

IT IS ORDERED as set forth below:



Date: October 17, 2019

Susan D. Barrett

United States Bankruptcy Judge
Southern District of Georgia

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

IN RE:

FIBRANT, LLC, *et al.*,

Debtors.

Chapter 11

Case No. 18-10274 (SDB)

(Jointly Administered)

FIBRANT, LLC, EVERGREEN NYLON
RECYCLING LLC, FIBRANT SOUTH CENTER,
LLC, GEORGIA MONOMERS COMPANY, LLC,
CHEMICAINVEST HOLDING, B.V., and
AUGUSTA LIQUIDATIONS, LLC,

Plaintiffs,

v.

ACE PROPERTY & CASUALTY INSURANCE
COMPANY, a corporation, UNITED STATES FIRE
INSURANCE COMPANY, a corporation,
CENTURY INDEMNITY COMPANY, a
corporation, ADMIRAL INSURANCE COMPANY,
a corporation, MT. MCKINLEY INSURANCE

Adversary Proceeding

No. 19-01016 (SDB)



COMPANY, a corporation, COLUMBIA CASUALTY COMPANY, a corporation, CONTINENTAL CASUALTY COMPANY, a corporation, THE CONTINENTAL INSURANCE COMPANY, a corporation, CERTAIN UNDERWRITERS AT LLOYD'S, LONDON, a corporation, CERTAIN LONDON MARKET COMPANIES, corporations, STARR INDEMNITY & LIABILITY COMPANY, a corporation, BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, a corporation, FIRST STATE INSURANCE COMPANY, a corporation, ALBA GENERAL INSURANCE COMPANY LIMITED, a corporation, THE DOMINION INSURANCE COMPANY LIMITED, a corporation, EXCESS INS. CO. TO HFPI LTD., a corporation, ASSICURAZIONI GENERALI SPA, a corporation, HELVETIA ACCIDENT SWISS INSURANCE COMPANY LIMITED, a corporation, LONDON AND EDINBURGH GENERAL INSURANCE COMPANY LIMITED, a corporation, RIVER THAMES INSURANCE COMPANY LIMITED, a corporation, STRONGHOLD INSURANCE COMPANY LIMITED, a corporation, HARPER INSURANCE LTD., a corporation, ARGONAUT NORTHWEST INSURANCE COMPANY, a corporation, DELTA-LLOYD NON-LIFE INSURANCE COMPANY LIMITED, a corporation, NATIONAL CASUALTY COMPANY, a corporation, NATIONAL CASUALTY COMPANY OF AMERICA LIMITED, a corporation, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a corporation, LEXINGTON INSURANCE COMPANY, a corporation, THE NORTH RIVER INSURANCE COMPANY, a corporation, HOME INSURANCE COMPANY, a corporation, ALLSTATE INSURANCE, a corporation, PROTECTIVE NATIONAL INSURANCE COMPANY, a corporation, ZURICH INTERNATIONAL, a corporation, LIBERTY MUTUAL, a corporation,

Defendants.

ORDER GRANTING JOINT STIPULATED REQUEST

TO STAY CASE PENDING CONCLUSION OF MEDIATION

On October 3, 2019, Plaintiffs and Defendant Insurers filed a stipulation stating that the parties are pursuing mediation of all disputes at issue in this action of *Fibrant, LLC, et al. v. ACE Property and Casualty Insurance Company, et. al.*, Bankr. S.D. Ga. No. 19-01016 (SDB), and requesting that the Court stay the action pending the conclusion of mediation.

Based on the foregoing and for good cause appearing, IT IS HEREBY ORDERED THAT:

1. The present action is hereby stayed pending the completion of the parties' mediation;
2. All deadlines in this matter shall be tolled though the 30th day following notice by either all Plaintiffs or all Defendant Insurers to the Court that the mediation was not successful and that the stay should be terminated;
3. The time period during which the matter is stayed and deadlines extended pursuant to this Order shall not be used, cited or relied upon by any party in opposing any cause of action, claim, defense or other relief (including, without limitation, any motion to withdraw the reference, motion to abstain, or motion to join additional parties);
4. The time period during which the matter is stayed and deadlines extended pursuant to this Order shall be excluded from any computation of prejudgment interest;
5. This order is without prejudice to any Defendant Insurer's ability to dispute jurisdiction for this action;
6. The parties shall file an initial joint status report on December 16, 2019 informing the Court of their progress and shall file a follow-up joint report every 90 days thereafter, pending further order of Court;

7. The parties shall promptly file a stipulation of dismissal under Fed. R. Civ. P. Rule 41(a)(1)(A)(ii) in the event mediation successfully resolves all their disputes; and
8. In the event mediation does not resolve all the parties' disputes, the parties shall promptly file a joint notice that the mediation was not successful and to terminate the stay with the Court and a request to set a hearing for entry into an appropriate scheduling order.

[END OF DOCUMENT]

Prepared and Presented by:

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Company of Winterthur (No. 3A/C); New London Reinsurance Company Limited; and The Scottish Lion Insurance Company Limited); Starr Indemnity & Liability Company, formerly known as Republic Insurance Company; and Berkshire Hathaway Specialty Insurance Company, formerly known as Stonewall Insurance Company

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