

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

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

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**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON APRIL 17, 2019 AT 9:00 A.M. (ET)**

**ADJOURNED MATTERS**

1. Debtors’ Fifth Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases and Executory Contracts [D.I. 455, 2/19/19]

Response/Objection Deadline: February 15, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Objection of Gopher Mats, LLC d/b/a Viking Mat Co. [D.I. 504, 2/15/19]

Related Documents:

- B. Notice of Hearing on and Supplement to Debtors’ Fifth Omnibus Motion for Entry of an Order Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases and Executory Contracts [D.I. 578, 3/20/19]
- C. Notice of Telephonic Status Conference [D.I. 594, 3/28/19]
- D. Scheduling Order [D.I. 636, 4/15/19]

Status: At the Court’s direction, this matter is scheduled for hearing on May 13, 2019 at 10:00 a.m. (ET).

<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.



2. Motion of Gopher Mats, LLC for Allowance and Immediate Payment of Administrative Expense Claims Pursuant to 11 U.S.C. Sections 503(b)(1) and 507(a)(2) [D.I. 512, 2/20/19]

Response/Objection Deadline: March 13, 2019 at 4:00 p.m. (ET); extended for the Debtors, TransCanada and the DIP Lenders to March 20, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Debtors' Preliminary Objection [D.I. 576, 3/20/19]
- B. Joinder of the Official Committee of Unsecured Creditors to Debtors' Preliminary Objection [D.I. 577, 3/20/19]
- C. Columbia Gas's Preliminary Objection [D.I. 579, 3/21/19]

Related Documents:

- D. Notice of Telephonic Status Conference [D.I. 594, 3/28/19]
- E. Scheduling Order [D.I. 636, 4/15/19]

Status: At the Court's direction, this matter is scheduled for hearing on May 13, 2019 at 10:00 a.m. (ET).

3. Debtors' First Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and Executory Contracts *Nunc Pro Tunc* to the Rejection Date [D.I. 262, 11/21/18]

Response/Objection Deadline: December 5, 2018 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Limited Objection and Reservation of Rights of Yak Mat, LLC [D.I. 300, 12/4/18]

Related Documents:

- B. Certification of Counsel [D.I. 321, 12/11/18]

- C. Order, Pursuant to Sections 105(a), 365(a), and 554(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and Executory Contracts *Nunc Pro Tunc* to the Rejection Date [D.I. 324, 12/11/18]

Status: As it pertains to the objection of Yak Mat, LLC, this matter has been adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET). An order has been entered with respect to the remaining leases.

- 4. Debtors' Second Omnibus Motion for Entry of an Order, Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code, Authorizing the Debtors to Reject Certain Unexpired Leases *Nunc Pro Tunc* to the Lease Rejection Date and Certain Executory Contracts [D.I. 318, 12/7/18]

Response/Objection Deadline: December 21, 2018 at 4:00 p.m. (ET); extended for Ohio Machinery Company to January 3, 2019 at 4:00 p.m. (ET); extended to January 8, 2019 at 4:00 p.m. (ET) for VFS Leasing, PipeLine Machinery, Barco Rent-a-Truck, and Committee

Responses/Objections Received:

- A. Limited Objection of Caterpillar Financial Services Corporation [D.I. 346, 12/20/18]
- B. Objection of PACCAR Financial Corp.[D.I. 348, 12/20/18]
- C. Joinder of MacAllister Machinery Co., Inc. d/b/a MacAllister Rentals and Michigan CAT to Limited Objection of Caterpillar Financial Services Corporation [D.I. 355, 12/21/18]
- D. Limited Objection of Enviro Service Rentals, LLC, Cross Country Pipeline Supply Co., Inc., Outlaw Padding Company and T & C Rentals [D.I. 357, 12/21/18]
- E. Limited Objection of Sunbelt Equipment Marketing, Inc. and Sunbelt Tractor & Equipment Company, Inc. [D.I. 358, 12/21/18]
- F. Objection of Ohio Machinery Company [D.I. 367, 12/24/18]
- G. Objection of VFS Leasing Co. [D.I. 397, 1/8/19]

Related Documents:

- H. Order [D.I. 421, 1/15/19]
- I. Order [D.I. 442, 1/28/19]
- J. Order [D.I. 446, 1/30/19]

Status: Orders have been entered resolving items A, B and G. This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET) only as it pertains to the unresolved objections in items C, D, E, and F.

- 5. Motion of Ohio Machinery Company Seeking Order (I) Compelling Debtors to Perform Their Obligations Under Their Insurance Policies to Obtain Coverage and Turn Over Proceeds; (II) Determining That Certain Insurance Proceeds Are Not Property of Debtors' Estates; (III) Granting Relief from or Modifying Automatic Stay as to Insurers; and (IV) Allowing Administrative Claims and Directing Immediate Payment Thereof [D.I. 364, 12/24/18]

Response/Objection Deadline: January 7, 2019 at 4:00 p.m. (ET); extended for the Debtors, the Committee, the DIP Lender, and the Chubb Companies

Responses/Objections Received: None to date

Related Documents:

- A. Notice of Hearing [D.I. 366, 12/24/18]

Status: This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET).

- 6. Motion of Ohio Machinery Company for Order Directing Examination of Debtors and Production of Documents Pursuant to Fed. R. Bankr. P. 2004 [D.I. 365, 12/24/18]

Response/Objection Deadline: January 7, 2019 at 4:00 p.m. (ET); extended for the Debtors, the Committee, the DIP Lender and the Chubb Companies

Responses/Objections Received: None to date

Related Documents

A. Notice of Hearing [D.I. 366, 12/24/19]

Status: This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET).

7. Motion of Yak Mat, LLC for Allowance and Immediate Payment of Administrative Expense Claim Pursuant to 11 U.S.C. § 503(b)(1) [D.I. 391, 1/3/19]

Response/Objection Deadline: February 6, 2019 at 4:00 p.m. (ET);  
extended for the Debtors, the Committee,  
and the DIP Lender

Responses/Objections Received: None to date

Related Documents: None to date

Status: This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET).

8. Motion of Cleveland Brothers Equipment Co., Inc. for an Order (I) Compelling Debtors to Perform their Obligation Under Their Insurance Policies to Obtain Coverage and Turn Over Proceeds; (II) Determining that Certain Insurance Proceeds Are Not Property of Debtors' Estates; (III) Granting Relief from the Automatic Stay as to Insurers; and (IV) Allowing Administrative Claims and Directing Immediate Payment Thereof [D.I. 437, 1/23/19]

Response/Objection Deadline: February 6, 2019 at 4:00 p.m. (ET);  
extended for the Debtors, the Committee,  
the DIP Lender and the Chubb Companies

Responses/Objections Received: None to date

Related Documents: None to date

Status: This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET).

9. Union Leasing, Inc. d/b/a Express 4x4 Trunk Rental's Motion for Allowance and Payment of Administrative Expense Claim Pursuant to 11. U.S.C. § 503(b)(1)(a) [D.I. 526, 2/28/19]

Response/Objection Deadline: March 21, 2019 at 4:00 p.m. (ET); extended for the Debtors, the Committee, and the DIP Lender to May 1, 2019 at 4:00 p.m. (ET)

Responses/Objections Received: None to date

Related Documents:

- A. Re-Notice of Motion [D.I. 601, 4/1/19]

Status: This matter is adjourned to the omnibus hearing date scheduled on May 8, 2019 at 10:00 a.m. (ET).

**MATTER UNDER CERTIFICATION**

10. Debtors' Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Authorizing the Debtors to Redact Certain Confidential Information in the Employee Plans in Connection with the Debtors' Motion for Order Approving (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [D.I. 591, 3/27/19]

Response/Objection Deadline: April 10, 2019 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- A. Certification of No Objection [D.I. 635, 4/15/19]

- B. Proposed Order

Status: A certificate of no objection has been filed. No hearing is required.

**MATTERS GOING FORWARD**

11. Motion of Debtors for Order under 11 U.S.C. §§ 105(a), 363, and 364, Fed. R. Bankr. P. 2002 and 6004 and Del. Bankr. L.R. 2002-1, 6004-1, and 9006-1 Authorizing (A) the Sale of Certain Assets of the Debtors Free and Clear of All Claims, Liens, Liabilities, Rights, Interests and Encumbrances; (B) the Debtors to Enter into and Perform their Obligations under the Agency Agreement; and (C) Related Relief [D.I. 581, 3/22/19]

Response/Objection Deadline: April 5, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal Comments from the Office of the United States Trustee
- B. Informal Comments from Steve Miller, Esq., Counsel to Cross Country Pipeline Supply Co., Inc., Cross Country Infrastructure Services, Inc., Power Associates International, Inc., Enviro Services, L.L.C., Enviro Service Rentals L.L.C., Outlaw Padding Company, Sunbelt Equipment Marketing, Inc., Sunbelt Tractor & Equipment Company, T&C Rentals, Inc., TR Services of Farmerville, LLC and Willy's Fuels, LLC
- C. Reservation of Rights of Caterpillar Financial Services Corporation [D.I. 608, 4/4/19]

Related Documents:

- D. Notice of Sale Hearing [D.I. 582, 3/22/19]
- E. Notice of Rescheduled Sale Hearing [D.I. 623, 4/8/19]

Status: The Debtors have resolved the informal comments from the U.S. Trustee and the companies represented by Mr. Miller. The Debtors are working to address the issues raised by Caterpillar Financial Services Corporation. The Debtors intend to submit a revised form of order prior to or at the hearing. This matter is going forward.

12. Debtors' Motion for Order Approving (I) Key Employee Incentive Plan and (II) Key Employee Retention Plan [(Sealed) D.I. 589, (Redacted) D.I. 590, 3/27/19]

Response/Objection Deadline: April 10, 2019 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents: None

Status: This matter is going forward on an uncontested basis. The Debtors anticipate submitting a revised proposed order under certification of counsel prior to the hearing.

Dated: April 15, 2019  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Allison S. Mielke

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