

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

In re:

Welded Construction, L.P., *et al.*,

Debtors.

Chapter 11

Case No. 18-12378 (CSS)

(Jointly Administered)

Welded Construction, L.P.,

Plaintiff,

vs.

Kirk Excavating & Construction, Inc.,

Defendant.

Adv. No. 20-50934

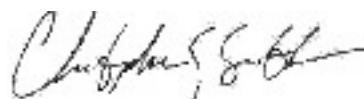
**ORDER APPROVING STIPULATION EXTENDING TIME
FOR DEFENDANT TO RESPOND TO THE COMPLAINT**

AND NOW upon consideration of the *Stipulation Extending Time for Defendant to Respond to the Complaint* (the “Stipulation”) between Welded Construction, L.P., as Post-Effective Date Debtors (the “Plaintiff”) and Kirk Excavating & Construction, Inc. (the “Defendant”) attached hereto as Exhibit 1; the Court having determined that no further notice of the Stipulation must be given; it is hereby

ORDERED that the Stipulation is hereby **APPROVED**, and it is

FURTHER ORDERED that the time within which Defendant may answer, move or otherwise plead to the Complaint is hereby further extended to and including February 5, 2021.

Dated: January 6th, 2021
Wilmington, Delaware



CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE



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EXHIBIT 1

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

In re:

Welded Construction, L.P., *et al.*,

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Chapter 11

Case No. 18-12378 (CSS)

(Jointly Administered)

Welded Construction, L.P.,

Plaintiff,

vs.

Kirk Excavating & Construction, Inc,

Defendant.

Adv. No. 20-50934

**STIPULATION FOR EXTENSION OF TIME FOR
DEFENDANT TO RESPOND TO THE COMPLAINT**

Welded Construction, L.P. (the “Plaintiff”), and Kirk Excavating & Construction, Inc. (the “Defendant” and, together with Plaintiff, the “Parties”), through their respective counsel, enter into this *Stipulation for Extension of Time For Defendant to Respond to the Complaint* (the “Stipulation”) and hereby stipulate and agree as follows:

1. The Parties agree and stipulate that the time within which Defendant may answer, move, or otherwise plead to the Complaint [Docket No. 1] is hereby further extended to and including February 5, 2021.

2. Defendant admits that Defendant is the proper party defendant as named in the Summons and Complaint.

3. In exchange for Plaintiff’s agreement to extend the response deadline, Defendant agrees to waive any issues relating to service of process of the Summons and Complaint.

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).

Dated: January 6, 2021

BLANK ROME LLP

By: /s/ Josef W. Mintz

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-and-

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Counsel for the Post-Effective Date Debtors

Dated: January 5, 2021

**COOK, SLADOJE & WITTENBERG
CO., L.P.A.**

By: /s/ Eric J. Wittenberg

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