

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

In re

WELDED CONSTRUCTION, L.P., *et al.*,¹

Debtor.

Chapter 11

Case No. 18-12378 (CSS)

(Jointly Administered)

MERSINO DEWATERING, INC.

Plaintiff,

v.

COLUMBIA GAS TRANSMISSION, LLC,

Defendants.

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

**CERTIFICATION OF COUNSEL REGARDING ORDER EXTENDING
TIME FOR DEFENDANT TO RESPOND TO COMPLAINT**

I, Gregory J. Flasser, co-counsel to Mersino Dewatering, Inc. d/b/a Global Pump (“Mersino”) in the above-captioned adversary proceeding (the “Adversary Proceeding”), hereby certify and state as follows regarding the attached *Order Extending Time for Defendant to Respond to Complaint* (the “Proposed Order”):

1. On August 13, 2020, Mersino commenced the Adversary Proceeding by filing the complaint [Adv. D.I. 1] (the “Complaint”) against Columbia Gas Transmission, LLC (the “Defendant” and together with Mersino, the “Parties”).

2. Mersino has not yet served process of the Complaint and related Summons on Defendant, but has provided a copy of the Complaint and Summons to counsel for Defendant via e-mail. Counsel for Mersino and counsel for Defendant have reached an agreement concerning

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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service of process. In consideration for the November 2, 2020 response deadline as further described and set forth in paragraph 3, *infra*, Defendant will waive service of process of the Complaint and its related Summons.

3. Thus, pursuant to Rule 7012-2 of the *Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware*, the Parties have agreed to an extension of the Defendant's time to move, answer, or otherwise plead in response to the Complaint to and including November 2, 2020 and request that the Court enter the Proposed Order. Counsel to the Defendant has reviewed and approved the Proposed Order.

WHEREFORE, Mersino respectfully requests that the Court enter the Proposed Order at its earliest convenience.

Dated: September 11, 2020
Wilmington, DE 19806

BAYARD, P.A.

/s/ Gregory J. Flasser
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EXHIBIT A

Proposed Order

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

**ORDER EXTENDING TIME FOR
DEFENDANT TO RESPOND TO COMPLAINT**

Upon the *Certification of Counsel of Regarding Order Extending Time for Defendant to Respond to Complaint* (the “Certification of Counsel”); and it appearing that Mersino² and Defendant have agreed to extend the time for Defendant to answer, move, or otherwise respond to the Complaint until November 2, 2020; and it appearing that there is good cause for this extension of time; it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

The time within which the Defendant may answer, move, or otherwise plead in response to the Complaint is hereby extended through and including November 2, 2020 (the “Response Deadline”).

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² Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Certification of Counsel.

The pretrial conference in the above-captioned adversary proceeding shall be adjourned until a date to be determined following the Response Deadline.

All rights are reserved with regards to any further requests for extensions of the Response Deadline.

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