

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
)	
WELDED CONSTRUCTION, L.P., <i>et al.</i> , ¹)	Case No. 18-12378 (KG)
)	
Debtors.)	(Jointly Administered)
)	
)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING
ON NOVEMBER 30, 2018 AT 10:00 A.M. (ET)**

MATTERS GOING FORWARD

1. Motion of the Debtors for Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Secured Financing, (II) Authorizing the Use of Cash Collateral, (III) Granting Liens and Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Scheduling a Final Hearing [D.I.°17, 10/22/18]

Response/Objection Deadline: November 9, 2018 at 4:00 p.m. (ET);
extended for the Committee to November
27, 2018 at noon (ET)

Responses/Objections Received:

- A. Informal Response of the Official Committee of Unsecured Creditors
- B. Informal Response of Chubb Companies
- C. Informal Response of Berkshire Hathaway Specialty Insurance
- D. Informal Response of Cleveland Brothers Equipment Co.
- E. Informal Response of Ohio Machinery Co., Inc.
- F. Informal Response of Caterpillar Financial Services Corporation
- G. Informal Response of the Office of the United States Trustee

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Welded Construction, L.P. (5008) and Welded Construction Michigan, LLC (9830). The mailing address for each of the Debtors is 26933 Eckel Road, Perrysburg, OH 43551.



- H. Reservation of Rights of Caterpillar Financial Services Corporation [D.I. 240, 11/15/18]
- I. Amended Objection and Reservation of Rights of PACCAR Financial Corporation [D.I. 243, 11/16/18]
- J. Objection of the Official Committee of Unsecured Creditors [D.I. 273, 11/27/18]

Related Documents:

- K. Declaration of Frank A. Pometti In Support of the Motion of the Debtor for Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Secured Financing, (II) Authorizing the Use Of Cash Collateral, (III) Granting Liens and Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Scheduling a Final Hearing [D.I. 16, 10/22/18]
- L. Interim Order [D.I. 44, 10/23/18]
- M. Notice of Final Hearing and Entry of Interim Order [D.I. 92, 10/25/18]
- N. Notice of Filing of Second Interim Order (I) Authorizing the Debtors to Obtain Postpetition Secured Financing, (II) Authorizing the Use of Cash Collateral, (III) Granting Liens and Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, (V) Modifying the Automatic Stay, and (VI) Scheduling A Final Hearing [D.I. 228, 11/15/18]
- O. Notice of Filing of Modifications Debtor in Possession Credit Agreement [D.I. 241, 11/16/18]
- P. Second Interim Order [D.I. 246, 11/19/18]

Status: This matter is going forward as to the objection of the Committee. By agreement with the Committee in exchange for the Committee's extended objection deadline, if acceptable to the Court the Debtors' reply deadline has been extended to November 29th at 4:00 p.m. and the Debtors will file a reply prior to such time.

2. Debtors' Motion for Order Approving: (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [D.I. 121 (Sealed), D.I. 122 (Redacted), 10/29/18]

Response/Objection Deadline: November 13, 2018 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal Response from the Official Committee of Unsecured Creditors
- B. Objection of the United States Trustee [D.I. 196, 11/13/18]

Related Documents:

- C. Debtors' Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 for Authorization to File Under Seal the Attachments to the Plan in Connection with Debtors' Motion for Order Approving (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [D.I. 123, 10/29/18]

Status: This matter is going forward as to the objection of the U.S. Trustee. The Debtors expect to file a declaration in support of this motion prior to the hearing on this matter to address the evidentiary questions raised by the U.S. trustee's objection, as well as a slightly modified form of KEIP/KERP Plan.

3. Debtors' Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 for Authorization to File Under Seal the Attachments to the Plan in Connection with Debtors' Motion for Order Approving (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [D.I. 123, 10/29/18]

Response/Objection Deadline: November 13, 2018 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal Response of the Office of the United States Trustee

Related Documents:

- B. Debtors' Motion for Order Approving (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [D.I. 121 (Sealed), D.I. 122, (Redacted), 10/29/18]

Status: The Debtors have reached agreement with the Office of the United States Trustee on a narrowed scope of redactions in resolution of the informal response of the Office of the United States Trustee and expect to file a revised KEIP exhibit prior to the hearing.

Dated: November 28, 2018
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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