

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

In re:

DBMP LLC,¹

Debtor.

Chapter 11

Case No. 20-30080 (AAE)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants,

Plaintiffs,

v.

DBMP LLC and CERTAINTEED LLC,

Defendants.

Adv. Pro. No. 21-03023 (AAE)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants, each on behalf of the estate of
DBMP LLC,

Plaintiffs,

v.

CERTAINTEED LLC, CERTAINTEED
HOLDING CORPORATION, and
SAINT-GOBAIN CORPORATION,

Defendants.

Adv. Pro. No. 22-03000 (AAE)

¹ The last four digits of the Debtor's taxpayer identification number are 8817. The Debtor's address is 20 Moores Road, Malvern, Pennsylvania 19355.

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants, each on behalf of the estate of
DBMP LLC,

Plaintiffs,

v.

Adv. Pro. No. 22-03001 (AAE)

COMPAGNIE DE SAINT-GOBAIN S.A.,
SAINT-GOBAIN CORPORATION,
SAINT-GOBAIN DELAWARE
CORPORATION, CERTAINTED LLC,
CERTAINTED HOLDING CORPORATION,
JOSEPH BONDI, SEAN KNAPP, LAWRENCE
RAYBURN, MICHAEL STARCZEWSKI,
VINCENT DINENNA, ROBERT PANARO,
DONALD MELROY, PIERRE-ANDRÉ DE
CHALENDAR, BENOIT BAZIN, ANTOINE
VIGNIAL, HUBERT REICHARDT, DANIEL
BIARNEIX, SREEDHAR NATARAJAN,
GUILLAUME TEXIER, THOMAS KINISKY,
CAROL GRAY, JOHN SWEENEY, ERIC
PLACIDET, MARK RAYFIELD, and KEITH
CAMPBELL,

Defendants.

NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON SEPTEMBER 24, 2025

Time of Hearing: 9:30 a.m. (prevailing Eastern Time). The Court may
recommence the hearing on September 25, 2025, at
9:30 a.m. (prevailing Eastern Time), if necessary.

Location of Hearing: Courtroom of the Honorable Ashley Austin Edwards,
United States Bankruptcy Court for the Western District of
North Carolina, Charlotte Division, AAE Courtroom 2-B,
401 West Trade Street, Charlotte, North Carolina 28202

CONTESTED MATTER GOING FORWARD:

1. Discovery Referee Report and Recommendation No. 1 [[Dkt. 2706](#); Adv. Pro. No. 21-03023, [Dkt. 216](#); Adv. Pro. No. 22-03000, [Dkt. 190](#); Adv. Pro. No. 22-03001, [Dkt. 160](#)]; Discovery Referee Final Report and Recommendations Concerning Privilege Log Documents, Attorney-Client Privilege, Alleged Waiver, and Crime/Fraud Exception to the Privilege [[Dkt. 3139](#); Adv. Pro. No. 21-03023, [Dkt. 370](#); Adv. Pro. No. 22-03000, [Dkt. 306](#); Adv. Pro. No. 22-03001, [Dkt. 276](#)] (the “Final Report”); Appendices B, C, D, E to the Final Report [[Dkt. 3187](#); Adv. Pro. No. 21-03023, [Dkt. 380](#); Adv. Pro. No. 22-03000, [Dkt. 318](#); Adv. Pro. No. 22-03001, [Dkt. 288](#)] (collectively, the “Referee Reports”).

Status: A hearing on this matter is going forward.

Related Documents:

- A. Order Appointing Discovery Referee and Establishing Protocol for Resolution of Crime-Fraud/Waiver Motion [[Dkt. 2290](#); Adv. Pro. No. 21-03023, [Dkt. 200](#); Adv. Pro. No. 22-03000, [Dkt. 172](#); Adv. Pro. No. 22-03001, [Dkt. 146](#)].
- B. Order Granting Motion of DBMP LLC to Suspend the Deadline to Object to Discovery Referee’s Report and Recommendation [Adv. Pro. No. 21-03023, [Dkt. 304](#); Adv. Pro. No. 22-03000, [Dkt. 248](#); Adv. Pro. No. 22-03001, [Dkt. 214](#)].
- C. Amended Order Appointing Discovery Referee and Establishing Protocol for Resolution of Crime-Fraud/Waiver Motion [[Dkt. 3133](#); Adv. Pro. No. 21-03023, [Dkt. 365](#); Adv. Pro. No. 22-03000, [Dkt. 300](#); Adv. Pro. No. 22-03001, [Dkt. 270](#)].
- D. Second Amended Order Appointing Discovery Referee and Establishing Protocol for Resolution of Crime-Fraud/Waiver Motion [[Dkt. 3188](#); Adv. Pro. No. 21-03023, [Dkt. 381](#); Adv. Pro. No. 22-03000, [Dkt. 319](#); Adv. Pro. No. 22-03001, [Dkt. 289](#)].
- E. Official Committee of Asbestos Personal Injury Claimants’ and the Future Claimants’ Representative’s Motion to File Confidential Information Under Seal [[Dkt. 3213](#); Adv. Pro. No. 21-03023, [Dkt. 384](#); Adv. Pro. No. 20-03000, [Dkt. 322](#); Adv. Pro. No. 22-03001, [Dkt. 291](#)] (the “Claimants’ Representatives’ Motion to Seal Opening Brief Exhibits”).
- F. Defendants’ Motion to File Redacted Documents and to Submit Unredacted Copies *In Camera* [[Dkt. 3214](#); Adv. Pro. No. 21-03023, [Dkt. 385](#); Adv. Pro. No. 20-03000, [Dkt. 323](#); Adv. Pro. No. 22-03001, [Dkt. 293](#)].
- G. Order Granting Defendants’ Motion to File Redacted Documents and to Submit Unredacted Copies *In Camera* [[Dkt. 3234](#); Adv. Pro. No. 21-03023, [Dkt. 388](#); Adv. Pro. No. 22-03000, [Dkt. 327](#); Adv. Pro. No. 22-03001, [Dkt. 296](#)].
- H. Official Committee of Asbestos Personal Injury Claimants’ and the Future Claimants’ Representative’s Motion to File Exhibits Under Seal [[Dkt. 3248](#); Adv. Pro. No. 21-03023, [Dkt. 393](#); Adv. Pro. No. 22-03000, [Dkt. 332](#); Adv. Pro.

No. 22-03001, [Dkt. 301](#)] (the “Claimants’ Representatives’ Motion to Seal Exhibits”).

Responses:

- I. Official Committee of Asbestos Personal Injury Claimants’ and the Future Claimants’ Representative’s Opening Brief in Response to the Referee Reports [[Dkt. 3211](#); Adv. Pro. No. 21-03023, [Dkt. 382](#); Adv. Pro. No. 22-03000, [Dkt. 320](#); Adv. Pro. No. 22-03001, [Dkt. 290](#)].
- J. Defendants’ Objection to the Referee Reports [[Dkt. 3212](#); Adv. Pro. No. 21-03023, [Dkt. 383](#); Adv. Pro. No. 22-03000, [Dkt. 321](#); Adv. Pro. No. 22-03001, [Dkt. 292](#)].
- K. Defendants’ Reply to Plaintiffs’ Opening Brief on the Referee Reports [[Dkt. 3246](#); Adv. Pro. No. 21-03023, [Dkt. 391](#); Adv. Pro. No. 22-03000, [Dkt. 331](#); Adv. Pro. No. 22-03001, [Dkt. 300](#)].
- L. Plaintiffs’ Response Brief Regarding Referee Reports [[Dkt. 3247](#); Adv. Pro. No. 21-03023, [Dkt. 392](#); Adv. Pro. No. 22-03000, [Dkt. 330](#); Adv. Pro. No. 22-03001, [Dkt. 299](#)].

UNCONTESTED MATTERS NOT GOING FORWARD:

- 2. The Claimants’ Representatives’ Motion to Seal Opening Brief Exhibits.

Status: As the parties previously informed the Court, the Defendants have proposed modest redactions to the exhibits to preserve confidentiality, and the parties are meeting and conferring on these matters. The parties believe that this matter will be resolved consensually, and that consideration of this matter can be deferred pending resolution.

- 3. The Claimants’ Representatives’ Motion to Seal Exhibits.

Status: The parties have conferred and have agreed that the exhibits at issue do not need to be filed under seal.

Dated: September 22, 2025
Charlotte, North Carolina

Respectfully submitted,

/s/ Garland S. Cassada
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