

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

In re:  WELDED CONSTRUCTION, L.P.,  Debtor,	Chapter 11  Case No. 18-12378 (CSS) (Jointly Administered)
SUNBELT TRACTOR & EQUIPMENT COMPANY, a Texas corporation, Plaintiff,  v.  COLUMBIA GAS TRANSMISSION, LLC, a Delaware limited liability company, and TRANSCANADA USA SERVICES INC, a Delaware corporation, Defendants, and  WELDED CONSTRUCTION LP, a Delaware limited partnership, Nominal Defendant.	Adv. Pro. No. 20-50446 (CSS) <sup>1</sup>  Consolidated with:  Adv. Pro. No. 20-50448 (CSS) <sup>2</sup>

**STIPULATION OF DISMISSAL OF ADVERSARY  
PROCEEDINGS WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and among Plaintiff Sunbelt Tractor & Equipment Company, Inc. (“STEC” or “Plaintiff”) and defendants Columbia Gas Transmission, LLC (“CGT”) and TransCanada USA Services Inc. (“TransCanada”), by and through their respective counsel, representing all parties to the above-captioned consolidated adversary proceedings (the “Actions”).<sup>3</sup> An answer having been filed in each of the Actions by CGT and

<sup>1</sup> Removed from Circuit Court of Wetzel County, W.Va., Civil Action No. 19-C-52 to U.S.D.C., N.D.W.Va., Civil Action No. 5:19-CV-321, then transferred to D. Del.

<sup>2</sup> Removed from Circuit Court of Marshall County, W.Va., Civil Action No. 19-C-161 to U.S.D.C., N.D.W.Va., Civil Action No. 5:19-CV-323, then transferred to D. Del.

<sup>3</sup> The complaints asserted no causes of action against nominal defendant Welded Construction, LP



TransCanada, the Actions may be and hereby are dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and Federal Rule of Bankruptcy Procedure 7041, with each party to bear its own costs, attorneys' fees, and expenses. . The Actions, which are mechanic's lien actions, have been settled, and by agreement of the parties, dismissal is with prejudice, such that the lien claims asserted by STEC against CGT and TransCanada and the counterclaims asserted by CGT and TransCanada against STEC are dismissed with prejudice. For purposes of clarity, as Welded was only a nominal party in the Actions; no claims against Welded were addressed by the Actions or resolved by the dismissal thereof.

Dated: July 20, 2021

/s/ Stephen M. Miller

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

and

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*)

*Attorneys for Plaintiff Sunbelt Tractor & Equipment Company, Inc.*

/s/ David W. Carickhoff

David W. Carickhoff (DE Bar No. 3715)  
Alan M. Root (DE Bar no. 5427)  
**ARCHER & GREINER, P.C.**  
300 Delaware Ave., Suite 1100  
Wilmington, DE 19801  
Tel.: (302) 777-4350  
Fax: (302) 777 4352  
Email: dcarickhoff@archerlaw.com  
aroot@archerlaw.com

and

Charles S. Kelley, Esq.  
Andrew C. Elkhoury, Esq.  
**MAYER BROWN LLP**  
700 Louisiana Street, Suite 3400  
Houston, TX 77002  
Tel.: (713) 238-3000  
Email: ckelley@mayerbrown.com  
aelkhoury@mayerbrown.com

*Attorneys for Defendants Columbia Gas Transmission, LLC and TransCanada USA Services, Inc.*

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("Welded"); no answer or motion for summary judgment was filed by Welded; and Plaintiff has filed a Notice of Dismissal under Rule 41(a)(1)(A)(i) as to Welded.