

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

In re:)	
)	Chapter 11
)	
WELDED CONSTRUCTION, L.P., <i>et al.</i> , ¹)	Case No. 18-12378 (KG)
)	
Debtors.)	(Jointly Administered)
)	
)	Ref. Docket Nos. 1040 & 1085
)	

**ORDER SUSTAINING DEBTORS' TENTH (10TH) OMNIBUS (SUBSTANTIVE)
OBJECTION TO CERTAIN CLAIMS PURSUANT TO SECTION 502 OF THE
BANKRUPTCY CODE, BANKRUPTCY RULE 3007 AND LOCAL RULE 3007-1**

Upon consideration of the *Debtors' Tenth (10th) Omnibus (Substantive) Objection to Claims Pursuant to Section 502 of the Bankruptcy Code, Bankruptcy Rule 3007 and Local Rule 3007-1* [Docket No. 1040] (the "**Objection**")² and the Pometti Declaration; and it appearing that this Court has jurisdiction to consider the Objection pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order; and it appearing that venue of these chapter 11 cases and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having determined that the relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors and other parties in interest; and it appearing that notice of the Objection was good and sufficient upon the particular circumstances and that no other or further notice need be given; and upon the record herein; and after due deliberation thereon and good

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 Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.



and sufficient cause appearing therefor; it is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Objection is SUSTAINED, as set forth herein.
2. In full and final satisfaction and resolution of the claims asserted in proof of claim number 413 (“**Claim 413**”) and proof of claim number 687 (“**Claim 687**,” and together with Claim 413, the “**Whiteford Proofs of Claim**”) filed by Whiteford Kenworth (“**Whiteford**”) in these chapter 11 cases, Whiteford’s informal response to the Objection, and any and all other claims that have been, could have been or could be asserted by Whiteford (and any person or entity claiming by or through Whiteford) against the Debtors and their estates, their insurers, and their sureties as of the entry of this Order or thereafter arising from or related to the Whiteford Proofs of Claim, the Objection, any contracts or leases between the Debtors and Whiteford, or the Debtors’ business relationship with Whiteford, including, without limitation, any and all administrative expense claims of Whiteford in these chapter 11 cases pursuant to section 365 or 503 of the Bankruptcy Code or otherwise: (i) Claim 413 shall be an allowed pre-petition general claim unsecured in these chapter 11 cases in the aggregate amount of \$57,127.09 (the “**Allowed General Unsecured Claim**”), which Allowed General Unsecured Claim shall be satisfied pursuant to and as set forth in such plan of liquidation for Welded Construction, L.P. as may be confirmed by this Court and becomes effective in these chapter 11 cases, and in the event that such a plan is not confirmed or does not become effective, then pursuant to any order of this Court addressing the treatment in these chapter 11 cases of allowed pre-petition general unsecured claims; and (ii) Claim 687 shall be an allowed administrative expense claim in these chapter 11 cases in the aggregate amount of \$15,000.00 (the “**Allowed Administrative Claim**”), which Allowed Administrative Claim the Debtors shall pay, or cause to be paid, within five (5)

business days of the Court's entry of this Order by wire transfer per the instructions provided by Whiteford to the Debtors.

3. The Debtors are authorized to execute and deliver all instruments and documents, and take such other actions as may be necessary or appropriate, to implement and effectuate the relief granted by this Order.

4. The claims agent for these chapter 11 cases is authorized and directed to modify the official claims register maintained by the claims agent for such cases to comport with the terms of this Order.

5. This Court shall retain jurisdiction over any and all affected parties with respect to any and all matters, claims or rights arising from or related to the implementation or interpretation of this Order.

A handwritten signature in black ink, appearing to read "Kevin Gross", is written over a horizontal line.