

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

In re

ALDRICH PUMP LLC,  
a North Carolina limited liability company,

Debtor.

Employer's Tax Identification No.: 85-1102290

Chapter 11

Case No. 20-\_\_\_\_ (\_\_\_)

In re

MURRAY BOILER LLC,  
a North Carolina limited liability company,

Debtor.

Employer's Tax Identification No.: 85-1110679

Chapter 11

Case No. 20-\_\_\_\_ (\_\_\_)

**MOTION OF THE DEBTORS FOR AN ORDER DIRECTING  
THE JOINT ADMINISTRATION OF THEIR CHAPTER 11 CASES**

Aldrich Pump LLC and Murray Boiler LLC, as debtors and debtors in possession (together, the "Debtors"),<sup>1</sup> hereby move the Court for the entry of an order (a) directing the joint administration of the Debtors' chapter 11 cases, and (b) granting certain related relief. In support of this Motion, the Debtors respectfully represent as follows:

**Background**

1. On the date hereof, the Debtors commenced their reorganization cases (the "Chapter 11 Cases") by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code").

<sup>1</sup> Each Debtor's address is 800-E Beaty Street, Davidson, North Carolina 28036.



2. The Debtors are authorized to continue to manage their property and operate their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

3. A comprehensive description of the Debtors, their history, their assets and liabilities, and the events leading to the commencement of these Chapter 11 Cases can be found in the *Declaration of Ray Pittard in Support of First Day Pleadings* (the "Pittard Declaration") and the *Declaration of Allan Tananbaum in Support of Debtors' Complaint for Injunctive and Declaratory Relief, Related Motions, and the Chapter 11 Cases* (together with the Pittard Declaration, the "First Day Declarations"), which were filed contemporaneously herewith and are incorporated herein by reference. In addition to the First Day Declarations, the Debtors have filed an Informational Brief to provide additional information about their asbestos litigation, related costs, and plans to address these matters in these Chapter 11 Cases.

### **Jurisdiction**

4. This Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **Relief Requested**

5. Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 1015-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina (the "Local Bankruptcy Rules"), the Debtors seek entry of an order directing (a) the joint administration of these Chapter 11 Cases and (b) parties in interest to use a consolidated caption to indicate that any pleading filed relates to the jointly administered bankruptcy cases of "Aldrich Pump LLC, *et al.*" A proposed consolidated caption for all notices, applications, motions, and other pleadings

(the "Proposed Caption") is annexed to the proposed order approving this Motion as Exhibit 1.

The Debtors also request that the Court find that the Proposed Caption satisfies the requirements of section 342(c)(1) of the Bankruptcy Code in all respects. Finally, the Debtors respectfully request that a docket entry be made on the docket in the chapter 11 case of Murray Boiler LLC substantially as follows:

An order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Aldrich Pump LLC and Murray Boiler LLC. The docket of Aldrich Pump LLC Case No. 20-\_\_\_\_\_ ( ) should be consulted for all matters affecting this case.

**Basis for the Relief Requested**

6. Bankruptcy Rule 1015(b) provides, in relevant part, "if a joint petition or two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates." Local Bankruptcy Rule 1015-1 states that:

The bankruptcy estates of related cases may be jointly administered only by order of the Court after notice and a hearing.

Each of the Debtors is indirectly owned by ultimate parent Trane Technologies plc. Accordingly, the Debtors, are "affiliates," as that term is defined in section 101(2) of the Bankruptcy Code and the Chapter 11 Cases are "related cases" for purposes of Local Bankruptcy Rule 1015-1. An order of joint administration relates to the routine administration of a case and may be entered by the Court after notice and a hearing. See LBR 1015-1. Accordingly, this Court is authorized to grant the relief requested herein.

7. The joint administration of these Chapter 11 Cases will permit the Clerk of the Court of the United States Bankruptcy Court for the Western District of North Carolina (the "Clerk of the Court") to utilize a single general docket for these cases and combine notices

to creditors of the Debtors' respective estates and other parties in interest. Entering an order directing joint administration of these Chapter 11 Cases will avoid the need for duplicative notices, motions, and applications, thereby saving time and expense. Joint administration also will enable parties in interest in each of the above-captioned Chapter 11 Cases to be apprised of the various matters before the Court in each of these cases. The primary creditors of each Debtor are asbestos personal injury claimants represented by a largely overlapping group of plaintiff's counsel. The Court also will be relieved of the burden of entering duplicative orders and maintaining redundant files in two cases. Finally, because this is not a motion for the substantive consolidation of the Debtors' estates, the rights of parties in interest will not be prejudiced or otherwise affected in any way by the entry of an order directing the joint administration of these Chapter 11 Cases for procedural purposes only.

8. Pursuant to section 342(c)(1) of the Bankruptcy Code, "[i]f notice is required to be given by the debtor to a creditor . . . such notice shall contain the name, address, and last four digits of the taxpayer identification number of the debtor." The Proposed Caption contains all of the required information and, therefore, satisfies the terms of section 342(c) of the Bankruptcy Code.

#### **Notice**

9. Notice of this Motion has been provided to: (a) the Office of the United States Bankruptcy Administrator for the Western District of North Carolina; (b) the parties on the list of 20 law firms with significant representations of asbestos claimants filed with the Debtors' chapter 11 petitions; and (c) counsel to the Debtors' non-debtor affiliates, Trane Technologies Company LLC and Trane U.S. Inc. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be provided.

**No Prior Request**

10. No prior request for the relief sought in this Motion has been made to this or any other court in connection with these Chapter 11 Cases.

WHEREFORE, the Debtors respectfully request that the Court: (a) enter an order substantially in the form attached hereto as Exhibit A, granting the relief requested herein; and (b) grant such other and further relief to the Debtors as the Court may deem just and proper.

Dated: June 18, 2020  
(Charlotte, NC)

Respectfully submitted,

/s/ John R. Miller, Jr.

C. Richard Rayburn, Jr. (NC 6357)  
John R. Miller, Jr. (NC 28689)  
RAYBURN COOPER & DURHAM, P.A.  
227 West Trade Street, Suite 1200  
Charlotte, North Carolina 28202  
Telephone: (704) 334-0891  
Facsimile: (704) 377-1897  
E-mail: rrayburn@rcdlaw.net  
jmiller@rcdlaw.net

-and-

Brad B. Erens (IL Bar No. 06206864)  
Mark A. Cody (IL Bar No. 6236871)  
Caitlin K. Cahow (IL Bar No. 6317676)  
JONES DAY  
77 West Wacker  
Chicago, Illinois 60601  
Telephone: (312) 782-3939  
Facsimile: (312) 782-8585  
E-mail: bberens@jonesday.com  
macody@jonesday.com  
ccahow@jonesday.com  
(Admissions *pro hac vice* pending)

-and-

Gregory M. Gordon (TX Bar No. 08435300)  
JONES DAY  
2727 N. Harwood Street  
Dallas, Texas 75201  
Telephone: (214) 220-3939  
Facsimile: (214) 969-5100  
E-mail: gmgordon@jonesday.com  
(Admission *pro hac vice* pending)

PROPOSED ATTORNEYS FOR DEBTORS  
AND DEBTORS IN POSSESSION

**Exhibit A**

Proposed Order

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

In re

ALDRICH PUMP LLC,  
a North Carolina limited liability company,

Debtor.

Employer's Tax Identification No.: 85-1102290

Chapter 11

Case No. 20-\_\_\_\_ (\_\_\_)

In re

MURRAY BOILER LLC,  
a North Carolina limited liability company,

Debtor.

Employer's Tax Identification No.: 85-1110679

Chapter 11

Case No. 20-\_\_\_\_ (\_\_\_)

**ORDER DIRECTING THE JOINT  
ADMINISTRATION OF THE DEBTORS' CHAPTER 11 CASES**

This matter coming before the Court on the *Motion of the Debtors for an Order Directing the Joint Administration of Their Chapter 11 Cases* (the "Motion"),<sup>1</sup> filed by the

---

<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

debtors and debtors in possession in the above-captioned cases (together, the "Debtors");<sup>2</sup> the Court having reviewed the Motion and the First Day Declarations and having considered the statements of counsel and the evidence adduced with respect to the Motion at a hearing before the Court (the "Hearing"); the Court finding that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409, (c) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (d) notice of the Motion and the Hearing was sufficient under the circumstances, (e) no other or further notice need be provided, (f) the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest, and (g) joint administration of the above-captioned Chapter 11 Cases for procedural purposes only is appropriate pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure and Rule 1015-1 of the Rules of Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina; and the Court having determined that the legal and factual bases set forth in the Motion, the First Day Declarations, and the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The above-captioned Chapter 11 Cases are consolidated for procedural purposes only and shall be jointly administered. The Clerk of the Court shall maintain one file and one docket for these jointly administered cases, which file and docket for each chapter 11 case shall be the file and docket for Aldrich Pump LLC, Case No. 20-\_\_\_\_ (\_\_\_).
3. Parties in interest are directed to use the Proposed Caption annexed hereto as Exhibit 1 when filing a pleading with the Court in these Chapter 11 Cases indicating that the

---

<sup>2</sup> The Debtors' address is 800-E Beaty Street, Davidson, North Carolina 28036.

pleading relates to the jointly administered Chapter 11 Cases of "Aldrich Pump LLC, *et al.*" The consolidated caption satisfies the requirements of section 342(c) of the Bankruptcy Code in all respects.

4. A docket entry shall be made on the docket for Murray Boiler LLC substantially as follows:

An order has been entered in this case directing the procedural consolidation and joint administration of the chapter 11 cases of Aldrich Pump LLC and Murray Boiler LLC. The docket of Aldrich Pump LLC Case No. 20-\_\_\_\_\_ (\_\_\_) should be consulted for all matters affecting this case.

5. Nothing contained in the Motion or this Order shall be deemed or construed as directing or otherwise effectuating a substantive consolidation of any of the above-captioned Chapter 11 Cases.

6. Pursuant to Local Bankruptcy Rule 9013-1(f), any party shall be entitled to request that the Court reconsider entry of this Order by filing a motion for reconsideration within 14 days of service of this Order.

This Order has been signed electronically.  
The Judge's signature and Court's seal appear  
at the top of the Order.

United States Bankruptcy Court

**EXHIBIT 1**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

In re

ALDRICH PUMP LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-\_\_\_\_ (\_\_\_)

(Jointly Administered)

**[TITLE OF PLEADING OR OTHER DOCUMENT]**

---

<sup>1</sup> The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Aldrich Pump LLC (2290) and Murray Boiler LLC (0679). The Debtors' address is 800-E Beaty Street, Davidson, North Carolina 28036.