

FILED & JUDGMENT ENTERED
Steven T. Salata

July 21 2020

Clerk, U.S. Bankruptcy Court
Western District of North Carolina



J. Craig Whitley
J. Craig Whitley
United States Bankruptcy Judge

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

In re	:	Chapter 11
	:	
ALDRICH PUMP LLC, <i>et al.</i> , ¹	:	Case No. 20-30608 (JCW)
	:	
Debtors.	:	(Jointly Administered)
	:	
ALDRICH PUMP LLC and MURRAY BOILER LLC,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Adv. Pro. No. 20-03041 (JCW)
	:	
THOSE PARTIES TO ACTIONS LISTED ON APPENDIX A TO COMPLAINT and JOHN AND JANE DOES 1-1000,	:	
	:	
Defendants.	:	

**SECOND AGREED ORDER EXTENDING TIME FOR
ASBESTOS COMMITTEE TO SEEK RECONSIDERATION OF CERTAIN ORDERS**

¹ 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.
{00339531 v 1 }



RECITALS

A. On June 18, 2020 (the “Petition Date”), Aldrich Pump LLC and Murray Boiler LLC (the “Debtors”) commenced cases (the “Chapter 11 Cases”) by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code in this Court.

B. On the Petition Date, the Debtors also commenced an adversary proceeding in the Chapter 11 Case (Adversary Proceeding No. 20-03041 (JCW)) (the “Adversary Proceeding”) in which the Debtors seek certain injunctive and/or declaratory relief.

C. The Court entered the following *ex parte* orders in the Chapter 11 Cases on or shortly after the Petition Date (collectively, the “Chapter 11 Ex Parte Orders”):

- a. *Ex Parte Order Suspending Entry and Service of Standard Notice of Commencement* [Docket No. 53];
- b. *Ex Parte Order (I) Shortening the Notice Period on First Day Pleadings Filed by the Debtors, (II) Limiting the Notice on First Day Pleadings, (III) Scheduling an Emergency Hearing on First Day Pleadings, and (IV) Approving the Form and Manner of Limited Notice Thereof* [Docket No. 54];
- c. *Ex Parte Order Extending the Time Within Which the Debtors Must File Their (A) Schedules of Assets and Liabilities and (B) Statements of Financial Affairs* [Docket No. 62];
- d. *Ex Parte Order Authorizing the Employment and Retention of AlixPartners, LLP as Financial Advisor Effective as of the Petition Date* [Docket No. 63];
- e. *Ex Parte Order Authorizing the Debtors to Retain and Employ Bates White, LLC as Asbestos Consultants as of the Petition Date* [Docket No. 64];
- f. *Ex Parte Order Authorizing Debtors to Retain and Employ Jones Day as Counsel as of the Petition Date* [Docket No. 71];
- g. *Ex Parte Order Approving Employment of Rayburn, Cooper & Durham, P.A. as Attorneys for Debtors and Debtors-in-Possession as of the Petition Date* [Docket No. 72];
- h. *Ex Parte Order Authorizing Debtors to Retain and Employ Evert Weathersby Houff as Special Asbestos Litigation Counsel as of the Petition Date* [Docket No. 74]; and

- i. *Ex Parte Order Authorizing the Debtors to Retain and Employ K&L Gates LLP as Special Insurance Counsel as of the Petition Date [Docket No. 75].*

D. The Court entered the following orders (the “Chapter 11 Orders”) in the Chapter 11 Cases following the first day hearing on June 22, 2020:

- a. *Order Directing the Joint Administration of the Debtors' Chapter 11 Cases [Aldrich Docket No. 114; Murray Docket No. 15];*
- b. *Order Authorizing the Retention and Employment of Kurtzman Carson Consultants LLC as Claims, Noticing, and Ballot Agent [Docket No. 111];*
- c. *Order (I) Authorizing the Filing of (A) Consolidated Master List of Creditors and (B) Consolidated List of 20 Law Firms With Significant Asbestos Cases Against the Debtors in Lieu of Lists of 20 Largest Unsecured Creditors; (II) Approving Certain Notice Procedures for Asbestos Claimants; and (III) Approving the Form and Manner of Notice of Commencement of These Cases [Docket No. 112];*
- d. *Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 123]; and*
- e. *Order (I) Approving the Continued Use of The Debtors' Bank Accounts, Cash Management System, and Business Forms; (II) Granting a Waiver of the Requirements of Section 345(b) of the Bankruptcy Code; and (III) Authorizing the Debtors' Banks to Charge Certain Fees and Other Amounts [Docket No. 113].*

E. The Court also entered the following orders in the Adversary Proceeding (the “AP Orders” and, collectively with the Chapter 11 *Ex Parte* Orders and the Chapter 11 Orders, the “Orders”):

- a. *Ex Parte Order Granting the Debtors Authority to Exceed Maximum Page Limit [Adv. Pro. Docket No. 11];*
- b. *Ex Parte Order (I) Shortening the Notice Period for Adversary Proceeding Pleadings Filed by the Debtors, (II) Scheduling an Emergency Hearing on the Pleadings, and (III) Approving the Form and Manner of Notice Thereof [Docket No. 12]; and*
- c. *Order Approving Service Procedures for Summons, Complaint, and Other Pleadings [Adv. Pro. Docket No. 23].*

F. The Orders were served on parties in interest over various days beginning on the Petition Date, as confirmed by affidavits of service filed with the Court in the Chapter 11 Cases [Docket Nos. 89, 131, 145 and 152] and the Adversary Proceeding [Adv. Pro. Docket Nos. 22 and 34].

G. Pursuant to Rule 9013-1(f) of the Rules of Practice and Procedure for the United States Bankruptcy Court for the Western District of North Carolina and/or the terms of the Orders, any party was entitled to request that the Court reconsider entry of the Orders within 14 days of service of the applicable Order, which would be various dates starting as early as July 2, 2020, for those Orders that were served on the Petition Date, and extending beyond such date based upon the date of service of the applicable Order (all applicable dates collectively, the “Original Reconsideration Deadline”).

H. On June 25, 2020, the Court entered the *Agreed Order Extending Time for Asbestos Committee to Seek Reconsideration of Certain Orders* [Docket No. 110], providing fourteen days from the date of the appointment of the Official Committee of Asbestos Personal Injury Claimants in these cases (the “Asbestos Committee”) for the Asbestos Committee to move for reconsideration of any of the Orders (the “Original Extended Reconsideration Deadline”).

I. On July 7, 2020, the Court entered an order appointing the Asbestos Committee [Docket No. 147].

J. The Asbestos Committee has requested, and the Debtors have agreed, to further extend the date by which the Asbestos Committee must seek reconsideration of the Orders through and including August 3, 2020 (the “Extended Reconsideration Deadline”).

K. Further, the Asbestos Committee has requested, and the Debtors have agreed, to extend the time for the Asbestos Committee to object to the relief requested in the *Motion of the Debtors for an Order Authorizing Them to Perform under Certain Intercompany*

Agreements with Non-Debtor Affiliate [Docket No. 26] (the “Intercompany Motion”) through and including August 3, 2020 (the “Extended Intercompany Response Deadline”).

IT IS HEREBY ORDERED THAT:

1. The Asbestos Committee may request that the Court reconsider any of the Orders through and including the Extended Reconsideration Deadline.
2. The Asbestos Committee may object to the Intercompany Motion through and including the Extended Intercompany Response Deadline.

Dated: July 20, 2020
Charlotte, North Carolina

Respectfully Submitted,

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ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

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

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United States Bankruptcy Court