

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

In re:)	Chapter 11
)	
WELDED CONSTRUCTION, L.P., <u>et al.</u> , ¹)	Case No. 18-12378 (KG)
)	
Debtors.)	(Jointly Administered)
)	
)	Re: D.I. 629 and 663
)	

**CERTIFICATION OF COUNSEL REGARDING PROPOSED ORDER GRANTING
THE MOTION OF SCHMID PIPELINE CONSTRUCTION, INC FOR RELIEF FROM
THE AUTOMATIC STAY**

The undersigned counsel for Schmid Pipeline Construction, Inc. ("Schmid Pipeline") certifies the following:

1. On April 10, 2019, Schmid Pipeline filed its Motion for Relief from the Automatic Stay (the "Motion") [D.I. 629].
2. Counsel for Schmid Pipeline received informal comments from Welded Construction, L.P.'s (the "Debtor") on Thursday, April 18, 2019 and from the Official Committee of Unsecured Creditors and Columbia Gas Transmission, LLC on Friday, April 19, 2019.
3. In an attempt to resolve these comments, Schmid Pipeline granted an extension to the objection deadline from Friday, April 19, 2019 to Monday, April 22, 2019. Schmid Pipeline further extended the objection deadline to Tuesday, April 23, 2019.
4. On April 23, 2019, the Debtor filed its Limited Objection to the Motion [D.I. 663].

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.



5. Except as set forth in the Limited Objection, the informal comments received prior to April 22, 2019 have been resolved and incorporated into the proposed form of order (the “Proposed Order”) attached hereto as Exhibit A.

6. At the hearing on the Motion scheduled for April 26, 2019, Schmid Pipeline will request that the Court overrule the Limited Objection and enter the Proposed Order.

Dated: April 24, 2019

FOX ROTHSCHILD LLP

/s/ Thomas M. Horan

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**ORDER GRANTING MOTION OF SCHMID PIPELINE CONSTRUCTION, INC. FOR
RELIEF FROM THE AUTOMATIC STAY**

Upon consideration of the Motion of Schmid Pipeline Construction, Inc. (“Schmid Pipeline”) for Relief from the Automatic Stay (the “Motion”); the Court having jurisdiction over the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; “cause” existing to grant relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1); due and adequate notice of the Motion having been given under the circumstances and no other or further notice being required; and upon consideration of the Motion and any response thereto, and the arguments of counsel, it is hereby ordered that:

1. The Motion is granted as set forth herein.
2. Schmid Pipeline is hereby granted relief from the automatic stay of 11 U.S.C. § 362(a) and the automatic stay imposed in these cases pursuant to 11 U.S.C. § 362(a) is hereby only modified to the extent required to permit Schmid Pipeline to commence any action, and name debtor Welded Construction, L.P. (the “Debtor”) as a nominal defendant, to enforce and/or foreclose Schmid Pipeline’s mechanic’s lien rights and remedies, including, but not limited to, commencing and pursuing to completion any necessary mechanic’s lien action, with respect to

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the Columbia Gas Mountaineer Express Pipeline Project (the “Project”), located in the county of Wetzell, in the State of West Virginia.

3. Schmid Pipeline shall not take action against property of the Debtor’s estate absent a further order from this Court or the expiration of the automatic stay under the Bankruptcy Code.

4. Schmid Pipeline is further granted relief from the automatic stay of 11 U.S.C. § 362(a) to permit it to seek recovery against the real estate interests of Columbia Gas Transmission, LLC in West Virginia.

5. The Debtors are authorized, empowered, and required to take all actions necessary to implement the relief granted in this Order.

6. This Order shall be enforceable against and binding upon all successors in interest and assigns of the parties.

7. Nothing herein waives any party’s rights to defend against or challenge standing, forum, or venue in any subsequent disputes (including lien issues), and all parties’ rights are reserved.

8. Notwithstanding the terms of Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure, the terms of this Order shall be immediately effective and enforceable upon its entry and this Order is not stayed.

9. This Court retains authority to implement, interpret, and enforce this Order.