

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)
) Chapter 11
)
WELDED CONSTRUCTION, L.P., *et al.*,¹) Case No. 18-12378 (CSS)
)
Debtors.) (Jointly Administered)
)
)
)

**NOTICE OF SECOND AMENDED² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON JUNE 24, 2020 AT 12:00 P.M. (ET)**

**AT THE DIRECTION OF THE COURT THE HEARING TIME HAS BEEN
CHANGED TO 12:00 P.M. (ET)**

The hearing will be conducted via Zoom and CourtCall. Any party that wishes to participate in the Hearing must make arrangements through CourtCall by telephone (866-582-6878) or facsimile (866-533-2946). If you are planning to speak, please also use Zoom. Zoom connection details are as follows:

**Topic: Welded Construction Hearing
Date & Time: June 24, 2020 at 12:00 P.M. Eastern Time (US and Canada)**

**Join ZoomGov Meeting
<https://debuscourts.zoomgov.com/j/1602202572>**

Meeting ID: 160 220 2572 Password: 729915

**PLEASE NOTE: AUDIO MUST BE MUTED IN ZOOM ONCE CONNECTED.
COURTCALL, LLC WILL PROVIDE THE AUDIO FOR THE HEARING.**

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 P.O. Box 470, Perrysburg, OH 43552-0470.

² Amended items appear in bold.



RESOLVED 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]

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]
- K. Order [D.I. 1119, 11/21/19]

- L. Certification of Counsel [D.I. 1467, 6/19/20]
- M. Order (Cross Country Pipeline Supply Co., Inc.) [D.I. 1469, 6/22/20]
- N. Proposed Order (Outlaw Padding Company) [D.I. 1470, 6/22/20]
- O. Proposed Order (Sunbelt Equipment Marketing, Inc.) [D.I. 1471, 6/22/20]
- P. Proposed Order (Sunbelt Tractor & Equipment Company, Inc.) [D.I. 1472, 6/22/20]
- Q. Proposed Order (Enviro Service Rentals, LLC, T&C Rentals, Willy's Fuels, LLC) [D.I. 1473, 6/22/20]

Status: Orders have been entered resolving all items. No hearing is required.

- 2. 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

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]
- B. Certification of Counsel [D.I. 1368, 5/11/20]
- C. Order [D.I. 1370, 5/12/20]

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

- 3. Debtors' Fifth Motion for an Order, Pursuant to Bankruptcy Rules 9006 and 9027, Extending the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. § 1452 [D.I. 1384, 5/15/20]

Response/Objection Deadline: May 29, 2020 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- A. Certificate of No Objection [D.I. 1412, 6/1/20]
- B. Order [D.I. 1413, 6/2/20]

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

- 4. Debtors' Motion for Entry of an Order (I) Authorizing the Assumption of Certain Executory Contracts Pursuant to Section 365 of the Bankruptcy Code and (II) Fixing Cure Amounts with Respect Thereto [D.I. 1441, 6/10/20]

Response/Objection Deadline: June 17, 2020 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- A. Certificate of No Objection [D.I. 1465, 6/18/20]
- B. Order [D.I. 1466, 6/19/20]

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

- 5. Objection of Creditor Earth Pipeline Services to Debtor's Challenge to the Allowance of its Claim for Voting Purposes [D.I. 1414, 6/3/20]

Status: This matter has been consensually resolved. No hearing is required.

RESOLVED FEE APPLICATIONS

- 6. Sixth Interim Fee Applications [D.I. Nos. 1378, 1379, 1383, 1385 and 1388]

Response/Objection Deadline: On or before June 4, 2020 at 4:00 p.m. (ET)

Responses/Objections Received: None

Related Documents:

- A. Certification of Counsel Regarding Proposed Order Approving Sixth Interim Fee Requests of the Debtors' Professionals for the Period from January 1, 2020 Through and Including March 31, 2020 [D.I. 1420, 6/4/20]
- B. Order [D.I. 1437, 6/9/20]

C. Certification of Counsel Regarding Proposed Order Approving Sixth Interim Fee Applications of the Committee Professionals for the Period from January 1, 2020 Through March 31, 2020 [D.I. 1446, 6/12/20]

D. Order [D.I. 1455, 6/17/20]

Status: Orders has been entered. No hearing is required.

CONFIRMATION

7. [Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC \[Solicitation Version\] \[D.I. 1363, 5/8/20\]](#)

Confirmation Response Deadline: June 17, 2020 at 5:00 p.m. (ET); extended for Sunbelt Equipment Marketing, Inc., Sunbelt Tractor & Equipment Company, Cross Country Infrastructure Services, Inc. and Outlaw Padding Company to June 18, 2020 at 4:00 p.m. (ET)

Confirmation Responses Received:

- A. Informal Response of the Official Committee of Unsecured Creditors
- B. Informal Response of Bechtel Corporation
- C. Informal Response of Columbia Gas Transmission, LLC
- D. Informal Response of Mersino Dewatering, Inc.
- E. Informal Response of Ohio Machinery Company, d/b/a Ohio CAT
- F. [Central States Pension Fund's Objection to Confirmation of the Debtors' Chapter 11 Plan](#) [D.I. 1457, 6/17/20]
- G. [Objection to Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1460, 6/17/20]
- H. [Objection of Sunbelt Equipment Marketing, Inc., Sunbelt Tractor & Equipment Company, Cross Country Infrastructure Services, Inc., and Outlaw Padding Company to the Debtors' Amended Chapter 11 Plan](#) [D.I. 1463, 6/18/20]
 - i. [Notice of Partial Withdrawal of Objections of Sunbelt Equipment Marketing, Inc., Sunbelt Tractor & Equipment Company, Cross Country Infrastructure Services, Inc., and Outlaw Padding Company, to Debtors' Amended Chapter 11 Plan](#) [D.I. 1474, 6/22/20]

Related Documents:

- I. [Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1249, 3/3/20]
- J. [Notice of Hearing to Consider Approval of Disclosure Statement](#) [D.I. 1253, 3/4/20]
- K. [Second Amended Notice of Hearing to Consider Approval of Disclosure Statement](#) [D.I. 1289, 3/19/20]
- L. [Amended Chapter 11 Plan of Welded Construction L.P. and Welded Construction Michigan, LLC](#) [D.I. 1325, 4/27/20]
- M. [Notice of Filing of Blackline of Amended Chapter 11 Plan of Welded Construction L.P. and Welded Construction Michigan, LLC](#) [D.I. 1327, 4/27/20]
- N. [Notice of Filing of Revised Order \(I\) Approving the Disclosure Statement; \(II\) Approving Solicitation and Voting Procedures, Including \(A\) Fixing the Record Date, \(B\) Approving the Solicitation Packages and Procedures for Distribution, \(C\) Approving the Form of Ballots and Establishing Procedures for Voting, and \(D\) Approving Procedures for Vote Tabulation; \(III\) Scheduling a Confirmation Hearing and Establishing Notice and Objection Procedures; and \(IV\) Granting Related Relief](#) [D.I. 1329, 4/27/20]
- O. [Amended Chapter 11 Plan of Welded Construction L.P. and Welded Construction Michigan, LLC](#) [D.I. 1343, 5/4/20]
- P. [Notice of Filing of Further Revised Order \(I\) Approving the Disclosure Statement; \(II\) Approving Solicitation and Voting Procedures, Including \(A\) Fixing the Record Date, \(B\) Approving the Solicitation Packages and Procedures for Distribution, \(C\) Approving the Form of Ballots and Establishing Procedures for Voting, and \(D\) Approving Procedures for Vote Tabulation; \(III\) Scheduling a Confirmation Hearing and Establishing Notice and Objection Procedures; and \(IV\) Granting Related Relief](#) [D.I. 1347, 5/4/20]
- Q. [Notice of Filing of Exhibit in Connection with Debtors' Motion for an Order \(I\) Approving the Disclosure Statement; \(II\) Approving Solicitation and Voting Procedures, Including \(A\) Fixing the Record Date, \(B\) Approving the Solicitation Packages and Procedures for Distribution, \(C\) Approving the Form of Ballots and Establishing Procedures for Voting, and \(D\) Approving Procedures for Vote Tabulation; \(III\) Scheduling a Confirmation Hearing and](#)

- [Establishing Notice and Objection Procedures; and \(IV\) Granting Related Relief](#) [D.I. 1354, 5/6/20]
- R. [Order \(I\) Approving the Disclosure Statement; \(II\) Approving Solicitation and Voting Procedures, Including \(A\) Fixing the Record Date, \(B\) Approving the Solicitation Packages and Procedures for Distribution, \(C\) Approving the Form of Ballots and Establishing Procedures for Voting, and \(D\) Approving Procedures for Vote Tabulation; \(III\) Scheduling a Confirmation Hearing and Establishing Notice and Objection Procedures; and \(IV\) Granting Related Relief](#) [D.I. 1362, 5/7/20]
- S. [Amended Disclosure Statement for the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1364, 5/8/20]
- T. [Notice of Order \(I\) Approving the Disclosure Statement; \(II\) Approving Solicitation and Voting Procedures, Including \(A\) Fixing the Record Date, \(B\) Approving the Solicitation Packages and Procedures for Distribution, \(C\) Approving the Form of Ballots and Establishing Procedures for Voting, and \(D\) Approving Procedures for Vote Tabulation; \(III\) Scheduling a Confirmation Hearing and Establishing Notice and Objection Procedures; and \(IV\) Granting Related Relief](#) [D.I. 1365, 5/8/20]
- U. [Affidavit of Publication of the Confirmation Hearing Notice in USA Today](#) [D.I. 1393, 5/15/20]
- V. [Notice of Filing of Plan Supplement to the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1424, 6/5/20]
- W. [Notice of Filing of Exhibits C and D to Plan Supplement for the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1445, 6/12/20]
- X. [Federal Insurance Company's Response to Transco's and Williams Parties' Objection to Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1475, 6/22/20]
- Y. [Omnibus Reply of the Official Committee of Unsecured Creditors in Support of Confirmation of the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1476, 6/22/20]
- Z. [Certification of Andrew W. Henchen with Respect to the Tabulation of Votes on the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1477, 6/22/20]³

³ The location of this declarant is Louisville, KY.

- AA. [Declaration of Frank A. Pometti in Support of Confirmation of the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I 1478, 6/22/20]⁴
 - BB. [Memorandum of Law in Support of Confirmation of Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I 1479, 6/22/20]
 - i. [Debtors' Motion to Exceed Page Limit Requirements with Respect to Memorandum of Law in Support of Confirmation of Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1487, 6/23/20]
 - CC. [Notice of Filing of Proposed Confirmation Order](#) [D.I 1480, 6/22/20]
 - DD. [Notice of Filing of Exhibit B to Plan Supplement for the Amended Chapter 11 Plan of Welded Construction, L.P. and Welded Construction Michigan, LLC](#) [D.I. 1485, 6/23/20]
 - EE. [Notice of Filing of Revised Proposed Confirmation Order \[D.I. 1496, 6/24/20\]](#)
- Status: This matter is going forward. The Debtors' have filed the declarations of Frank A. Pometti [D.I 1478, 6/22/20] and Andrew W. Henchen [D.I 1477, 6/22/20] in support of the Debtors' chapter 11 plan and the tabulation of votes, respectively. Both individuals will be available at the hearing to answer questions from the Court and parties in interest.

[Signature page follows]

⁴ The location of this declarant is West Windsor, NJ.

Dated: June 24, 2020
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
sbeach@ycst.com
rpoppiti@ycst.com
amielke@ycst.com
bfeldman@ycst.com

Counsel to the Debtors