules, particularly since it may well invade the work product of counsel to the Debtors. The discovery rules, and the many cases interpreting and explaining their application, are there for a reason.

The Schedule for Expert and Fact Witness Disclosures

35. The parties also differ on handling disclosure of expert and fact witnesses. The Debtors' Proposed CMO anticipates that the Parties will serve discovery requests seeking this information as part of Written Discovery, and that a separate schedule will be set for: (a) expert discovery and (b) the disclosure of trial witnesses, consistent with typical litigation practice. See Debtors' Proposed CMO at ¶ 12. The ACC, on the other hand, proposes that the Parties: (a) serve "preliminary disclosures of the identities of fact witnesses they plan to call in their case in chief no later than 90 days following the entry of" the case management order; (b) serve final disclosures of fact witnesses "90 days before the completion of written discovery date" after which time "no further supplements will be permitted without permission of the Court;" (c) serve "preliminary disclosures of the subjects of expert testimony and fields of expertise (but not the experts' identities)" 90 days following entry of the case management order; and (d) serve "final disclosures of the subjects of expert testimony, fields of expertise, and identity of each expert for their respective cases-in-chief on a rolling basis until 90 days before the completion of written discovery date." See ACC's Proposed CMO at ¶¶ 4-5.

36. The ACC's proposed early disclosure requirements run counter to the entire purpose of the Debtors' Proposed CMO. The Debtors' Proposed CMO is designed to allow the full completion of the Written Discovery and PIQ process before the Parties are required to commence either oral discovery or expert discovery.⁵ Late-served written discovery responses, documents, or PIQs may impact the subjects of expert testimony, but under the ACC's proposal, no further supplements would be permitted in that circumstance. This is not how litigation is ordinarily staged, nor is it prudent to deviate from that ordinary course here.

37. The ACC would require the Parties to identify all final trial witnesses, both fact and expert: (a) before Written Discovery and document production have been completed, and (b) before depositions had even begun. The ACC's proposed penalty for failing to make these identifications at this very early stage is to bar the use of those witnesses. This will accomplish nothing, other than leading to the Parties to issue lengthy, overbroad early witness disclosures (to ensure no witness who might end up testifying much later in the process will be barred), with no identifiable benefit to the advancement of case in doing so. The proposal should be rejected.

The Manner of Handling Discovery Disputes

38. The Parties also differ on the timing of how discovery disputes are brought to this Court. Under the Debtors' Proposed CMO, any discovery motions would be governed by the general rules and deadlines of this Court. The ACC's proposal would override the applicable rules and allow discovery-related motions to be filed and served 14 days before the hearing, with

⁵ The Debtors would fully expect discovery from the ACC that asks the Debtors to identify individuals with knowledge of various topics. The Debtors would anticipate serving a similar discovery request early in the case, as is traditional in federal litigation.

objections due five business days before the hearing, and replies, two business days before the hearing. See ACC's Proposed Discovery Plan at ¶ 11.

39. The ACC's proposal applies to all discovery motions – no matter how large or sweeping. An experience in Bestwall illustrates the problem with such an approach. On December 3, 2021, the Bestwall Claimant Representatives filed a motion claiming that Bestwall's privilege log was defective and arguing that all privileges to almost 500,000 withheld documents had been waived. See Bestwall, [Dkt. 2277]. Under the Bestwall case management order (with timing provisions similar to the ones that the ACC proposes here), Bestwall had only 12 days – until December 15, 2021 – to file a response to such a sweeping and consequential motion. See Bestwall, [Dkt. 2305]. Then, when the hearing on the motion was continued past the December hearing date, the Bestwall Claimant Representatives served an extensive reply brief just a few days before the January 20, 2022 hearing on the motion. See Bestwall, [Dkt. 2337]. The result was that Bestwall had to answer 50 pages of briefing and 21 exhibits – which sought to find that Bestwall had waived any privilege as to almost 500,000 documents – with only 12 days of response time.⁶ Here, the ACC's proposal would limit the Debtors to as few as nine days to respond. There is simply no reason to make this the default rule under the Estimation CMO, particularly when this Court already has a standard set of rules for other motions that the Parties have worked under for nearly two years.

40. The Debtors' proposal – that the Court's regular briefing schedule be followed unless the Parties agree or the Court orders expedited briefing – makes more sense.

⁶ The court ultimately denied the Motion to Compel (see Bestwall, [Dkt. 2502]), although the Bestwall Claimant Representatives have sought reconsideration. See Bestwall, [Dkts. 2530, 2574]. That motion currently is scheduled to be heard on June 23, 2022.

Expedited briefing should be reserved for exceptional cases, not for large and complicated discovery motions that merit the standard briefing schedule.

Privilege Logging

41. Finally, the Debtors' Proposed CMO calls for categorical privilege logging. The ACC instead proposes document-by-document privilege logging. For the reasons set forth in the Debtors' contemporaneously filed Categorical Privilege Log Motion, the Debtors proposal is the better one.

NOTICE

42. Consistent with the *Order Establishing Certain Notice, Case Management, and Administrative Procedures* [Dkt. 123] (the "Case Management Order"), notice of this Motion has been provided to: (a) the Office of the United States Bankruptcy Administrator for the Western District of North Carolina; (b) counsel to the ACC; (c) counsel to the Debtors' non-debtor affiliates, New Trane Technologies and New Trane; (d) counsel to the FCR; and (e) the other parties on the Service List established by the Case Management Order. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be provided.

NO PRIOR REQUEST

43. No prior request for the relief sought herein has been made to this Court or any other court.

WHEREFORE, the Debtors respectfully request that the Court enter the Debtors' Proposed CMO, which is attached hereto as Exhibit A, and provide such other and further relief as the Court may deem proper.

Dated: June 9, 2022
Charlotte, North Carolina

Respectfully submitted,

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SPECIAL ASBESTOS LITIGATION
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IN POSSESSION

EXHIBIT A

Debtors' Proposed Case Management Order

**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.	:	(Jointly Administered)
_____	:	

**[PROPOSED] CASE MANAGEMENT ORDER FOR ESTIMATION OF
MESOTHELIOMA CLAIMS**

On September 24, 2021, Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), the debtors and debtors in possession in the above-captioned chapter 11 cases (the "Debtors"), filed a motion pursuant to section 502(c) of title 11 of the United States Code (the "Bankruptcy Code"), seeking authorization of an estimation of mesothelioma claims against the Debtors that manifested disease prior to the petition date (the "Estimation Motion").

On January 27, 2022, the Court announced that it was granting the Estimation Motion, but expanded the scope of the estimation to cover all asbestos-related claims against the

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.

Debtors, both prepetition and postpetition. The Court entered its formal order confirming the same on April 18, 2022.

This Order sets forth the initial schedule and procedures that shall apply to the contested matter (the "Estimation Proceeding").

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. Each of the Debtors, the Official Committee of Asbestos Claimants (the "Committee"), the Future Claimants Representative (the "FCR"); Trane U.S. Inc, and Trane Technologies Company LLC (and, together with the Debtors, the Committee, the FCR, and Trane U.S. Inc., the "Parties," or each individually a "Party") shall be the parties to the Estimation Proceeding.

2. The Joint Discovery Plan and Report (ESI Protocol) (the "Discovery Plan"), attached hereto as Exhibit 1, shall govern discovery of electronically stored information ("ESI") among the Parties to the Estimation Proceeding.

3. As set forth in the Estimation Order, (a) the Court shall estimate the Debtors' aggregate liability for all current and future mesothelioma claims arising from any product or other source for which the Debtors, Old IRNJ or Old Trane are alleged to be responsible; and (b) the estimated amount of all current and future claims, including non-mesothelioma claims, shall be determined by dividing the Court's estimated amount for mesothelioma claims by _____, representing a _____ split between mesothelioma and non-mesothelioma claims.

4. The limitations on discovery found in Civil Rules 30, 31, and 33, made applicable to this contested matter by Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") 7030, 7031, 7033, and 9014, are applicable to this case. The Parties agree that each side may serve no more than 50 interrogatories, including all discrete subparts. The Parties reserve the

right to modify, either through stipulation or further order from this Court the number of interrogatories permitted by Rule 33 and this Order.

5. Any Party may pursue non-party discovery (including requests made by subpoenas *duces tecum*) at any time subject to the rules applicable to contested matters ("Non-Party Discovery").

6. Each Party may serve interrogatories, requests for production of documents, or requests for admission, on any other Party (collectively "Written Discovery") at any time subject to the deadlines for Written Discovery.

7. All Written Discovery shall be served such that the response time for said discovery expires no later than 180 days after the entry of this Order. Similarly, by separate order, the Court has granted the Debtors' request for the issuance of a Personal Injury Questionnaire ("PIQ") in connection with this Estimation Proceeding. The deadline to respond to the PIQ's will be set by the order governing the same, but it is anticipated that the deadline for completion of all PIQ's will be no later than 180 days after the entry of this Order.

8. Within 10 days of service of a written response to a request for production, the Parties shall meet and confer concerning an estimated time for substantial completion of any responsive document production.

9. The Parties agree that for Written Discovery, given the likely volume of privileged documents, logging of privileged documents on a document-by-document basis would be unduly burdensome and would likely provide no material benefit to the discovering party in assessing whether the privilege claim is well grounded. Therefore, for Written Discovery the Parties agree to utilize a categorical privilege log which shall contain descriptions sufficient to permit the assessment of, and potential challenge to, the validity of privilege claims without

imposing undue burden on the parties. The parties shall meet and confer to discuss the format of such a categorical log.

10. Any motion to compel or other motions directed at compliance with Written Discovery and/or PIQ's must be served no later than 60 days after the expiration of the 180 day period described in Paragraph 7.

11. To the extent any motions directed at compliance with Written Discovery or PIQ's, whether in this Court or other courts, remain pending, or to the extent any additional responses to Written Discovery or PIQ's resulting from orders, whether in this Court or other courts, remain outstanding after the deadlines set forth in Paragraph 7, this Court will extend the deadlines set forth in Paragraph 7.

12. A schedule for fact witness depositions and associated productions, expert reports, depositions, and associated productions, and the estimation trial and related pretrial activities will be set by the Court after completion of the PIQ's and Written Discovery.

13. Upon a showing of good cause by any Party, after notice and hearing, the Court may alter or extend any of the deadlines specified herein.

14. This Court shall retain jurisdiction to hear and determine all matters involving the interpretation, implementation, or enforcement 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 B

Debtors' Proposed Discovery Plan

**THE 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
	:	
Debtors.	:	
	:	

[DRAFT] JOINT DISCOVERY PLAN AND REPORT (ESI PROTOCOL)

Aldrich Pump LLC and Murray Boiler LLC (“Debtors”), the Official Committee of Asbestos Personal Injury Claimants (the “Committee”), Joseph W. Grier, III, the Legal Representative for Future Asbestos Claimants (the “FCR” and, together with the Debtors, and the Committee, the “Parties,” or each individually a “Party”) through their attorneys, agree that the following Joint Discovery Plan and Report (ESI Protocol) (the “Discovery Plan”) will govern discovery of electronically stored information (including scanned hard-copy documents) (“ESI”) in connection with the estimation proceeding (the “Estimation Proceeding”) and the appended *Proposed Case Management Order for Estimation of Certain Mesothelioma Claims* (the “Proposed Case Management Order”) as a supplement to any other applicable rules and orders of the Court:

1. **Cooperation:** The Parties will cooperate in good faith throughout the discovery process in this action. The Parties recognize that discovery of ESI is governed by the proportionality standard set forth in Federal Rule of Civil Procedure 26.

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. **Search and Identification of ESI:** In responding to requests for the production of documents² and things, the Parties will meet and confer about methods to search ESI for documents that will be reviewed for responsiveness, privilege, confidentiality, and production.

2.1. Custodians: In response to requests for production, each Party shall search the electronic files where practicable, and the hard-copy documents of current and/or former employees or other individuals whose electronic files or documents are in the Party's possession, custody, or control (each a "Custodian").

2.1.1. Identification of Custodians: Within 15 days of entry of a Case Management Order, the Parties shall meet and confer to determine Custodians likely to have discoverable,³ responsive, non-duplicative documents or communications. The Parties will negotiate in good faith to reach agreement as to the number and identity of custodians whose ESI will be searched in the Estimation Proceeding. The Parties will meet and confer in good faith concerning the identification of Custodians. After reaching agreement concerning the number and identity of Custodians, the Parties, nonetheless, may request searches of the custodial data of additional Custodians if, in their view, it becomes apparent that other such Custodians likely have responsive documents. The Parties will meet and confer in good faith regarding such request. If the Parties are unable to resolve any dispute regarding

² For the purposes of this Discovery Plan, "Document" shall have the meaning set forth in Federal Rule of Civil Procedure 34, but shall exclude Documents that the Parties agree are not reasonably accessible as described in Section 2.1.3.

³ "Discoverable," as it is used here, is not intended to suggest that the Parties will not propose custodians whose data may include privileged information. The Parties contemplate reviewing custodial data for privilege and producing non-privileged documents.

Custodian designation, whether concerning number or identity, the Requesting Party may seek relief from the Court.

2.1.2. Identification of Search Terms: The Parties shall meet and confer to develop search terms to be applied to identify and limit the volume of custodial ESI to be reviewed for responsiveness. Search terms shall be applied to custodial ESI and Shared Repositories⁴ as appropriate. In the event the search terms identified return an unmanageable volume of ESI for review, the party responding to a request for production (the "Responding Party") reserves the right to propose modifications to the proposed terms and will meet and confer with the party issuing the request for production (the "Requesting Party") regarding such a change. As specified in Section 2.5 and its subparts, the Parties may use certain other search methods and analytics tools to manage the volume of ESI for review.

2.1.3. Not Reasonably Accessible ESI: The Parties agree that they will work cooperatively on determining what ESI is reasonably accessible and what is not and agree to respond to reasonable requests for information on ESI management in that effort. Electronic documents of limited accessibility may include those created or used by electronic media no longer in use, maintained in redundant electronic storage media, or for which retrieval involves substantial cost. For purposes of this Paragraph, the Parties agree that the following sources of ESI are not reasonably accessible:

⁴ See Section 2.2 "Shared Repositories and Drives."

- Data stored in a backup system for the purpose of system recovery or information recovery, including, but not limited to: disaster recovery backup tapes and media; continuity of operations systems; and data or system mirrors or shadows.
- Voicemail recordings.
- Mobile devices and ESI or other data stored on mobile devices, including smart phones or tablets.⁵
- Instant/Chat Messaging.
- Legacy Data (*e.g.*, data stored on floppy discs).
- Deleted, erased, or overwritten computer files, whether fragmented or whole, which were deleted in the regular course of business.
- Data stored in Random Access Memory (“RAM”), cache memory, or in temporary or cache files, including internet history, web browser cache, and cookie files, wherever located.
- Encrypted data/password protected files, where the key or password cannot be ascertained absent extraordinary efforts.
- Data stored on printers, photocopiers, scanners, and fax machines.

⁵ For the avoidance of doubt, “Mobile devices” does not include laptop computers.

- Data stored as server, system, or network logs.

2.2. Shared Repositories and Drives: The Parties shall, in good faith and using reasonable measures, identify and search shared repositories, shared databases, and shared drives reasonably likely to contain discoverable documents or communications (each a “Shared Repository”).

2.3. Date Scope: The Parties agree to meet and confer in good faith to determine the appropriate date range to search Custodian files and Shared Repositories for documents and information responsive to discovery requests in this Estimation Proceeding.

2.4. Preservation Obligations: Nothing in this Discovery Plan shall affect the Parties’ respective preservation obligations imposed by rule or law.

2.5. Use of Other Review Analytics: The Parties may use other reasonable review analytics or tools, including but not limited to de-duplication, e-mail threading, inclusiveness-only review and production, and technology-assisted review to streamline the review of ESI, to the extent that those review analytics and tools are consistent with other provisions in the Discovery Plan, including provisions relating to the Form of Production (Section 3 below). Those review and analytics tools used by any Party for culling ESI, as set forth in section 2.5.1, shall be disclosed to the other Party. Those analytics and tools used for non-culling purposes need not be disclosed.

2.5.1. Use of Predictive Coding, Clustering, or Technology Assisted Review: In the event a Responding Party employs culling tools, such as predictive coding, clustering, or Technology Assisted Review, to remove from review documents

otherwise identified using the search terms and date range referenced herein, the Responding Party shall advise the Requesting Party of its intention and provide the Requesting Party with a statistical sample of documents it intends to use to seed the process in the case of predictive coding, or the search parameters that the Responding Party intends to use. Within 5 business days of being notified of the Responding Party's intention to use predictive coding or other analytic tools listed in this paragraph, the Requesting Party may object in writing. In the event of an objection, the Parties will meet and confer and attempt to reach resolution. If no resolution is met, the Parties may raise this issue with the Court.

3. **Form of Production:** The Parties agree to produce responsive non-privileged ESI in the manner set out in this Discovery Plan. The Parties agree to take reasonable steps not to degrade the searchability or legibility of ESI as part of the document review and production processes. Additionally, if particular responsive ESI warrants a format different than those set out below, the Parties will meet and confer in an effort to agree to a mutually acceptable format.
 - 3.1. Format for ESI: The Parties shall produce responsive non-privileged ESI in the format set out in **Exhibit A** hereto unless otherwise agreed in writing or ordered by the Court.
 - 3.2. Format for Electronically Scanned Hard Copies: To the extent practicable, the Parties shall produce electronically scanned hard-copy documents in the applicable format set out in Exhibit A unless otherwise agreed in writing or ordered by the Court. In particular, the Parties shall format such documents with optical character recognition, or

OCR, as described in Exhibit A and include the metadata fields identified in Exhibit A where that metadata is available.

3.3. Family Production: The Parties shall produce documents and e-mail communications as complete families as is reasonably practicable. The Parties shall not take steps to dissociate attachments to e-mails or other documents from parent e-mails or documents even if the attachments are exact duplicates of other documents in the production.

Parent documents and any attachments shall be assigned sequential Bates numbers. If a responsive, non-privileged e-mail or document has a privileged attachment, a Party may replace the attachment with a Bates-numbered slip-sheet indicating that the attachment was withheld on privilege grounds or may redact the privileged material.

3.4. E-mail Threading: The Parties agree that e-mail threading and inclusiveness-only review and production may be applied to production documents such that only the most inclusive version of any responsive, non-privileged e-mail chain is produced, *provided that* the e-mail-threading process is performed by an e-discovery vendor in a manner consistent with standard practices in the industry and that all independent responsive, non-privileged branches of the chain are produced.

3.5. Global Deduplication: The Parties agree that automated document de-duplication may be applied across ESI identified for review and production such that only one copy of any responsive, non-privileged document is produced, provided that the de-duplication process is performed by an e-discovery vendor in a manner consistent with standard practices in the industry. Further, de-duplication shall be performed only at

the document family level such that attachments are not de-duplicated against identical stand-alone versions of such document and vice versa.

3.5.1. Related Metadata: If a Party opts to apply document de-duplication, that Party shall include in its production “Other Custodian” metadata or some other field, to the extent practicable, indicating each Custodian who appears from the available ESI to have maintained a copy of the produced document in his or her files (where such copy was removed from production through the de-duplication process).

4. **Privilege Logs**: A Responding Party shall use reasonable measures, consistent with applicable law, to include information in their respective privilege logs sufficient to permit the Requesting Party to assess any privilege claims.

4.1. Categorical Privilege Log: The Parties agree that, given the likely volume of privileged documents, logging of privileged documents on a document-by-document basis would be unduly burdensome and would likely provide no material benefit to the discovering party in assessing whether the privilege claim is well grounded. Therefore, the Parties agree to utilize a categorical privilege log which shall contain descriptions sufficient to permit the assessment of, and potential challenge to, the validity of privilege claims without imposing undue burden on the parties. *See Asghari-Kamrani v. United Services Automobile Association*, 2016 WL 8243171, *3, 2:15cv478 (Oct. 21, 2016 ED Va.) (finding categorical privilege log compliant with requirements of FRCP 26).

4.1.1 Contents of Categorical Privilege Log: Each entry in the categorical log would contain a single, general subject matter description (applicable to all documents that are part of the category), as well as the: (i) document identification numbers for

each document within the category; (ii) type of privilege asserted with respect to documents in that category; and (iii) total number of documents withheld that fall within the subject matter. In addition, to further assist any evaluation of the assertion of privilege, for each document on the categorical privilege log certain metadata would be provided (as applicable), including (i) document identification number, (ii) document type; (iii) date; (iv) author; (v) email from; (vi) email to; (vii) email cc; and (viii) email bcc. The parties shall meet and confer to further discuss the format of the categorical log, and in particular to attempt to reach agreement on acceptable general subject matter descriptions for each category.

4.2. Post-Filing Documents: The Parties are not required to log any privileged documents, communications, or information or trial preparation material or work product generated after the filing of the petition initiating the Chapter 11 Case (*i.e.*, June 18, 2020).

4.3. Privilege Redactions: Where requested documents contain responsive information together with privileged or protected information and the privileged or protected information can be redacted by the Responding Party without undue burden and while preserving for production the responsive information, the Responding Party shall apply such redactions and produce the requested documents. The word “Redacted - Privileged” shall appear over the redacted portion or portions of such documents.

5. **Personal Identifying Information**: Where requested documents contain responsive information together with personal identifying information (including, but not limited to, social security numbers, bank account numbers, and residential addresses) and the personal identifying information can be redacted by the Responding Party without undue burden and

while preserving for production the responsive information, the Responding Party shall apply such redactions and produce the requested documents. A black bar shall appear over redacted portion or portions of such documents. The Responding Party shall not be required provide a log for documents redacted for personal identifying information.

6. **Scope of Discovery:** Nothing in this Discovery Plan constitutes an agreement regarding the appropriate substantive scope of discovery, the responsiveness of any document or category thereof, or the relevance or admissibility of any document or category thereof. The Parties reserve all objections as to discoverability, relevance, authenticity, use, and admissibility.
7. **Resolution of Disputes:** The Parties agree to meet and confer in good faith regarding matters related to the production of ESI set forth in this Discovery Plan, the production of ESI not set forth in this Discovery Plan, and the Parties' obligations, if any, in respect of both. If a Responding Party determines that it cannot comply with any material aspect of this Discovery Plan, such Party shall promptly inform the Requesting Party why compliance is impracticable.
 - 7.1 Discovery-Related Motions: If the Parties are unable to resolve a dispute concerning interpretation of or compliance with this Discovery Plan or the production of ESI, whether or not pursuant to this Discovery Plan, the Parties shall submit the dispute to the Court for adjudication, provided that the Parties have previously met and conferred regarding the dispute. Nothing herein shall affect the Parties' respective burdens of proof or persuasion in connection with any motion or dispute submitted for resolution by the Court. All motion papers under Bankruptcy Rules 7026-37 and 9016 shall be filed

and served so as to be received at least 12 days before the hearing date on such motion.

When service is made for a discovery-related motion under the Discovery Plan, any objections shall be filed and served so as to be received at least two business days before the hearing date.

8. **No Waiver:** Nothing in this Discovery Plan, including any meet-and-confer obligation specified, constitutes a waiver of any privilege or protection available by law, including any Party's attorney-client privilege or the protection afforded to work product and trial preparation materials. Inadvertent production of information subject to a claim of privilege or protection similarly will not constitute a waiver of such privilege or protection, as is and will be governed by that certain agreed protective order by and among the Parties.
9. **Modifications:** The Parties may, by agreement, modify any provision in this Discovery Plan. Further, if the Parties are unable to agree regarding a proposed modification, the Party requesting the modification may seek relief from the Court.

IT IS SO ORDERED.

Date: _____

J. CRAIG WHITLEY
UNITED STATES BANKRUPTCY JUDGE

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COUNSEL FOR THE FUTURE CLAIMS
REPRESENTATIVE

EXHIBIT A

To

JOINT DISCOVERY PLAN AND REPORT (ESI PROTOCOL)

The Parties¹ shall produce responsive non-privileged ESI in the following format unless agreed otherwise or pursuant to an order of Court:

1. ESI should be produced in Concordance, Opticon, or universal format.
2. **TIFFs.** Bates-branded, black and white, Group 4, single page TIFF files at 300 dpi, named according to sequential Bates number will be produced for all ESI documents except spreadsheet file types (*e.g.*, .xls, .xlt, .xml), database file types (*e.g.*, .csv), and software code file types. All presentation file types (*e.g.* .ppt, .pptx, .pptm) will be produced in color, showing speaker notes. Single-page TIFF files will be delivered in unique sequentially numbered folders (*i.e.*, 001, 002, 003) and each folder shall not consist of more than 5,000 images. JPG format may be used for pages that require production of color images. If a document was not produced in color and a Party deems color necessary to understand the document, they may request a color image or native form of that document. All image files should cross reference to both the log file for Opticon image base (.OPT) and Concordance delimited text file (.DAT). For word-processing file types other than e-mail (*e.g.* .doc), corresponding TIFF files will reflect any track changes or comments contained in the underlying word-processing documents. If a document is more than one page, the unitization of the document and any attachments and/or affixed note shall be maintained as it existed in the original when creating the image file.

¹ Unless otherwise provided herein, this Exhibit A adopts the capitalized terms as defined in the Discovery Plan appended hereto.

3. **TIFF Reference File.** A log file for Opticon image base (.OPT) that lays out the document unitization of each discrete document will be produced.

4. **Native Format.** Spreadsheet file types and database file types will be produced in native format. The Parties will provide native files, named according to ProdBegDoc, in a separate folder and provide the path to the native file in the DocLink field of the .DAT file.

Documents produced in native file format shall be produced in the manner such files were maintained electronically in the ordinary course of business. A placeholder TIFF shall be produced indicating the Bates number of the native file and confidentiality designation, if applicable. In the event any document produced in native format is to be used as an exhibit at deposition, trial or otherwise, the Parties may request that the Party using such exhibit provide the MD5 programmatic hash value of the underlying electronic file from which the exhibit is derived to be provided to all Parties, and such information should be provided promptly.

4.1. **Other File Formats.** Non-document files types (*e.g.*, .wav, .mp3, .aiff, .avi, .mov, .mp4) will be produced in native format with accompanying slip sheet.

4.2. **Request for Natives.** The parties reserve the right to request native files for individual ESI documents produced in TIFF format.

4.3. **Redactions to Native Format.** To the extent redactions are necessary in a document to be produced in native form, and the ability to remove such redactions cannot practicably be prohibited in native form, the document may be converted to TIFF format, or some comparable image file type, for redaction. To the extent that such conversion erodes the

legibility or significant functionality of a document, the Parties agree to meet and confer in good faith to determine how such document can be produced without those limitations, to the extent practicable, and while still protecting the redacted information.

5. **Hard Copy Documents.** Hard-copy or paper documents should be converted to Group IV, single page TIFF format image files. All hard copy paper documents shall be logically unitized prior to production. Therefore, when scanning or producing paper documents, distinct documents shall not be merged into a single file or database record, and distinct documents shall not be split into multiple files or database records. All Parties shall make their reasonable best efforts to unitize documents correctly.
6. **Extracted Text Files.** For each item of ESI, and any hard-copy or paper document that has been converted to TIFF image file, document level TXT files should be provided in a separate folder and should have file names that are identical to the first TIFF image file of the corresponding images for a document. To the extent practicable, text from native files should be extracted directly from the native file, except that, where redaction is necessary for a document to be produced in native format, the text file corresponding to such document may be extracted from the OCR of the redacted image file (as opposed to from the native file). Redactions shall be reflected in the multipage TXT file containing OCR for searching purposes.
7. **Unique IDs.** Each TIFF image shall have a unique, sequential Bates number. Each Native file shall have a unique, sequential Bates number applied to the TIFF placeholder indicating that the file has been produced in native format.

8. **Metadata.** Where available, the Parties shall produce the following metadata fields for all ESI and scanned hard-copy or paper files produced, in an ASCII delimited text file (.DAT), using standard Concordance delimiters:

Preferred Field Name	Description	Example
ProdBegDoc	Start Bates value.	ABC0500
EndBegDoc	End Bates value.	ABC0500
ProdBegAtt	Start Bates of first attachment.	ABC0501
ProdEndAtt	End Bates of last attachment.	ABC0503
ImageCount	Total pages in document.	1
TO	Email TO recipients.	Mary Smith; Tjones
FROM	Email sender (author).	Doe, John
CC	Email CC recipients.	Some User
BCC	Email BCC recipients.	Johnson, M.
Subject	Email subject line.	Your subject line
DateCreated	The date the file/email was created.	4/1/2003
TimeCreated	The time the file/email was created.	8:12:32 AM
DateSent	The date the email was sent.	4/1/2003
TimeSent	The time the email was sent.	8:12:32 AM
DateReceived	The date the email was received.	4/1/2003
TimeReceived	The time the email was received.	8:12:32 AM
DateModified	The date the file/email was last saved.	4/1/2003
TimeModified	The time the file/email was last saved.	8:11:32 AM
FileExt	Extension of the file.	.doc
Filename	The name of the file.	Filename.doc
FileSize	The size of the file or message in bytes.	802
DocType	The file type determined by the file signature (Excel, Word etc.).	Microsoft Office Word
MD5HASH		
Custodian	The Custodian associated with the item.	Doe, John
Other Custodians	All custodians who retained a duplicative copy of the file in their ESI files, to the extent that copy was removed by de-duplication.	Doe, John; Doe, Jane; Smith, Mary
DocLink	The relative path to the associated native file.	\\export\000000000000003E8.xls
ExtractText	The extracted text for an item. This field will populate with the path to	"This is sample text. It can be extracted from a

Preferred Field Name	Description	Example
	the text file location and the text will be delivered separately.	document or email or can be generated when converting to TIFF format.”
Production: Has Redactions	Indicates a document contains redaction for privilege or other protection	Yes
Privilege Designation	Indicates document(s) withheld for privilege or other protection	Privilege Withhold

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

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that Aldrich Pump LLC., et al., Debtors in the above-captioned cases, have filed the Motion of the Debtors for an Order Approving the Debtors' Proposed Case Management Order for Estimation (the "Motion").

If a copy of the Motion is not included with this Notice, a copy may be viewed at the Court's website, www.ncwb.uscourts.gov under Debtor Aldrich Pump LLC's name and case number, you may obtain a copy of the Motion from the Debtors' claims and noticing agent at www.kccllc.net/aldrich, or you may request in writing a copy from the undersigned counsel to the Debtors.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THESE BANKRUPTCY CASES. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO GRANT THE RELIEF REQUESTED IN THE MOTION, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN ON OR BEFORE THURSDAY, JUNE 23, 2022 YOU MUST:

- (1) A. File with the Bankruptcy Court a written objection at:

Clerk, United States Bankruptcy Court
401 W. Trade Street
Charlotte, North Carolina 28202

- B. If you have your attorney file a written objection then the objection should be filed with the Bankruptcy Court by electronic means through the Court's website, www.ncwb.uscourts.gov under the jointly administered name and case number shown above.

(2) Serve the objection pursuant to the procedures set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures (Docket No. 123).

(3) Attend the hearing scheduled for June 30, 2022, at 9:30 a.m. EDT or as soon thereafter as the matter can be heard in the Bankruptcy Courtroom 2B, 401 West Trade Street, Charlotte, North Carolina. You should attend this hearing if you file an objection.

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

This the 9th day of June, 2022.

RAYBURN COOPER & DURHAM, P.A.

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