

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

In re

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtor.

MERSINO DEWATERING, INC.

Plaintiff,

v.

COLUMBIA GAS TRANSMISSION, LLC,

Defendants.

Chapter 11

Case No. 18-12378 (CSS)
(Jointly Administered)

Adv. Proc. No. 20-50812 (CSS)

SUMMONS AND NOTICE OF PRETRIAL CONFERENCE

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: 824 Market Street, 3 rd Floor Wilmington, DE 19801

At the same time, you must also serve a copy of the motion or answer upon Plaintiff's counsel.

Name and Address of Plaintiff's Counsel:

GianClaudio Finizio
Gregory J. Flasser
BAYARD, P.A.
600 North King Street, Suite 400
Wilmington, Delaware 19801
Telephone: (302) 655-5000
Email: gfinizio@bayardlaw.com
gflasser@bayardlaw.com

-and-

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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Max J. Newman
Butzel Long PC
Stoneridge West
41000 Woodard Ave
Bloomfield Hills, MI 48304
Telephone: (248) 258-1616
Email: newman@butzel.com

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address:
824 North Market Street
Wilmington, DE, 19801

Room: Courtroom No. 6
Floor: 5th
Date and Time: September 17, 2020 at 11:00 a.m. (ET)

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.



Date: August 13, 2020

/s/ Una O'Boyle
Clerk of the Bankruptcy Court

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

<p>In re</p> <p>WELDED CONSTRUCTION, L.P., <i>et al.</i>,¹</p> <p style="text-align: right;">Debtor.</p>	<p>Chapter 11</p> <p>Case No. 18-12378 (CSS) (Jointly Administered)</p>
<p>MERSINO DEWATERING, INC.</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>COLUMBIA GAS TRANSMISSION, LLC,</p> <p style="text-align: center;">Defendants.</p>	<p>Adv. Proc. No. 20-50812 (CSS)</p>

NOTICE OF DISPUTE RESOLUTION ALTERNATIVES

As party to litigation, you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolution of your case. Alternative Dispute Resolution (“**ADR**”) is offered through a program established by this Court. The use of these services is often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration, and arbitration. In each of these structures, the dispute resolution process is presided over by an impartial third party, called the “neutral.”

In mediation and early-neutral evaluation, an experienced neutral has no power to impose a settlement on you. These options foster an environment where settlement offers can be discussed and exchanged. In the process, you, together with your attorney, will be involved in weighing settlement proposals and crafting a settlement agreement. The Court, through its Local

Rules,² requires that all communications made during ADR processes, except threats of a potential criminal action, be kept confidential. This means that you will not be prejudiced in the

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event that settlement is not achieved through mediation or early-neutral evaluation, because the presiding judge in your case will not be advised of any content you may share during settlement discussions.

Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests *de novo* review of an arbitration award, the judge will rehear the case.

Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.

Dated: August 13, 2020

/s/ Una O'Boyle
Clerk of the Bankruptcy Court

² The Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”), http://www.deb.uscourts.gov/sites/default/files/1%20Clean%20Local_Rules_2020_0.pdf.

CERTIFICATE OF SERVICE

I, Gregory J. Flasser, certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint was made August 13, 2020 by:

■ Electronic Mail and Regular Mail Service:

Welded Construction, L.P.

c/o Young Conaway Stargatt & Taylor
Attn. Sean M. Beach, Esq.
Robert F. Poppiti, Jr., Esq.
Allison S. Mielke, Esq.
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Welded Construction, L.P.

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And

Columbia Gas Transmission, LLC

c/o Archer & Greiner, P.C.
Attn. David W. Carickhoff, Esq.
Alan M. Root, Esq.
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c/o Mayer Brown LLP

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aelkhoury@mayerbrown.com

Under penalty of perjury, I declare that the foregoing is true and correct.

Date: August 13, 2020

/s/ Gregory J. Flasser
Gregory J. Flasser (No. 6154)

Print Name:	Gregory J. Flasser
Business Address:	Bayard, P.A. 600 North King Street, Suite 400 Wilmington, DE 19801