

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-12378 (KG) (Bankr. D. Del.)
(Jointly Administered)

Hearing Date: September 23, 2019 at 10:00 a.m. (ET)

Objection Deadline: September 3, 2019 at 4:00 p.m. (ET)

UNOPPOSED MOTION OF CGT ENTITIES FOR ORDER UNDER
28 U.S.C. § 1452 AND FED. R. BANKR. P. 9006(b) AND 9027
EXTENDING THE DEADLINE TO FILE
NOTICES OF REMOVAL OF CIVIL CLAIMS

Columbia Gas Transmission, LLC (“CGT”), and TransCanada USA Services Inc (“TransCanada”, and together with CGT, referred to herein as the “CGT Entities”), hereby file this unopposed motion (the “Motion”) for entry of an order substantially in the form attached hereto as **Exhibit A**, under 28 U.S.C. § 1452 and Rules 9006(b) and 9027 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), extending the deadline by which the CGT Entities may file notices of removal under Bankruptcy Rule 9027(a).² In support of this Motion, the CGT Entities, by and through their undersigned counsel, respectfully state as follows:

I. JURISDICTION

1. The United States Bankruptcy Court for the District of Delaware (the “Court”) has jurisdiction to consider this Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012. Whether to extend the deadline to file notices of removal is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue of this proceeding and this Motion in this district

¹ The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.



is proper under 28 U.S.C. §§ 1408 and 1409. The authority for the relief requested herein are section 1452 of title 28 of the United States Code, 28 U.S.C. § 1452, Bankruptcy Rules 9006(b) and 9027 and Local Rule 9006-2.

II. FACTUAL AND PROCEDURAL BACKGROUND

2. Welded Construction, L.P. (the “Debtor”), filed a Voluntary Petition under Chapter 11 of the Bankruptcy Code in the Court on October 22, 2018. *See In re: Welded Construction, L.P.*, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered) (the “Bankruptcy Case”).

3. SEMI and STEC claim to have provided equipment and related services to the Debtor for use on the Mountaineer Express Pipeline Project (the “Project”) in West Virginia. CGT is the reputed owner of the real property interests in the Project. TransCanada may also own a real property interest in the Project. The Debtor served as general contractor for the construction of the Project, but is not the property owner.

4. As a result of the alleged non-payment by the Debtor, SEMI and STEC filed Mechanic’s Liens in Marshall and Wetzel Counties, West Virginia, in January 2019, for equipment and services rendered pre-petition. True copies of SEMI’s’ and STEC’s Mechanics Liens (omitting the lengthy set of invoices attached thereto) were attached as Exhibits A and B to the Notices of Perfection, Continuance and Maintenance of Mechanic’s Lien Pursuant to 11 U.S.C. § 546 (b) [Docket Nos. 820 and 821, respectively] that SEMI and STEC filed on July 3, 2019 (the “Liens”). Notice of the Liens was also allegedly provided to the CGT Entities and the Debtor in accordance with state law.

5. Pursuant to state law, SEMI and STEC each had a limited time to commence an action to enforce and/or foreclose their respective Mechanic’s Lien claims and the Debtor, as general contractor, is a necessary and proper party to SEMI’s and STEC’s actions to enforce

the Liens. Accordingly, SEMI and STEC each sought relief from the Automatic Stay pursuant to 11 U.S.C. § 362(d)(1) in order to enforce and preserve their respective lien rights against the property owner(s) under state law by filing Motions for Relief from Automatic Stay on July 5, 2019 [Docket Nos. 823 and 825, respectively].

6. The Court granted STEC and SEMI relief from the Automatic Stay of 11 U.S.C. § 362(a) by Order dated July 11, 2019 [the “STEC Relief Order”; Docket No. 857] and by Order dated July 16, 2019 [the “SEMI Relief Order”; Docket No. 867], but only to the extent required to permit STEC and SEMI to commence actions in courts of competent jurisdiction, and to name the Debtor as a nominal defendant therein, to enforce and/or foreclose STEC and SEMI’s asserted mechanic’s liens rights and remedies, including, but not limited to commencing and pursuing to completion any necessary mechanic’s lien action, with respect to the Project, provided however, that, once an action was filed to enforce and/or foreclose STEC and SEMI’s lien rights, such action was to be stayed immediately after its filing for a period of not less than 90 days from the commencement of the action, and after the expiration of such 90-day period, STEC and SEMI were to be permitted to recommence such action(s) without further order of the Court [Docket Nos. 857 and 867].

7. Thereafter, STEC commenced actions to enforce its mechanic’s lien on July 15, 2019, in the Circuit Courts of Marshall County West Virginia (Marshall County Civil Action No. 19-C-161) and Wetzel County, West Virginia (Wetzel County Civil Action No. 19-C-52) naming the CGT Entities as Defendants and the Debtor as a nominal Defendant, together with a Motion to Stay each such action for a period of 90 days, in accord with the STEC Relief Order (the “STEC Actions”).

8. SEMI commenced actions to enforce its mechanic's lien on July 22, 2019, in the Circuit Courts of Marshall County West Virginia (Marshall County Civil Action No. 19-C-186) and Wetzel County, West Virginia (Wetzel County Civil Action No. 19-C-53) naming the CGT Entities as Defendants and the Debtor as a nominal Defendant, together with a Motion to Stay each such action for a period of 90 days, in accord with the SEMI Relief Order (the "SEMI Actions").

9. Following commencement of the actions, but prior to the expiration of the 90 day period set forth by this Court, as discussed *supra*, copies of the summonses, complaints, and motions to stay as to the STEC Actions and the SEMI Actions were subsequently served by STEC and SEMI upon the CGT Entities, and the Debtor, on the following dates:

	STEC Action (Marshall County)	STEC Action (Wetzel County)	SEMI Action (Marshall County)	SEMI Action (Wetzel County)
CGT	July 19, 2019	July 18, 2019	July 26, 2019	July 23, 2019
TransCanada				
Welded (Debtor)				

9. Bankruptcy Rule 9027 sets forth the time periods for filing notices to remove claims or causes of action and, with respect to post-petition claims, Bankruptcy Rule 9027(a)(3) provides that a notice of removal may be filed:

only within the shorter of (A) 30 days after receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim or cause of action sought to be removed, or (B) 30 days after receipt of the summons if the initial pleading has been filed with the court but not served with the summons.

Accordingly, absent service of an initial pleading, or summons, the earliest date by which a CGT Entity would have been required to file a notice to remove any STEC Action or SEMI Action would have been 30 days from the expiration of the 90 day stay imposed by the STEC

Relief Order and the SEMI Relief Order. Specifically, by November 12, 2019, as to the STEC Actions and by November 19, 2019, as to the SEMI Actions.

11. While the CGT Entities acknowledge that the 90 day stay of the STEC Actions and the SEMI Actions pursuant to the STEC Relief Order and the SEMI Relief Order may operate to (among other things), protect and preserve Debtor's rights as to each of those actions, the 90 day stay does not apply to the CGT Entities, and service by STEC and SEMI triggered, which STEC and SEMI assert was inadvertent, the deadline by which the CGT Entities may remove the actions.

12. Specifically, pursuant to Bankruptcy Rule 9027(a)(3), as set out above, the 30 day timeframe for removal of the STEC Actions and the SEMI Actions by the CGT Entities may have been triggered, beginning upon the date of service of each summons and complaint as set out above, therefore requiring any notice of removal to be filed within 30 days of each such service date.

13. By this Motion the CGT Entities seek to extend the period for removal to the date that is the last date of service of the STEC Actions and the SEMI Actions by STEC and SEMI upon the CGT Entities, effective from July 26, 2019 (the latest service date as to either a STEC Action, or SEMI Action upon any CGT Entity) through and including November 25, 2019.³

14. The parties further respectfully request that any extension of the deadline to remove the STEC Actions and the SEMI Actions be applied uniformly as to all STEC Actions, SEMI Actions.

15. Furthermore, the parties agree that this extension does not operate as a waiver of any defenses of the CGT entities, including those related to insufficient or ineffective service of

³ The 120th day from the last service day of July 26, 2019, is actually Saturday, November 23, 2019, and occurs during Thanksgiving weekend. November 25, 2019, is the first business day after the weekend of the Thanksgiving holiday.

process in the actions. Lastly, STEC and SEMI have agreed to stipulate that they will not contest or assert as a defense the timeliness of any notice of removal filed by the CGT Entities on or before November 25, 2019 in the STEC and SEMI cases, but otherwise reserve any other defenses (other than timeliness) they may possess in or to any notice of removal.

III. RELIEF REQUESTED

16. The CGT Entities seek entry of an order (the “Order”) substantially in the form attached hereto as **Exhibit A**: (a) extending the deadlines in which the CGT Entities may remove the STEC Actions and the SEMI Actions pursuant to the Bankruptcy Rules up to and including November 25, 2019,⁴ effective as of July 26, 2019, without prejudice to their ability to request additional extensions if it were to become necessary or appropriate to do so.

17. Section 1452 of title 28 of the United States Code provides for the removal of actions related to bankruptcy cases and provides, in pertinent part:

A party may remove any claim or cause of action in a civil action ... to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of this title.

28 U.S.C. § 1452(a).

18. Bankruptcy Rule 9027 sets forth the time periods for filing notices to remove claims or causes of action and, with respect to post-petition claims, Bankruptcy Rule 9027(a)(3) provides:

only within the shorter of (A) 30 days after receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim or cause of action sought to be removed, or (B) 30 days after receipt of the summons if the initial pleading has been filed with the court but not served with the summons.

⁴ Under the Local Rules, the removal deadlines are extended automatically until the Court acts on this Motion, without the necessity for the entry of a bridge order. *See* Del. Bankr. L.R. 9006-2. If the Court is not inclined to grant the requested extensions, the CGT Entities respectfully request that the Court extend the pertinent removal deadlines for at least 14 days after entry of the order, so as to permit the CGT Entities to file notices of removal.

19. Accordingly, the earliest time within which a CGT Entity may be required to file a notice to remove any pending Sunbelt Action is currently set to expire on August 17, 2019, being 30 days from July 18, 2019, the date the CGT Entities were first served with process as to any of the STEC Actions and SEMI Actions.

20. Under Bankruptcy Rule 9006(b), except for certain statutorily excepted actions, the Court may extend any unexpired time periods, including the removal of claims through 28 U.S.C. § 1452 and Bankruptcy Rule 9027, without notice:

[W]hen an act is required or allowed to be done at or within a specified period by these rules or by a notice given thereunder or by order of court, the court for cause shown may at any time in its discretion . . . with or without motion or notice order the period enlarged if the request therefor is made before the expiration of the period originally prescribed or as extended by a previous order.

Fed. R. Bankr. P. 9006(b)(1).

21. It is well settled, in this district and others, that this Court is authorized to extend, for cause, the removal period provided under 28 U.S.C. § 1452 and Bankruptcy Rule 9027. *See, e.g., Pacor, Inc. v. Higgins*, 743 F.2d 984, 996 n.17 (3d Cir. 1984), *overruled on other grounds by Things Remembered, Inc. v. Petrarca*, 516 U.S. 124, 134–35 (1995) (noting the bankruptcy court’s power to grant an extension of the removal period pursuant to Bankruptcy Rule 9006(b) is “clear”); *Caperton v. A.T. Massey Coal Co., Inc.*, 251 B.R. 322, 324 (S.D. W.Va. 2000) (“Applicable to Rule 9027 is Rule 9006(b), which provides for enlargements of time.”); *In re World Fin. Servs. Ctr., Inc.*, 81 B.R. 33, 39 (Bankr. S.D. Cal. 1987) (noting that “it appears that the Supreme Court intended to give bankruptcy judges the powers to enlarge the filing periods” of Bankruptcy Rule 9027(a) pursuant to Bankruptcy Rule 9006(b)); *Raff v. Gordon*, 58 B.R. 988, 990 (E.D. Pa. 1986) (“An expansion of time [to file notices of removal] is authorized under the [Bankruptcy] Rules”);

In re Thomas, 339 B.R. 640, 641–42 (Bankr. W.D. Ky. 2006) (applying Rule 9006 to enlarge the time period to file a notice of removal under Bankruptcy Rule 9027).

22. The CGT Entities are co-defendants with Debtor in the STEC Actions and the SEMI Actions, all of which revolve around the same facts as the claims involving the Debtor.

23. In light of the relief afforded by the STEC Relief Order and the SEMI Relief Order, the parties seek to correct the impact of the asserted inadvertent early service of the lien action by STEC and SEMI through an extension of the time prescribed under Bankruptcy Rule 9027(a)(2), through and including November 25, 2019, to protect their right to remove the pending STEC Actions and SEMI Actions. This requested extension is consistent with the Relief Orders and will afford the parties the opportunity to act in a manner consistent with the Relief Orders.

24. Fixing the deadline for removal of the STEC Actions and the SEMI Actions so that no removals may be required until at least November 25, 2019, will serve the interests of judicial economy, efficiency and clarity for all parties with an interest or interests related to the STEC Actions and the SEMI Actions.

25. Lastly, the CGT Entities request that the Order granting this Motion be without prejudice to the right of the CGT Entities to seek further extensions of the removal deadlines.

26. Courts have granted similar requests for extension of the removal period.⁵ Indeed, courts have specifically granted requests by non-debtors, such as the CGT Entities, for extensions of the removal period. *See, e.g., In re Gary Richard Thomas and Mary Magdalene Thomas*, 339

⁵ *See, e.g., In re Samuels Jewelers, Inc.*, Case No. 18-11818 (KJC) (Bankr. D. Del. Nov. 26, 2018); *In re J&M Sales Inc.*, Case No. 18-11801 (LSS) (Bankr. D. Del. Nov. 13, 2018); *In re New MACH Gen, LLC*, Case No. 18-11368 (MFW) (Bankr. D. Del. Sept. 26, 2018); *In re The Rockport Company, LLC*, Case No. 18-11145 (LSS) (Bankr. D. Del. Aug. 22, 2018).

B.R. 640 (Bankr. W.D. Ky. Mar. 29, 2006) (order granting non-debtor defendant's motion to extend removal deadline under Bankruptcy Rule 9027).

27. Finally, upon entry of the Order granting this Motion, STEC and SEMI will file copies of the same with the Clerks of Court for each of the STEC Actions and SEMI actions to give each respective court notice of the relief ordered by this Court, along with a notice of plaintiff's extension of the deadline for defendants in those actions to move, answer, or otherwise plead in response to the complaint until November 25, 2019 as well, to avoid the entry of default against the CGT Entities.

28. STEC and SEMI are unopposed to entry of the Order attached hereto as **Exhibit A**, a copy the same having been circulated to, reviewed and approved by counsel for STEC and SEMI prior to the filing of this motion.

29. The CGT Entities have also conferred with Debtor regarding the relief sought in this motion and the Debtor does not oppose this motion.

IV. CONSENT TO JURISDICTION

30. Pursuant to Local Rule 9013-1(f), the CGT Entities consent to the entry of a final judgment or order with respect to this Motion if it is determined that the Court would lack Article III jurisdiction to enter such final order or judgment in response to this joint motion absent consent of the parties.

V. NO PRIOR REQUEST

31. No prior request for the relief sought in this motion has been made to this or any other court.

VI. NOTICE

32. Notice of this Motion will be given to: (a) Debtor's counsel; (b) the Office of the United States Trustee for the District of Delaware; (c) counsel of record for the holders of claims with respect to which an enlargement of time for removal thereof is sought in this Motion; and (d) any party that has requested notice pursuant to Bankruptcy Rule 2002. The CGT Entities submit that, under the circumstances, no other further notice is required.

WHEREFORE, the CGT Entities respectfully request that the Court enter the Order, substantially in the form attached hereto as Exhibit A, granting the relief requested herein and such other and further relief as the Court may deem appropriate under the circumstances.

Dated: August 16, 2019

/s/Charles S. Kelley

Charles S. Kelley

Andrew C. Elkhoury

MAYER BROWN LLP

700 Louisiana St., Suite 3400

Houston, Texas 77002

Telephone: (713) 238-2634

Email: ckelley@mayerbrown.com

aelkhoury@mayerbrown.com

– and –

/s/David W. Carickhoff

David W. Carickhoff, Jr. (No. 3715)

ARCHER & GREINER P.C.

300 Delaware Ave., Suite 1100

Wilmington, DE 19801

Telephone: (302) 356-6621

Email: dcarickhoff@archerlaw.com

**COUNSEL TO COLUMBIA GAS
TRANSMISSION, LLC**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-12378 (KG) (Bankr. D. Del.)

(Jointly Administered)

Re: Dkt. No. _____

**UNOPPOSED ORDER UNDER 28 U.S.C. § 1452 AND FED. R. BANKR. P. 9006(b)
AND 9027 EXTENDING THE DEADLINE TO FILE
NOTICES OF REMOVAL OF CIVIL CLAIMS**

Upon the Unopposed Motion (“Motion”) of Columbia Gas Transmission, LLC, and TransCanada USA Services Inc (collectively, the “CGT Entities”), for an order under 28 U.S.C. § 1452 and Rules 9006(b) and 9027 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) extending the deadline by which they may file notices of removal under Bankruptcy Rule 9027(a); and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012; and the Court having found that the decision to extend the subject removal deadline is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been

¹ The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and the Court having determined that there is good and sufficient cause for the relief granted in this order, it is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED, as set forth herein.
2. All objections to entry of this Order, to the extent not withdrawn or settled, are overruled.
3. The time period provided in Bankruptcy Rule 9027(a)(3) by which each of the Columbia Entities may remove the STEC Actions and the SEMI Actions, shall be and hereby is extended to November 25, 2019.
4. Further, the Court accepts the stipulation of STEC and SEMI that, in regard to the STEC Actions and the SEMI Actions, STEC and SEMI waive any challenge or objection to removal on the grounds of being untimely, provided that such notice of removal is filed on or before November 25, 2019; however, all other defenses to removal (except for timeliness) are reserved and preserved.
5. Each of the CGT Entities may seek other and further relief based upon or related to such removals not later than November 25, 2019, including but not limited to filing of motions to fix venue with the District Court and related items.
6. STEC and SEMI are directed to file certified copies of this Order with the Clerk of Court for each of the respective STEC Actions and SEMI Actions.
7. Any and all defenses of the CGT Entities in and to the underlying actions addressed herein are fully reserved and preserved, including those related to insufficient or ineffective service of process in the STEC Actions and the SEMI actions.
8. Each of the CGT Entities is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
9. This Order is without prejudice to the right of each of the CGT Entities and the Debtor to seek additional extensions of the removal deadlines, further enlargements of removal time periods, and other relief related to the provisions hereof.

[Remainder of Page Intentionally Left Blank]

10. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re:

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-12378 (KG) (Bankr. D. Del.)

(Jointly Administered)

Hearing Date: September 23, 2019 at 10:00 a.m. (ET)

Objection Deadline: September 3, 2019 at 4:00 p.m. (ET)

**NOTICE OF UNOPPOSED MOTION OF THE CGT ENTITIES FOR ORDER UNDER
28 U.S.C. § 1452 AND FED. R. BANKR. P. 9006(b) AND 9027
EXTENDING THE DEADLINE TO FILE
NOTICES OF REMOVAL OF CIVIL CLAIMS**

PLEASE TAKE NOTICE that on August 16, 2019, Columbia Gas Transmission, LLC (“Columbia”), and TransCanada USA Services Inc (“TransCanada”, and together with Columbia, referred to herein as the “Columbia Entities”) by and through the undersigned counsel, filed a **Unopposed Motion for Order Under 28 § 1452 and Fed. R. Bankr. P. 9006(b) and 9027 Extending the Deadline to File Notices of Removal of Civil Claims** (the “Motion”).

PLEASE TAKE FURTHER NOTICE that any party wishing to oppose the entry of an order granting the relief requested in the Motion must file a response or objection (“Objection”) if any, to the Motion with the Clerk of the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801, on or before **September 3, 2019 at 4:00 p.m. (ET) (the “Objection Deadline”)**. At the same time, you must serve such Objection upon the undersigned counsel to the CGT Entities so they receive such Objection on or before the Objection Deadline.

PLEASE TAKE FURTHER NOTICE THAT A HEARING ON THE MOTION WILL BE HELD ON **SEPTEMBER 23, 2019 AT 10:00 A.M. (ET)** BEFORE THE HONORABLE KEVIN GROSS AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 N. MARKET STREET, 6TH FLOOR, COURTROOM 3, WILMINGTON, DELAWARE 19801.

¹ The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: August 16, 2019

/s/Charles S. Kelley

Charles S. Kelley

Andrew C. Elkhoury

MAYER BROWN LLP

700 Louisiana St., Suite 3400

Houston, Texas 77002

Telephone: (713) 238-2634

Email: ckelley@mayerbrown.com

aelkhoury@mayerbrown.com

– and –

/s/ David W. Carickhoff

David W. Carickhoff, Jr. (No. 3715)

ARCHER & GREINER P.C.

300 Delaware Ave., Suite 1100

Wilmington, DE 19801

Telephone: (302) 356-6621

Email: dcarickhoff@archerlaw.com

**COUNSEL TO COLUMBIA GAS
TRANSMISSION, LLC**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:

**WELDED CONSTRUCTION, L.P., *et al.*,¹
Debtors.**

Chapter 11

Case No. 18-12378 (KG) (Bankr. D. Del.)

(Jointly Administered)

Hearing Date: September 23, 2019 at 10:00 a.m. (ET)

Objection Deadline: September 3, 2019 at 4:00 p.m. (ET)

CERTIFICATE OF SERVICE

I, David W. Carickhoff, hereby certify that on August 16, 2019, I served the **UNNOPOSED MOTION OF CGT ENTITIES FOR ORDER UNDER 28 U.S.C. § 1452 AND FED. R. BANKR. P. 9006(b) AND 9027 EXTENDING THE DEADLINE TO FILE NOTICES OF REMOVAL OF CIVIL CLAIMS** on the parties listed on Exhibit A by first class mail and email and the parties on Exhibit B by first class mail.

/s/ David W. Carickhoff

David W. Carickhoff, Jr. (No. 3715)

¹ The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

Exhibit A

(Service via email and first class mail)

<p>Sean M. Beach Robert F. Poppiti, Jr. Allison S. Mielke Betsy L. Feldman Young Conaway Stargatt & Taylor, LLP Rodney Square 1000 North King Street Wilmington, DE 19801</p>	<p>Josef W. Mintz Jose F. Bibiloni Blank Rome LLP 1201 N. Market Street, Suite 800 Wilmington, Delaware 19801</p>
<p>Michael B. Schaedle John E. Lucian Blank Rome LLP One Logan Square 130 North 18th Street Philadelphia, Pennsylvania 19103</p>	<p>Office of the United States Trustee Attn: Jane M. Leamy, Esq. J. Caleb Boggs Federal Building, Room 2207 844 North King Street Wilmington, Delaware 19801</p>
<p>Stephen M. Miller Douglas N. Candeub Morris James LLP 500 Delaware Avenue, Suite 1500 P.O. Box 2306 Wilmington, DE 19899-2306</p>	<p>James Louis Hordern, Jr., Esq. Timothy R. Ploch, P.C. 730 N. Post Oak Rd., Suite 100 Houston, Texas 77024</p>

Exhibit B

(Core/2002 List)

Akin Gump Strauss Hauer & Feld LLP

David F. Staber
2300 N. Field Street, Suite 1800
Dallas, TX 75201

Andrews Myers, P.C.

T. Josh Judd
1885 Saint James Place, 15th Fl
Houston, TX 77056

Ashby & Geddes, P.A.

William P. Bowden, Katharina Earle
500 Delaware Avenue 8th Floor
PO Box 1150
Wilmington, DE 19801

Austria Shrum LLC

Matthew P. Austria
1201 N. Orange Street, Ste. 502
Wilmington, DE 19801

Bayard, P.A.

Evan T. Miller
600 N. King Street, Suite 400
Wilmington, DE 19801

Benesch, Friedlander, Coplan & Aronoff LLP

Jennifer R. Hoover; Kevin M. Capuzzi
222 Delaware Ave, Ste 801
Wilmington, DE 19801

Bielli & Klauder, LLC

David M Klauder
1204 N King Street
Wilmington, DE 19801

Blank Rome LLP

John E. Lucian, Michael B. Schaedle
One Logan Square
130 North 18th Street
Philadelphia, PA 19103

Blank Rome LLP

Jose F. Bibiloni, Josef W. Mintz
1201 N. Market Street, Suite 800
Wilmington, DE 19801

Blumling & Gusky, LLP

Sharon M. Menchyk, David A. Levine
1200 Koppers Building
Pittsburgh, PA 15219

Bodman PLC

Robert J. Diehl, Jr., Jaimee L. Witten
1901 St. Antoine Street, 6th Floor at Ford Field
Detroit, MI 48226

Buchalter, A Professional Corporation

Shawn M. Christianson
55 Second Street, 17th Floor
San Francisco, CA 94105-3493

Buchanan Ingersoll & Rooney PC

Mary F. Caloway
919 North Market Street, Suite 1500
Wilmington, DE 19801

Burr & Forman LLP

Richard A. Robinson & J. Cory Falgowski
1201 N. Market Street, Suite 1407
Wilmington, DE 19801

Caldwell East & Finlayson PLLC

Zachary J Fanucchi, G. Wade Caldwell
700 N St Mary's Street, Suite 1825
San Antonio, TX 78205

Central States Funds

Caitlin M. McNulty
9377 W. Higgins Road
Rosemont, IL 60018

Chiesa Shahinian & Giantomasi PC

Scott A. Zuber & Jonathan Bondy
One Boland Drive
West Orange, NJ 07052

Chipman Brown Cicero & Cole, LLP

William E. Chipman, Jr. and Mark D. Olivere
Hercules Plaza
1313 North Market Street, Suite 5400
Wilmington, DE 19801-6101

Cleveland Brothers Equipment Co., Inc.

Attn David Hough
4565 William Penn Highway
Murrysville, PA 15668

**Commonwealth of Pennsylvania, Department
of Labor and Industry**

Deb Secrest, Collections Support Unit
651 Boas St Room 702
Harrisburg, PA 17121

Cooch and Taylor, P.A.

R Grant Dick IV, Dean R. Roland
The Brandywine Building
1000 West Street, 10th Floor
Wilmington, DE 19801

Cozen O'Connor

John T. Carroll, III
1201 N. Market Street, Ste 1001
Wilmington, DE 19801

Delaware Attorney General

Matthew Denn
Carvel State Office Building
820 N French St
Wilmington, DE 19801

Delaware Dept of Justice

Attn Bankruptcy Dept
820 N French St 6th Fl
Wilmington, DE 19801

Delaware Secretary of State

Franchise Tax
401 Federal Street
PO Box 898
Dover, DE 19903

Delaware State Treasury

820 Silver Lake Blvd., Suite 100
Dover, DE 19904

Duane Morris LLP

Drew S. McGehrin
222 Delaware Avenue, Suite 1600
Wilmington, DE 19801

Duane Morris LLP

Wendy M. Simkulak, Catherine B. Heitzenrater
30 South 17th Street
Philadelphia, PA 19103

Earth Pipeline Services, Inc.

Attn Joshua Roberts
135 Technology Drive Suite 100
Canonsburg, PA 15317

Gellert Scali Busenkell & Brown, LLC

Michael Busenkell
1201 North Orange Street, Suite 300
Wilmington, DE 19801

Gibson, Dunn & Crutcher LLP

Matthew K. Kelsey, Michael A. Rosenthal, J. Eric
Wise
200 Park Avenue
New York, NY 10166-0193

Gordon & Rees LLP

Jeffrey D. Cawdrey, Shelby A. Poteet
101 W. Broadway, Suite 2000
San Diego, CA 92101

Hall Estill

Steven Soulé, John F. Heil, III
320 South Boston Avenue, Ste 200
Tulsa, OK 74103-3706

Hinckley, Allen, & Snyder LLP

Jennifer V. Doran, Esq.
28 State St
Boston, MA 02109

Hogan McDaniel

Daniel C. Kerrick
1311 Delaware Avenue
Wilmington, DE 19806

Honigman Miller Schwartz and Cohn LLP

E Todd Sable
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226

Honigman Miller Schwartz and Cohn LLP

Lawrence A Lichtman
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226

Internal Revenue Service

Attn Susanne Larson
31 Hopkins Plz Rm 1150
Baltimore, MD 21201

Internal Revenue Service

Centralized Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service

Centralized Insolvency Operation
2970 Market St
Philadelphia, PA 19104

**IUOE and Pipe Line Employers Health &
Welfare Fund**

Attn Richard Hopp, National Pipeline Training
Fund
10440 Little Patuxent Parkway, Suite 700
Columbia, MD 21044

James Louis Hordern Jr.

730 N. Post Oak Ste 100
Houston, TX 77024

KCC

Leanne Rehder Scott
222 N. Pacific Coast Highway
Suite 300
El Segundo, CA 90245

Maddin, Hauser, Roth & Heller, P.C.

Craig E Zucker, David M Eisenberg
28400 Northwestern Highway
2nd Floor Essex Centre
Southfield, MI 48034

Manier & Herod

Michael E. Collins, Sam H. Poteet, Jr
One Nashville Place
150 Fourth Avenue, Suite 2200
Nashville, TN 37219

Manier & Herod PC

Sam H Poteet Jr
150 Fourth Ave North Suite 2200
Nashville, TN 37219

Mayer Brown LLP

Charles S. Kelley, Andrew C. Elkhoury
700 Louisiana St., Suite 3400
Houston, TX 77002

Mayer Brown LLP

Tyler R. Ferguson
71 South Wacker Drive
Chicago, IL 60606

McElroy, Deutsch, Mulvaney & Carpenter, LLP

Gary D. Bressler
300 Delaware Avenue, Suite 770
Wilmington, DE 19801

McElroy, Deutsch, Mulvaney & Carpenter, LLP

Michael Morano
1300 Mount Kemble Ave
Morristown, NJ 07960

McMahon Surovik Suttle, PC

Jessica Haile
400 Pine Street, Ste. 800
Abilene, TX 79601

Morris James LLP

Carl N Kunz, III
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801

Morris James LLP

Stephen M. Miller
500 Delaware Avenue, Suite 1500
P.O. Box 2306
Wilmington, DE 19899-2306

Morris, Nichols, Arsht & Tunnell LLP

Robert J. Dehney, Joseph C. Barsalona II
1201 N. Market St., 16th Fl
P.O. Box 1347
Wilmington, DE 19899-1347

Office of Attorney General

Denise A. Kuhn, Senior Deputy Attorney General
1600 Arch Street, Suite 300
The Phoenix Building
Philadelphia, PA 19103

Office of the United States Trustee Delaware

Jackie Weissberger and Jane Leamy
844 King St Ste 2207
Lockbox 35
Wilmington, DE 19899-0035

Ohio Machinery Co.

Attn Curtis Keal
3993 E. Royalton Road
Broadview Heights, OH 44147

PipeLine Machinery International, LP

Attn Ted Hill
15434 Cypress N. Houston
Cypress, TX 77429

Quarles & Brady LLP

Faye B. Feinstein, Christopher Combest, Lauren
Beslow
300 N. LaSalle Street, Ste 4000
Chicago, IL 60654-3406

Reed Smith LLP

Kurt F. Gwynne, Katelin A. Morales
1201 N. Market Street, Suite 1500
Wilmington, DE 19801

Richards, Layton & Finger, P.A.

Russell C. Silberglied, Brett M. Haywood, Travis
J. Cuomo
One Rodney Square
920 North King Street
Wilmington, DE 19801

Saul Ewing Arnstein & Lehr LLP

Lucian B. Murley
1201 N. Market Street, Suite 2300
P.O. Box 1266
Wilmington, DE 19899

Schmid Pipeline

Attn Daniel Langdon
242 Carlton Avenue SE
Grand Rapids, MI 49506

Securities & Exchange Commission

G Jeffrey Boujoukos Regional Director
1617 JFK Boulevard Ste 520
Philadelphia, PA 19103

Securities & Exchange Commission

Secretary of the Treasury
100 F St NE
Washington, DC 20549

Securities & Exchange Commission NY Office

Andrew Calamari Regional Director
Brookfield Place
200 Vesey St, Ste 400
New York, NY 10281-1022

Spector & Johnson, PLLC

Howard Marc Spector
12770 Coit Road, Suite 1100
Dallas, TX 75251

State of Michigan, Department of Treasury

Danna Nessel, Attorney General and Katherine C
. Kerwin Asst Attorney General
Cadillac Place, Ste. 10-200
3030 W. Grand Blvd.
Detroit, MI 48202

Stoel Rives LLP

Vanessa Soriano Power
600 University Street, Suite 3600
Seattle, WA 98101

Sullivan Hazeltime Allinson LLC

William D. Sullivan
901 North Market Street, Suite 1300
Wilmington, DE 19801

Tucker Arensberg, P.C.

Jillian Nolan Snider, Neil J. Gregorio
1500 One PPG Place
Pittsburgh, PA 15222

US Attorney for Delaware

David C Weiss c/o Ellen Slight
1007 Orange St Ste 700
PO Box 2046
Wilmington, DE 19899-2046

**Welded Construction, L.P. and Welded
Construction Michigan, LLC**

26933 Eckel Road
Perrysburg, OH 43551

Whiteford, Taylor & Preston L.L.P.

Brandy M. Rapp
10 Jefferson Street Suite 110
Roanoke, VA 24011

Whiteford, Taylor & Preston L.L.P.

Christopher M. Samis, Aaron H. Stulman
405 North King Street, Suite 500
The Renaissance Centre
Wilmington, DE 19801

Whiteford, Taylor & Preston L.L.P.

Stephen B. Gerald
405 North King Street, Suite 500
The Renaissance Centre
Wilmington, DE 19801

Wolcott Rivers Gates

Cullen D. Speckhart
919 E Main St, Ste 2010
Richmond, VA 23219

Womble Bond Dickinson (US) LLP

Ericka F. Johnson
1313 North Market Street, Suite 1200
Wilmington, DE 19801

Young Conaway Stargatt & Taylor, LLP

M. Blake Cleary, Sean M. Beach, Justin H. Rucki,
Tara C. Pakrouh, Betsy L. Feldman
Rodney Square, 1000 North King Street
Wilmington, DE 19801