

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

|   |                               |
|---|-------------------------------|
| In re   | Chapter 11                    |
| WELDED CONSTRUCTION, L.P., <i>et al.</i> , <sup>1</sup> | Case No. 18-12378 (CSS)       |
| Debtor.   | (Jointly Administered)        |
| MERSINO DEWATERING, INC.                                |                               |
| Plaintiff,  |                               |
| v.  | Adv. Proc. No. 20-50812 (CSS) |
| COLUMBIA GAS TRANSMISSION, LLC,                         |                               |
| Defendants.   | <b>Re: D.I. 12</b>            |

**CERTIFICATION OF COUNSEL REGARDING ORDER EXTENDING  
TIME FOR PLAINTIFF TO RESPOND TO MOTION TO DISMISS**

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 Plaintiff to Respond to Motion to Dismiss* (the “Proposed Order”):

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

2. On November 12, 2020, the Defendant filed the *Defendant Columbia Gas Transmission, LLC’s Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6)* [Adv. D.I. 12] (the “Motion to Dismiss”).

3. Pursuant to Rule 7007-1(a)(ii) of the *Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware*, the current

<sup>1</sup> 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 43552-04



deadline for Mersino to respond to the Motion to Dismiss is November 30, 2020.<sup>2</sup>

4. The Parties have agreed to an extension of Mersino's time to move, answer, or otherwise plead in response to the Motion to Dismiss to and including December 9, 2020. In consideration for the extension, the Parties have also agreed that the deadline for the Defendant to file a reply in support of the Motion to Dismiss shall be extended to and including December 23, 2020. 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: November 25, 2020  
Wilmington, DE 19806

BAYARD, P.A.

/s/ Gregory J. Flasser  
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-and-

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*Co-Counsel to Mersino Dewatering, Inc. d/b/a  
Global Pump*

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<sup>2</sup> November 26, 2020 and November 27, 2020 are legal holidays for the Court. Thus, pursuant to Bankruptcy Rule 9006(C), the period is extended to the last day that is not a Saturday, Sunday, or legal holiday which is November 30, 2020.

## **EXHIBIT A**

### **Proposed Order**

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

In re

WELDED CONSTRUCTION, L.P., *et al.*,<sup>1</sup>

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)

**Re: D.I. 12**

**ORDER EXTENDING TIME FOR PLAINTIFF  
TO RESPOND TO MOTION TO DISMISS**

Upon the *Certification of Counsel of Regarding Order Extending Time for Plaintiff to Respond to Complaint* (the “Certification of Counsel”); and it appearing that Mersino<sup>2</sup> and Defendant have agreed to extend the time for Mersino to respond to the Motion to Dismiss until December 9, 2020 and the time for the Defendant to file a reply in support of the Motion to Dismiss until December 23, 2020 ; and it appearing that there is good cause for this extension of time; it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The time within which Mersino may answer, move, or otherwise plead in response to the Motion to Dismiss is hereby extended through and including December 9, 2020

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

(the “Response Deadline”).

2. The time with which the Defendant may file a reply in support of the Motion to Dismiss is hereby extended through and including December 23, 2020 (the “Reply Deadline”).

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

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

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