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)

CERTIFICATION OF COUNSEL REGARDING *PROPOSED* ORDER RESOLVING CLAIMS FILED BY BEAVER VALLEY SLAG, INC. AND AUTHORIZING PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM

On February 28, 2019, Beaver Valley Slag, Inc. ("**Beaver Valley**") filed proof of claim number 610 (the "**Unsecured Claim**") in these chapter 11 cases against Welded Construction, L.P. (together with Welded Construction Michigan, LLC, the "**Debtors**"), asserting an unsecured claim in the aggregate amount of $335,127.01. On March 26, 2019, Beaver Valley filed proof of claim number 711 (together with the Unsecured Claim, the "**Claims**") in these chapter 11 cases against Welded Construction, L.P., asserting an administrative expense claim in the aggregate amount of $100,816.47.

Subsequent to the filing of the Claims, the Debtors and Beaver Valley have worked together to resolve the Claims. As a result of those discussions, the Debtors and Beaver Valley have reached a resolution of such matters, which is embodied in the proposed form of order attached hereto as **Exhibit A** (the "**Proposed Order**").

The Debtors submit that entry of the Proposed Order is consistent with the Debtors' discussions with counsel for Beaver Valley and in the best interests of the Debtors and their estates, and is therefore appropriate. Counsel for Beaver Valley has consented to the

[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.

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Court's entry of the Proposed Order, and counsel for the Official Committee of Unsecured Creditors in these chapter 11 cases does not object to the Court's entry of the Proposed Order under certification of counsel.

Accordingly, the Debtors respectfully request that the Court enter the Proposed Order at its earliest convenience without further notice or a hearing.

Dated: June 25, 2020
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Betsy L. Feldman

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EXHIBIT A

Proposed Order

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)

ORDER RESOLVING CLAIMS FILED BY BEAVER VALLEY SLAG, INC. AND AUTHORIZING PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM

Upon consideration of that certain *Certification of Counsel Regarding* Proposed *Order Resolving Claims Filed by Beaver Valley Slag, Inc. and Authorizing Payment of Administrative Expense Claim* (the "**Certification of Counsel**") filed by the above-captioned debtors and debtors in possession (together, the "**Debtors**"); and upon consideration of the record of these chapter 11 cases; and it appearing that this Court has jurisdiction to enter this Order pursuant to 28 U.S.C. §§ 1334 and 157 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware; and it appearing that this is a core matter 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 it appearing that venue of these chapter 11 cases is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that due and adequate notice of the relief provided for herein has been given under the circumstances, and that no other or further notice thereof need be given; and after due deliberation and sufficient cause appearing therefor; it is hereby

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ORDERED THAT:

1. In full and final satisfaction and resolution of proof of claim number 610 ("**Claim 610**") and proof of claim number 711 ("**Claim 711**") filed by Beaver Valley Slag, Inc. ("**Beaver Valley**") in these chapter 11 cases, and any and all other claims that have been, could have been or could be asserted by Beaver Valley (and any person or entity claiming by or through Beaver Valley) against the Debtors and their estates, their insurers, the owners of the pipeline projects that the Debtors constructed, and any sureties relating to these projects as of the entry of this Order or thereafter arising from or related to any and all personal property leased or otherwise provided to the Debtors by Beaver Valley prior to the entry of this Order (collectively, "**Equipment**") and any and all contracts, leases or other agreements related to the Equipment (collectively, "**Rental Agreements**"), including, without limitation, any and all insurance claims submitted by Beaver Valley in its capacity as an additional named insured or otherwise (the "**Insurance Claims**") under certain of the Debtors' insurance policies issued by Travelers Casualty and Surety Company of America ("**Travelers**") for repairs to the Equipment, any and all administrative expense claims of Beaver Valley in these chapter 11 cases pursuant to section 365 or 503 of the Bankruptcy Code or otherwise, and any and all claims of Beaver Valley arising from or related to any rejection by the Debtors of the Equipment or the Rental Agreements: (i) Claim 610 shall be an allowed pre-petition general claim unsecured in these chapter 11 cases in the aggregate amount of $274,197.93 (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; (ii) Claim 711 shall be an allowed administrative expense claim in these chapter 11 cases in the aggregate amount of $49,073.88 (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 Beaver Valley to the Debtors; (iii) the Debtors shall deliver to Beaver Valley check numbers 92483529, 93585782, 92985440, 92483528, and 93004386 issued by Travelers to both Welded and Beaver Valley for certain repairs relating to Caterpillar 336F L or Caterpillar 329F L trucks or buckets bearing Serial Nos. RKB10409, RKB10416, RKB02044, ERL00693, and ERL00693, respectively, within five (5) business days of the entry of this Order; and (iv) Beaver Valley acknowledges and agrees that it received return of that certain Caterpillar 336F L bucket with serial number BZY00221, consents to the Debtors' return of any and all amounts previously received from Travelers in connection with the claims asserted by Beaver Valley relating to the total loss of that bucket, and shall cooperate with the Debtors in a commercially reasonable manner to ensure that the Debtors can promptly return any such amounts.

2. 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.

3. 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.

4. This Order is immediately effective and enforceable, notwithstanding the possible applicability of Rule 6004(h) of the Federal Rules of Bankruptcy Procedure or otherwise.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.