Case 18-12378-KG Doc 433 Filed 01/20/10 Docket #0433 Date Filed: 01/22/2019

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

	)	
WELDED CONSTRUCTION, L.P., et al.,  Debtors.	) Re: D.I. 291, 431	
	(Jointly Administered	d)
	) Case No. 18-12378 (	KG)
In re:	) Chapter 11	

# ORDER APPROVING STIPULATION BETWEEN COMMITTEE, DEBTORS AND DIP LENDER TO EXTEND THE DEADLINE UNDER PARAGRAPH 2(h) OF THE FINAL DIP ORDER

Upon consideration of the *Stipulation Between Committee*, *Debtors and DIP Lender to Extend the Deadline Under Paragraph 2(h) of the Final DIP Order*, attached hereto as **Exhibit A**; and after due deliberation; and sufficient cause appearing therefor, it is hereby **ORDERED**:

- 1. The Stipulation attached hereto as **Exhibit A** is APPROVED.
- 2. This Order shall be effective immediately upon entry.
- 3. The Court shall retain jurisdiction over any matter or dispute arising from or related to the implementation or interpretation of this Order.

Dated: January 22nd, 2019 Wilmington, Delaware KEVIN GROSS
UNITED STATES



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### EXHIBIT A

Stipulation

## 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 (KG) (Jointly Administered)
	) ) )	

# STIPULATION BETWEEN COMMITTEE, DEBTORS AND DIP LENDER TO EXTEND THE DEADLINE UNDER PARAGRAPH 2(h) OF THE FINAL DIP ORDER

This Stipulation is entered into by and among the Official Committee of Unsecured Creditors of Welded Construction, L.P., *et al.* (the "Committee"), the above-captioned debtors and debtors-in-possession (the "Debtors"), and North American Pipeline Equipment Company, LLC (the "DIP Lender" and together with the Committee and the Debtors, each a "Party" and collectively, the "Parties").

WHEREAS, on November 30, 2018 the Court entered the Final Order (I) Authorizing the Debtors to Obtain Postpetition Secured Financing, (II) Authorizing the Use of Cash Collateral, (III) Granting Liens and Superpriority Administrative Expense Status, (IV) Granting Adequate Protection, and (V) Modifying the Automatic Stay (the "Final DIP Order") (D.I. 291);

WHEREAS, paragraph 2(h) of the Final DIP Order provides, inter alia, that "no more than \$75,000 of the proceeds of DIP Facility or the DIP Collateral or Cash Collateral may be used by the Committee to investigate the prepetition conduct of the Debtors and their affiliates and insiders (including, without limitation, holders of equity interests in the Debtors) for a period of no more than sixty (60) days after entry of this Order or such later date consented to in writing by the DIP Lender.";

<sup>&</sup>lt;sup>1</sup> 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). The mailing address for each of the Debtors is 26933 Eckel Road, Perrysburg, OH 43551.

WHEREAS, the Committee, Debtors and the DIP Lender have agreed to extend the deadline in Paragraph 2(h) of the Final DIP Order as set forth herein,

**NOW, THEREFORE**, the Parties each hereby stipulate and agree as follows:

- 1. Without prejudice to any further extensions, the deadline in Paragraph 2(h) of the Final DIP Order is hereby extended by 30 days, through and including February 28, 2019, or such later date consented to in writing by the DIP Lender.
- 2. Except as set forth herein, nothing contained in this Stipulation shall constitute an amendment or modification to the Final DIP Order, and the Final DIP Order otherwise remains in full force and effect, and each Party's respective rights and remedies thereunder shall remain unaffected.

[Signatures follow]

#### **AGREED TO BY:**

Dated: January 22, 2019

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[Signatures continued on following page]

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