

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:	)	Chapter 11
	)	Case No. 18-12378 (CSS)
WELDED CONSTRUCTION, L.P.,	)	
et al.,	)	Jointly Administered
	)	
Debtors.	)	
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WELDED CONSTRUCTION, L.P. and,	)	
WELDED CONSTRUCTION	)	
MICHIGAN, LLC	)	
Plaintiffs,	)	
v.	)	Adv. Pro. No.: 19-50180 (CSS)
	)	Related Adv. Docket No.: 87, 89, 94
PRIME NDT SERVICES, INC.,	)	
	)	
Defendants.	)	
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ORDER

Upon consideration of the *Defendant's Motion in Limine to Preclude Evidence of Damages Based on Subcontractor Expenses Not Incurred*, filed on January 7, 2020 (Adv. D.I. 87, 89)<sup>1</sup> (the "Motion") and the opposition thereto, filed on January 14, 2020 (Adv. D.I. 94); and the Court having scheduled a trial in this adversary action on February 18-21, 2020 (the "Trial"); and the Court having determined that the Defendant has not met its burden pursuant to Rules 401 and 403 of the Federal Rules of Evidence,

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<sup>1</sup> At issue in Exhibits 1-12 (the "Evidence") to Defendant's Motion (D.I. 89) is the following: (i) subcontractor invoices and settlement agreements with alleged services performed in connection with the Mariner East II Pipeline Project, (ii) *Motion of the Debtors for Approval of Compromise and Settlement Resolving Certain Disputes with Sunoco partners Marketing & Terminals L.P. and Sunoco Pipeline, L.P. Pursuant to Rule 9019 of The Federal Rules of Bankruptcy Procedure and 11 U.S.C. § 105*, (iii) proof of claim filed by subcontractor, Schmid Pipeline Construction, Inc., and (iv) Supplemental Expert Report of Ankura Consulting Group LLC.

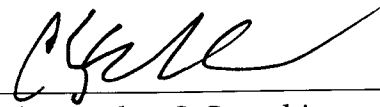


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made applicable by the Federal Rule of Bankruptcy Procedure, Rule 9017; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED** that

1. The Motion is DENIED.
2. The Evidence is relevant to the issue of damages, which will be heard at Trial.



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Christopher S. Sontchi  
Chief United States Bankruptcy Judge

Date: February 6, 2020