

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

In re:

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtors.

Chapter 11

Case No. 18-12378 (KG)

(Jointly Administered)

WELDED CONSTRUCTION, L.P.,

Plaintiff,

v.

THE WILLIAMS COMPANIES, INC.,
WILLIAMS PARTNERS OPERATING LLC,
and TRANSCONTINENTAL GAS PIPE
LINE COMPANY, LLC,

Defendants.

Adv. Pro. No. 19-50194 (KG)

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON AUGUST 22, 2019 AT 9:00 A.M. (ET)**²

RESOLVED/ADJOURNED MATTERS

1. 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]

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.

² The pleadings referenced in the pretrial conference were delivered to the Court in connections with the Defendants' Notice of Completion of Briefing (filed on 8/16/19); therefore, the pleadings will not be re-submitted with this Notice of Agenda.



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 the 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 September 23, 2019 at 10:00 a.m. (ET) only as it pertains to the unresolved objections in items C, D, E, and F.

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

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

4. Motion of Union Leasing, Inc. d/b/a Express 4x4 Truck Rental 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, DIP Lender, and the Committee to September 16, 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 September 23, 2019 at 10:00 a.m. (ET).

5. Amended Motion of Jeremy Keith for Relief from the Automatic Stay Pursuant to 11 U.S.C. Section 362(d) [D.I. 628, 4/10/19]

Response/Objection Deadline: May 1, 2019 at 4:00 p.m. (ET); extended for the Debtors and the Committee to September 16, 2019 at 4:00 p.m. (ET)

Responses/Objections Received: None to date

Related Documents:

A. Motion of Jeremy Keith for Relief from the Automatic Stay Pursuant to 11 U.S.C. Section 362(d) [D.I. 626, 4/9/19]

Status: This matter is adjourned to the omnibus hearing date scheduled on September 23, 2019 at 10:00 a.m. (ET).

6. Debtors' Second (2nd) Omnibus (Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1 [D.I. 811, 6/28/19]

Response/Objection Deadline: July 12, 2019 at 4:00 p.m. (ET); extended to July 17, 2019 at 4:00 p.m. for 84 Lumber; extended to July 24, 2019 at 4:00 p.m. for RWDY, Inc.

Responses/Objections Received:

A. Informal Response from 84 Lumber

B. Informal Response from George E. McCrory

C. Objection of Robert Mosley [D.I. 854, 7/11/19]

D. Limited Objection and Reservation of Rights from RWDY, Inc. [D.I. 899, 7/29/19]

Related Documents:

E. Certification of Counsel [D.I. 900, 7/29/19]

F. Order [D.I. 904, 7/30/19]

Status: An order has been entered resolving items A and D. This matter is adjourned to the omnibus hearing date scheduled on October 30, 2019 at 11:00 a.m. (ET) only as it pertains to the unresolved responses in items B and C.

7. Debtors' Fourth (4th) Omnibus (Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1 [D.I. 840, 6/28/19]

Response/Objection Deadline: July 12, 2019 at 4:00 p.m. (ET); extended for Mollie Stearns d/b/a Onsite to July 29, 2019

Responses/Objections Received:

- A. Informal Response of Mollie Stearns d/b/a Onsite
- B. Informal Response from Mamie Robinson Simmons
- C. Objection of Robert Mosley [D.I. 844, 7/9/19]

Related Documents:

D. Order [D.I. 908, 7/31/19]

Status: An order has been entered resolving items A and B. This matter is adjourned to the omnibus hearing date scheduled on October 30, 2019 at 11:00 a.m. (ET) only as it pertains to the unresolved response in item C.

8. Debtors' Fifth (5th) Omnibus (Non-Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1 [D.I. 888, 7/23/19]

Response/Objection Deadline: August 6, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal Response from Herc Rentals

Related Documents:

- B. Certification of Counsel [D.I. 930, 8/8/19]
- C. Order [D.I. 932, 8/8/19]

Status: An order has been entered. No hearing is required.

9. Debtors' Sixth (6th) Omnibus (Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1 [D.I. 889, 7/23/19]

Response/Objection Deadline: August 6, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Response of Schuylkill County Municipal Authority [D.I. 920, 8/5/19]

Related Documents:

- B. Certification of Counsel [D.I. 954, 8/20/19]
- C. Proposed Order

Status: A certification of counsel has been filed. No hearing is required.

****ADVERSARY MATTER PRETRIAL CONFERENCE AND ORAL ARGUMENT
WELDED CONSTRUCTION, L.P. v. THE WILLIAMS COMPANIES, INC.****

MATTERS GOING FORWARD

10. Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 24, 7/3/19]

Related Documents:

- A. Complaint and Objection to Claims [Adv. D.I. 1, 5/3/19]
- B. Brief in Support of Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 25, 7/3/19]
- C. Welded's Brief in Opposition to the Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 31, 7/26/19]

- D. Statement of the Official Committee of Unsecured Creditors Relating the Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 32, 7/26/19]
 - E. Reply Brief in Support of Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 36, 8/8/19]
 - F. Notice of Completion of Briefing on Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 39, 8/16/19]
 - G. Certification of Counsel Regarding Proposed Agreed Scheduling Order [Adv. D.I. 41, 8/19/19]
 - a. Proposed Order
 - H. Statement of Federal Insurance Company in Opposition to Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 42, 8/19/19]
- Status:
- a. Oral argument on the Defendants' Motion [Adv. D.I. 24] is going forward.
 - b. With respect to the pretrial conference, a proposed Agreed Scheduling Order has been filed under certification of counsel [Adv. D.I. 41] and previously submitted to the court. The pretrial conference in this adversary proceeding is going forward only if the court finds it necessary.
11. Defendants' Motion to Exceed Page Limitations in Connection with Defendants' Reply Brief [Adv. D.I. 37, 8/8/19]

Responses/Objections Received: None

Related Documents:

- A. Proposed Order

Status: The parties have conferred and agreed that the motion is unopposed and that the matter will go forward on an uncontested basis unless an order is entered in advance of the hearing.

12. Welded's Motion for an Order Granting Leave to Exceed Page Limit Requirements with Respect to Welded's Brief in Opposition to the Defendants' Motion to (I) Abstain, or (II) in the Alternative, Transfer Venue, or (III) in the Alternative, Dismiss Certain Counts of the Complaint [Adv. D.I. 38, 8/9/19]

Responses/Objections Received: None

Related Documents:

A. Proposed Order

Status: The parties have conferred and agreed that the motion is unopposed and that the matter will go forward on an uncontested basis unless an order is entered in advance of the hearing.

Dated: August 20, 2019
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Allison S. Mielke

Sean M. Beach (No. 4070)

Robert F. Poppiti, Jr. (No. 5052)

Allison S. Mielke (No. 5934)

Betsy L. Feldman (No. 6410)

Rodney Square

1000 North King Street

Wilmington, DE 19801

Telephone: (302) 571-6600

Facsimile: (302) 571-1256

Counsel to the Debtors