

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
WELDED CONSTRUCTION, L.P., <i>et al.</i> , <sup>1</sup>	)	Case No. 18-12378 (KG)
Debtors.	)	(Jointly Administered)
	)	Related Docket No.: 253
	)	Hearing Date: December 20, 2018 at 2:00 p.m. (ET)

**CERTIFICATION OF COUNSEL REGARDING  
APPLICATION OF THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF WELDED CONSTRUCTION, L.P., *ET AL.*, FOR ENTRY OF AN  
ORDER AUTHORIZING THE COMMITTEE TO RETAIN AND EMPLOY BLANK  
ROME LLP AS ITS COUNSEL PURSUANT TO 11 U.S.C. §§ 328 AND 1103, FED. R.  
BANKR. P. 2014, AND LOCAL R. 2014-1 *NUNC PRO TUNC* TO OCTOBER 30, 2018**

I, Jose F. Bibiloni, proposed counsel to the Official Committee of Unsecured Creditors (the “Committee”) of Welded Construction, L.P., *et al.*, hereby certify as follows:

1. On November 19, 2018, the Committee filed and served the *Application of the Official Committee of Unsecured Creditors of Welded Construction, L.P., et al., for Entry of an Order Authorizing the Committee to Retain and Employ Blank Rome LLP as its Counsel Pursuant to 11 U.S.C. §§ 328 and 1103, Fed. R. Bankr. P. 2014, and Local R. 2014-1 Nunc Pro Tunc to October 30, 2018* [Docket No. 253] (the “Application”). The notice appended to the Application established a deadline of December 3, 2018 at 4:00 p.m. (prevailing Eastern Time) for filing and service of objections or responses to the Application. A hearing on the Application is scheduled for December 20, 2018 at 2:00 p.m. (prevailing Eastern Time).

2. Counsel to the Committee received an informal response from the Office of the United States Trustee (the “OUST”) with respect to the Application. Based upon the informal

<sup>1</sup> 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.



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response from OUST, the Committee has prepared a revised proposed form of order granting the Application (the “Revised Order”). The Revised Order is attached hereto as **Exhibit A**. Attached hereto as **Exhibit B** is a blackline reflecting changes between the proposed form of order filed with the Application and the Revised Order. The OUST has confirmed that the OUST does not oppose entry of the Revised Order.

3. Except for the informal response referenced in paragraph 2 above, the Committee has not received any formal or informal response or objection to the Application. Additionally, the undersigned has caused a review of the Court’s docket in these cases and hereby certifies that no response or objection to the Application appears thereon.

WHEREFORE, the Committee respectfully requests entry of the Revised Order attached hereto as **Exhibit A** at the earliest convenience of the Court.

Dated: December 4, 2018  
Wilmington, Delaware

**BLANK ROME LLP**

/s/ Jose F. Bibiloni

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Lucian@BlankRome.com

*Proposed Counsel to the Official Committee  
of Unsecured Creditors of Welded  
Construction, L.P., et al.*

**EXHIBIT A**

Revised Order

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

In re:

WELDED CONSTRUCTION, L.P., *et al.*,<sup>1</sup>

Debtors.

)  
) Chapter 11

)  
) Case No. 18-12378 (KG)

)  
) (Jointly Administered)

)  
) Related Docket Nos. 253 & \_\_\_\_

**ORDER AUTHORIZING THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF WELDED CONSTRUCTION, L.P., *ET AL.*, TO RETAIN AND  
EMPLOY BLANK ROME LLP AS ITS COUNSEL PURSUANT TO  
11 U.S.C. §§ 328 AND 1103, FED. R. BANKR. P. 2014, AND  
LOCAL R. 2014-1 NUNC PRO TUNC TO OCTOBER 30, 2018**

UPON CONSIDERATION of the application (the “Application”)<sup>2</sup> of the Official Committee of Unsecured Creditors (the “Committee”) of Welded Construction, L.P., *et al.* (collectively, the “Debtors”), for an order, pursuant to sections 328(a) and 1103 of the Bankruptcy Code, Bankruptcy Rule 2014, and Local Rule 2014-1, authorizing the Committee to employ and retain the law firm of Blank Rome LLP (“Blank Rome”) as its counsel *nunc pro tunc* to October 30, 2018; and upon (a) the verified statement of John E. Lucian, a partner of the Blank Rome firm, in support of the Application and (b) the declaration of Walter Curtis Keal, as representative of Ohio Machinery Co., solely in its capacity as a chairperson of the Committee, in support of the Application; and the Court finding that (a) the Court has jurisdiction over the Application pursuant to §§ 157 and 1334 and (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A); and the Court being satisfied that, except as set forth in the Verified Statement, Blank Rome and its professionals: (a) are not creditors,

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<sup>2</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Application.

equity security holders or insiders of the Debtors, (b) are not and were not, within two (2) years before the Petition Date, directors, officers or employees of the Debtors, (c) do not hold or represent any interest materially adverse to the interest of the Debtors' estates and (d) are not related to any judge of this Court, the U.S. Trustee for this District or any employee of the U.S. Trustee in this District; and, accordingly, Blank Rome and its professionals are "disinterested persons" within the meaning of section 101(14), as modified by section 1107(b) of the Bankruptcy Code; and Blank Rome's representation of the Committee being permissible under sections 328(a) and 1103 of the Bankruptcy Code; and it appearing that the relief requested is in the best interests of the Debtors' estates, their creditors, and other parties-in-interest; and it appearing that notice of the Application and opportunity for a hearing thereon was appropriate under the particular circumstances and that no other or further notice need be given; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The Application is GRANTED as set forth herein.
2. Pursuant to sections 328 and 1103 of the Bankruptcy Code, the Committee is hereby authorized and empowered to employ the firm of Blank Rome, *nunc pro tunc* to October 30, 2018, as its counsel in the Debtors' chapter 11 cases, and Blank Rome is authorized to perform the services set forth in the Application.
3. Blank Rome shall apply for compensation and reimbursement of expenses in accordance with the procedures set forth in sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules and any applicable orders of this Court.

4. As set forth in the Verified Statement, Blank Rome shall file appropriate supplemental disclosure(s) with the Court to the extent that additional information concerning any connections is developed.

5. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation of this Order.

6. Notwithstanding any Bankruptcy Rule to the contrary, this Order shall take effect immediately upon its entry.

**EXHIBIT B**

Blackline

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

In re:

WELDED CONSTRUCTION, L.P., *et al.*,<sup>1</sup>

Debtors.

)  
) Chapter 11

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) Related Docket Nos.: [253](#) & [154278.01600/114918751v.2](#)

**ORDER AUTHORIZING THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF WELDED CONSTRUCTION, L.P., *ET AL.*, TO RETAIN AND EMPLOY  
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<sup>2</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Application.



professionals: (a) are not creditors, equity security holders or insiders of the Debtors, (b) are not and were not, within two (2) years before the Petition Date, directors, officers or employees of the Debtors, (c) do not hold or represent any interest materially adverse to the interest of the Debtors' estates and (d) are not related to any judge of this Court, the U.S. Trustee for this District or any employee of the U.S. Trustee in this District; and, accordingly, Blank Rome and its professionals are "disinterested persons" within the meaning of section 101(14), as modified by section 1107(b) of the Bankruptcy Code; and Blank Rome's representation of the Committee being permissible under sections 328(a) and 1103 of the Bankruptcy Code; and it appearing that the relief requested is in the best interests of the Debtors' estates, their creditors, and other parties-in-interest; and it appearing that notice of the Application and opportunity for a hearing thereon was appropriate under the particular circumstances and that no other or further notice need be given; and after due deliberation and sufficient cause appearing ~~therefor~~therefore, it is hereby

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4. As set forth in the Verified Statement, Blank Rome shall file appropriate supplemental disclosure(s) with the Court to the extent that additional information concerning any connections is developed.

5. ~~4.~~ This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation of this Order.

6. ~~5.~~ Notwithstanding any Bankruptcy Rule to the contrary, this Order shall take effect immediately upon its entry.