

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	:	Chapter 11
	:	
DBMP LLC ¹	:	Case No. 20-30080 (JCW)
	:	
Debtor.	:	
	:	
<hr/>		
OFFICIAL COMMITTEE OF ASBESTOS	:	
PERSONAL INJURY CLAIMANTS, and	:	
SANDER L. ESSERMAN, in his capacity as	:	
Legal Representative for Future Asbestos	:	
Claimants,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Adv. Pro. No. 21-03023 (JCW)
	:	
DBMP LLC and CERTAINTEED LLC,	:	
	:	
Defendants.	:	
	:	

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON JANUARY 6, 2022**

Time of Hearing: 9:30 a.m. (prevailing Eastern Time)

Location of Hearing: The hearing will be held via video conference and telephone conference using Microsoft Teams. All parties who intend to appear by Microsoft Teams (either by video or telephonically) should contact Ursula Hamilton at ursula_c_hamilton@ncwb.uscourts.gov by January 5, 2022 for the needed link, codes and dial-in information. Parties who plan to speak via Microsoft Teams should plan to wear headphones to prevent feedback.

¹ The last four digits of the Debtor's taxpayer identification number are 8817. The Debtor's address is 20 Moores Road, Malvern, Pennsylvania 19335.

CONTESTED MATTERS GOING FORWARD IN BASE CASE

1. Debtor's Motion for Order Pursuant to Bankruptcy Rule 2004 Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants [[Dkt. 417](#)].

Status: The Court held a hearing on this matter on October 22, 2021. A status conference on this matter is going forward to discuss the potential establishment of a bar date.

2. Motion of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to Compel Discovery Pursuant to the Crime-Fraud Exception and / or Waiver of the Attorney Client Privilege and Work Product Protection [[Dkt. 1006](#)].

Status: The Court held a hearing on this matter on October 5, 2021. This matter is going forward for the Court to issue its ruling.

3. Motion of the Debtor for an Order Authorizing it to Enter Into Tolling Agreement [[Dkt. 1069](#)].

Status: The Court held a hearing on this matter on October 14, 2021. A status conference on this matter is going forward.

CONTESTED MATTERS GOING FORWARD IN ADVERSARY PROCEEDING

4. CertainTeed LLC's Motion to Dismiss Complaint and Brief in Support [Adv. Pro. [Dkt. 20](#)].

Status: The Court held a hearing on this matter on December 16, 2021. This matter is going forward for the Court to issue its ruling.

5. Motion of the Debtor to Dismiss the Adversary Complaint [Adv. Pro. [Dkt. 21](#)].

Status: The Court held a hearing on this matter on December 16, 2021. This matter is going forward for the Court to issue its ruling.

Dated: January 4, 2022
Charlotte, North Carolina

Respectfully submitted,

/s/ Garland S. Cassada

Garland S. Cassada (NC Bar No. 12352)
David M. Schilli (NC Bar No. 17989)
Andrew W.J. Tarr (NC Bar No. 31827)
ROBINSON, BRADSHAW & HINSON, P.A.
101 North Tryon Street, Suite 1900
Charlotte, North Carolina 28246
Telephone: (704) 377-2536
Facsimile: (704) 378-4000
E-mail: gcassada@robinsonbradshaw.com
dschilli@robinsonbradshaw.com
atarr@robinsonbradshaw.com

Gregory M. Gordon (TX Bar No. 08435300)
Amanda Rush (TX Bar No. 24079422)
JONES DAY
2727 North Harwood Street, Suite 500
Dallas, Texas 75201
Telephone: (214) 220-3939
Facsimile: (214) 969-5100
E-mail: gmgordon@jonesday.com
asrush@jonesday.com
(Admitted *pro hac vice*)

Jeffrey B. Ellman (GA Bar No. 141828)
JONES DAY
1221 Peachtree Street, N.E., Suite 400
Atlanta, GA 30361
Telephone: (404) 581-3939
Facsimile: (404) 581-8330
E-mail: jbellman@jonesday.com
(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTOR AND
DEBTOR IN POSSESSION