

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

In re:

WELDED CONSTRUCTION, L.P., et al.,  
  
Debtors.

Chapter 11

Case No. 18-12378 (KG)  
(Jointly Administered)

**Obj. Deadline: Extended to July 29, 2019  
12:00 p.m. for RWDY, Inc.  
Hearing Date: August 7, 2019 at 10:00 a.m.**

**Ref. Docket No. 811**

**RWDY, INC.'S LIMITED OBJECTION TO DEBTORS' SECOND (2ND) OMNIBUS  
(SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502  
OF THE BANKRUPTCY CODE, BANKRUPTCY RULE 3007 AND  
LOCAL RULE 3007-1 AND RESERVATION OF RIGHTS REGARDING SAME**

RWDY, Inc. ("RWDY"), through counsel, hereby files this limited objection and reservation of rights ("Limited Objection and Reservation of Rights") to the *Debtors' Second (2nd) Omnibus (Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1* (Docket No. 811) ("the "Claim Objection"), and respectfully states as follows:

1. RWDY and Welded Construction LP (the "Debtor") entered into a Master Service Agreement dated as of April 5, 2018 (the "Contract") pursuant to which RWDY agreed, among other things, to perform Work (as defined in the Contract) to the Debtor.
2. As set forth in the proof of claim filed by RWDY, claim number 110 (the "Claim"), the Debtor owes RWDY no less than \$426,791.82 on account of Work performed by RWDY.
3. On June 28, 2019, the Debtor and the other debtors (together, the "Debtors") filed the Claim Objection through which the Debtor seeks to reclassify the Claim from a priority claim



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to a general unsecured claim on a basis that the claim is not entitled to administrative priority pursuant to section 507(a) of the Bankruptcy Code. See Docket No. 811 at Exhibit B.

4. RWDY does not object to the proposed reclassification of the Claim at this time. However, RWDY files this Limited Objection to reserve all rights regarding its Claim, including without limitation, with regard to reclassification or treatment of its Claim if and when the Debtors received the payment relating to RWDY's Work which may be earmarked to RWDY or subject to a mechanics' or contractors' lien. Pursuant to applicable state statute, any such payments held in trust for RWDY, may not be property of the Debtors' estates. 11 U.S.C. § 541(a); In re Lenox Healthcare, Inc., 343 B.R. 96, 100 (Bankr. D. Del. 2006) (noting that "property a debtor holds in trust for another is not property of the estate").

5. RWDY further reserves all rights with regard to the Claim, including without limitation, the right to raise any additional arguments at any hearing on the Claim Objection.

Dated: July 29, 2019

**MORRIS JAMES LLP**

/s/ Brya M. Keilson

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*Counsel for RWDY, Inc.*

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**AFFIDAVIT OF JAMIE L. DAWSON, PARALEGAL**

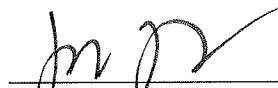
STATE OF DELAWARE :  
: SS:  
NEW CASTLE COUNTY :

I, Jamie L. Dawson, certify that I am, and at all times during the service, have been an employee of Morris James LLP, not less than 18 years of age and not a party to the matter concerning which service was made. I certify further that on July 29, 2019, I caused to be served:

**RWDY, INC.'S LIMITED OBJECTION TO DEBTORS' SECOND (2ND) OMNIBUS  
(SUBSTANTIVE) OBJECTION TO CLAIMS PURSUANT TO SECTION 502  
OF THE BANKRUPTCY CODE, BANKRUPTCY RULE 307 AND  
LOCAL RULE 3007-1 AND RESERVATION OF RIGHTS REGARDING SAME**

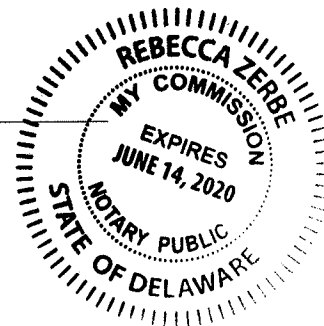
Service was completed upon the parties on the attached list as indicated thereon.

Dated: July 29, 2019

  
\_\_\_\_\_  
Jamie L. Dawson

**SWORN AND SUBSCRIBED** before me this 29<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Notary



**VIA HAND DELIVERY**

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