IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

L

τ......

In re:	
WELDED CONSTRUCTION, L.P., Debtor,	Chapter 11 Case No. 18-12378 (CSS) (Jointly Administered)
SUNBELT EQUIPMENT MARKETING, INC.,	
Plaintiff,	
v. COLUMBIA GAS TRANSMISSION, LLC, TRANSCANADA USA SERVICES INC, and WELDED CONSTRUCTION LP,	Adv. Pro. No. 20-50445 (CSS) (Consolidated) Adv. Pro. No. 20-50447 (CSS) Ref.: D.I. 18, 35
Defendants.	

NOTICE OF DEPOSITION <u>OF MARK VAN SCIVER</u>

PLEASE TAKE NOTICE, pursuant to Rule 30(b) of the Federal Rules of Civil Procedure, made applicable to this adversary proceeding by Rule 7030 of the Federal Rules of Bankruptcy Procedure, **Plaintiff, Sunbelt Equipment Marketing, Inc.**, through counsel, will take the deposition upon oral examination of **Mark Van Sciver** before a notary or other officer authorized to administer oaths. This deposition will begin at **11:00 a.m. Eastern Time, on March 18, 2021**, or immediately after the conclusion of Plaintiff Sunbelt Tractor & Equipment Company, Inc.'s deposition of Mark Van Sciver and will be held via Zoom or similar electronic means.

This deposition will continue from day-today until completed as permitted by the applicable Rules and shall be recorded stenographically and will be conducted before a notary public or other person authorized to administer oaths. The oral examination is to be taken for the purposes of discovery, for use at trial, or for such other purposes as are permitted under the Federal



Case 20-50445-CSS Doc 43 Filed 03/02/21 Page 2 of 5

Rules of Civil Procedure, the local rules of the United States Bankruptcy Court for the District of Delaware. Remote access for all parties wishing to participate via video conference or telephone will be provided.

PLEASE TAKE FURTHER NOTICE that the Deponent must have access to a laptop, computer, or tablet with web camera capability. Deponent may not use a cell phone to provide testimony. Deponent must also have the capability to view documents electronically. To the extent Deponent is not in possession of the required technology, documents shall be provided to the Deponent in hard copy and/or Deponent's counsel shall provide the required technology.

Recommended specifications are below:

- i. Computer
- ii. Web Camera
- iii. Internet Browser (Google Chrome preferred)
- iv. Minimum 10 mb/s wired, secure internet connection

At minimum, Deponent must have sufficient internet connectivity and bandwidth to support a video deposition. Such capacity shall be sufficient to ensure that when used with the system selected for the deposition, there shall be (a) high-quality video upload (from Deponent) and download (to other participants), (b) no material time discrepancy between audio and video, and (c) consistent connectivity, with no material disruptions.

SUNBELT EQUIPMENT MARKETING, INC., By Counsel

CLIR.H.

Charles R. Hughes, Esq. (WV Bar No. 9167) **BOWLES RICE LLP** 600 Quarrier Street Post Office Box 1386 Charleston, West Virginia 25325-1386 Telephone: (304) 347-1100 Facsimile: (304) 347-1756 Email: chughes@bowlesrice.com (Admitted Pro Hac Vice) and Stephen M. Miller (DE Bar No. 2610) Douglas N. Candeub (DE Bar No. 4211) **MORRIS JAMES LLP** 500 Delaware Ave. Ste. 1500 Wilmington, Delaware 19801-1494 Tel.: (302) 888-6854 Fax: (302) 571-1750 Email: smiller@morrisjames.com dcandeub@morrisjames.com Attorneys for Plaintiff Sunbelt Equipment Marketing, Inc.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

1

In re:	
WELDED CONSTRUCTION, L.P.,	Chapter 11
Debtor,	Case No. 18-12378 (CSS) (Jointly Administered)
SUNBELT EQUIPMENT MARKETING, INC.,	
Plaintiff, v.	Adv. Pro. No. 20-50445 (CSS) (Consolidated) Adv. Pro. No. 20-50447 (CSS)
COLUMBIA GAS TRANSMISSION, LLC, TRANSCANADA USA SERVICES INC, and WELDED CONSTRUCTION LP,	Ref.: D.I. 18, 35
Defendants.	

CERTIFICATE OF SERVICE

I, Charles R. Hughes, do hereby certify that a true and correct copy of the *Notice of Deposition of Mark Van Sciver* has been served on the following parties via this Court's CM/ECF system, and electronic mail, on this **2nd** day of **March**, **2021**, as follows:

Andrew C. Elkhoury, Esq. Anna V. Durham, Esq. **MAYER BROWN LLP** 700 Louisiana Street, Suite 3400 Houston, TX 77002 Tel.: (713) 238-3000 Email: AElkhoury@mayerbrown.com ADurham@mayerbrown.com and David W. Carickhoff, Esq. **ARCHER & GREINER, P.C.** 300 Delaware Ave., Suite 1100 Wilmington, DE 19801 Tel.: (302) 777-4350 Fax: (302 777 4352 Email: dcarickhoff@archerlaw.com Attorneys for Defendants Columbia Gas Transmission, LLC and TransCanada USA Services. Inc.

Kevin Guerke, Esq. Betsy Feldman, Esq. YOUNG, CONAWAY, STARGATT & TAYLOR Rodney Square 1000 North King Street Wilmington, DE 19801 Email: kguerke@ycst.com bfeldman@ycst.com Attorneys for Nominal Defendant Welded Construction, LP Case 20-50445-CSS Doc 43 Filed 03/02/21 Page 5 of 5

Chill. Hugh

Charles R. Hughes, Esq. (WV No. 9167) **BOWLES RICE LLP** 600 Quarrier Street Post Office Box 1386 Charleston, West Virginia 25325-1386 Telephone: (304) 347-1100 Facsimile: (304) 347-1756 Email: chughes@bowlesrice.com (Admitted *Pro Hac Vice*)