

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE ARMSTRONG WORLD INDUSTRIES, INC.
ASBESTOS PERSONAL INJURY SETTLEMENT
TRUST, *et al.*,

Plaintiffs,

v.

ALDRICH PUMP LLC, *et al.*,

Defendant.

Case No. 22-00303 (JCW)
(Transferred from the
District of Delaware)

NOTICE OF APPEAL OF ORDER

PLEASE TAKE NOTICE that Non-Party Certain Matching Claimants (collectively, the “Appellants”), by and through the undersigned counsel, pursuant to 28 U.S.C. § 158(a), Federal Rule of Bankruptcy Procedure 8001, et seq., and Rule 8001-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina, hereby appeal the *Order Denying Non-Party Certain Matching Claimants’ Motion to Proceed Anonymously* [ECF No. 42] (the “Order”) to the United States District Court for the Western District of North Carolina. A copy of the Order is attached hereto as **Exhibit A**.

PLEASE TAKE NOTICE that the names of all parties to the Order appealed from, and the names, addresses, and telephone numbers of their respective attorneys, are as follows:

Appellants:

Non-Party Certain Matching Claimants

Counsel for Appellants:

Thomas W. Waldrep, Jr.
Waldrep Wall Babcock & Bailey PLLC
370 Knollwood Street, Suite 600
Winston-Salem, NC 27103
(336) 717-1280; (336) 717-1340 (f)
notice@waldrepwall.com



203060823022000000000001

Daniel K. Hogan
Hogan♦McDaniel
1311 Delaware Avenue
Wilmington, DE 19806
(302) 656-7540; (302) 656-7599 (f)
dkhogan@dkhogan.com

Appellee:
Aldrich Pump LLC

Counsel for Appellee:

Brad B. Erens
Morgan R. Hirst
Caitlin K. Cahow
JONES DAY
110 N. Wacker Dr., Ste. 4800
Chicago, IL 60606
(312) 782-3939
bberens@jonesday.com
mhirst@jonesday.com
ccahow@jonesday.com

C. Michael Evert, Jr.
Evert Weathersby Houff
3455 Peachtree Rd., NE, Ste. 1550
Atlanta, GA 30326
(678) 651-1200
cmevert@ewhlaw.com

Kevin Gross
Kelly E. Farnan
Richards, Layton & Finger
One Rodney Square
920 N. King Street
Wilmington, DE 19801
(302) 651-7705
Gross@rlf.com
Farnan@rlf.com

Respectfully submitted this the 20th day of February, 2023.

**WALDREP WALL BABCOCK
& BAILEY PLLC**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC State Bar No. 39871)

Diana Santos Johnson (NC State Bar No. 40050)

370 Knollwood Street, Suite 600

Winston-Salem, NC 27103

Telephone: (336) 717-1280

Facsimile: (336) 717-1340

Email: notice@waldrepwall.com

HOGAN♦McDANIEL

/s/ Daniel K. Hogan

Daniel K. Hogan (DE State Bar No. 2814)

1311 Delaware Avenue

Wilmington, DE 19806

Telephone: (302) 656-7540

Facsimile: (302) 656-7599

Email: dkhogan@dkhogan.com

(Admitted pro hac vice)

Counsel for the Appellants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF APPEAL OF ORDER was filed in accordance with the local rules and served upon all parties registered for electronic service and entitled to receive notice thereof through the CM/ECF system.

Respectfully submitted this the 20th day of February 2023.

**WALDREP WALL BABCOCK
& BAILEY PLLC**

/s/ Thomas W. Waldrep, Jr. _____

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC State Bar No. 39871)

Diana Santos Johnson (NC State Bar No. 40050)

370 Knollwood Street, Suite 600

Winston-Salem, NC 27103

Telephone: (336) 717-1280

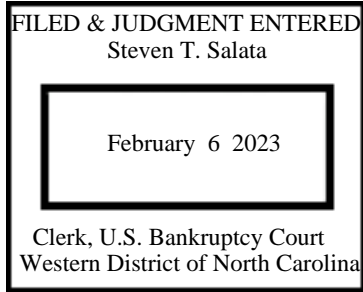
Facsimile: (336) 717-1340

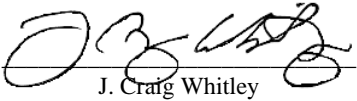
Email: notice@waldrepwall.com

Counsel for the Appellants

EXHIBIT A

February 6, 2023, *Order Denying Non-Party Certain Matching Claimants' Motion to Proceed Anonymously* [ECF No. 42]




J. Craig Whitley
United States Bankruptcy Judge

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

ARMSTRONG WORLD INDUSTRIES, INC.
ASBESTOS PERSONAL INJURY
SETTLEMENT TRUST *et al.*

Plaintiff(s),

vs.

ALDRICH PUMP LLC, *et al.*,

Defendant(s).

Miscellaneous Pleading

Case No. 22-00303 (JCW)

(Transferred from District of Delaware)

**ORDER DENYING NON-PARTY CERTAIN MATCHING CLAIMANTS' MOTION
TO PROCEED ANONYMOUSLY AND JOINDER OF THE KAZAN MCCLAIN
MATCHING CLAIMANTS TO NON-PARTY CERTAIN MATCHING CLAIMANTS'
REPLY IN SUPPORT OF MOTION TO PROCEED ANONYMOUSLY**

This matter coming before the Court on the *Non-Party Certain Matching Claimants' Motion to Proceed Anonymously* (Dkt. 5-4) (the "**Motion**") and the *Joinder of the Kazan McClain Matching Claimants to Non-Party Certain Matching Claimants' Reply in Support of Motion to Proceed Anonymously* (Dkt. 6-11) (the "**Joinder**"). Based upon a review of the Motion, *Aldrich Pump LLC and Murray Boiler LLC's Brief in Opposition to Non-Party Certain Matching Claimants' Motion to Proceed Anonymously* (Dkt. 6-6); and *Non-Party Certain Matching*

Claimants' Reply in Support of the Motion to Proceed Anonymously (Dkt. 6-9); and after considering the arguments of counsel at the hearing before the Court on November 30, 2022, for the reasons set forth in the Court's bench ruling on November 30, 2022 (which bench ruling is incorporated herein by reference), the Court hereby FINDS, ORDERS, ADJUDGES, AND DECREES that:

1. The Motion and Joinder are DENIED, and Movants must identify themselves by full name.
2. The requirement that any Movants identify themselves shall be stayed until the 31st day following entry of this Order to permit such Movants (if desired) to seek a stay pending appeal from the district court. Movants are hereby relieved of any obligation to seek a stay from this Court before seeking a stay in the district court.
3. This Court shall retain exclusive jurisdiction over this Order and any and all matters arising from or relating to the implementation, interpretation, 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