

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

In re

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-30608 (JCW)

(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.

**NOTICE OF PROPOSED AGENDA OF MATTERS FOR
HEARING ON WEDNESDAY, MAY 5, 2021, AT 9:30 A.M.²**

ADVERSARY PROCEEDING CONTESTED MATTERS

1. Debtors' Motion for Partial Summary Judgment That All Actions Against the Protected Parties to Recover Aldrich/Murray Asbestos Claims are Automatically Stayed by Section 362 of the Bankruptcy Code [Adversary Proceeding, [Docket No. 90](#)]

a. Related Pleadings:

i. Supplemental Declaration of Allan Tananbaum in Support of Debtors' Complaint for Injunctive and Declaratory Relief and Related Motions [Adversary Proceeding, [Docket No. 91](#)]

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.

2 The hearing is set to begin on May 5, 2021 at 9:30 a.m. and continue, as necessary, on May 6th and 7th 2021.

- ii. Declaration of John R. Miller, Jr. in Support of Debtors' Complaint for Injunctive and Declaratory Relief and Related Motions [Adversary Proceeding, [Docket No. 92](#)]
- iii. The Future Asbestos Claimants' Representative's Joinder in Support of Debtors' Motion for Partial Summary Judgment That All Actions Against the Protected Parties to Recover Aldrich/Murray Claims Are Automatically Stayed by Section 362 of the Bankruptcy Code [Adversary Proceeding, [Docket No. 105](#)]
- iv. Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Motion for Partial Summary Judgment that All Actions Against Protected Parties to Recover Aldrich/Murray Asbestos Claims are Automatically Stayed by Section 362 of the Bankruptcy Code [Adversary Proceeding, [Docket No. 152](#)]
- v. Supplement to Opposition of the Official Committee of Asbestos Personal Injury Claimants to the Debtors' Motion for Partial Summary Judgment [Adversary Proceeding, [Docket No. 180](#)]
- vi. Future Asbestos Claimants' Representative's Omnibus Reply in Support of the Debtors' (I) Preliminary Injunction Motion and (II) Motion for Partial Summary Judgment [Adversary Proceeding, [Docket No. 187](#)]
- vii. Debtors' Reply in Support of Debtors' Motion for Partial Summary Judgment That All Actions Against the Protected Parties to Recover Aldrich/Murray Asbestos Claims are Automatically Stayed by Section 362 of the Bankruptcy Code [Adversary Proceeding, [Docket No. 196](#)]
- b. Objection Deadline: As per the Second Amended Case Management Order [Adversary Proceeding, [Docket No. 166](#)]
- c. Status: This matter is going forward

2. Motion of the Debtors for an Order (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring that the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adversary Proceeding, [Docket No. 2](#)]

- a. Related Pleadings:
 - i. Debtors' Complaint for Injunctive and Declaratory Relief (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring that the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adversary Proceeding, [Docket No. 1](#)]

- ii. Declaration of Allan Tananbaum in Support of Debtors' Complaint for Injunctive and Declaratory Relief, Related Motions, and the Chapter 11 Cases [Adversary Proceeding, [Docket No. 3](#)]
- iii. Informational Brief of Aldrich Pump LLC and Murray Boiler LLC [Base Case, [Docket No. 5](#)]
- iv. Declaration of Ray Pittard in Support of First Day Pleadings [Base Case, [Docket No. 27](#)]
- v. Notice of Filing of Revised Appendix B to the Debtors' Complaint for Injunctive and Declaratory Relief [Adversary Proceeding, [Docket No. 21](#)]
- vi. Temporary Restraining Order [Adversary Proceeding, [Docket No. 26](#)]
- vii. Order Extending Temporary Restraining Order [Adversary Proceeding, [Docket No. 51](#)]
- viii. Agreed Order Regarding Debtors' Request for Extension or Application of the Automatic Stay to Certain Actions against Non-Debtors [Adversary Proceeding, [Docket No. 58](#)]
- ix. Joint Discovery Plan and Report (ESI Protocol) [Adversary Proceeding, [Docket No. 69](#)]
- x. Case Management Order [Adversary Proceeding, [Docket No. 77](#)]
- xi. Non-Debtor Affiliates' Response in Support of the Motion of the Debtors for an Order (I) Preliminarily Enjoining Certain Actions Against Non-Debtors; or (II) Declaring that the Automatic Stay Applies to Such Actions; and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adversary Proceeding, [Docket No. 84](#)]
- xii. Supplemental Declaration of Allan Tananbaum in Support of Debtors' Complaint for Injunctive and Declaratory Relief and Related Motions [Adversary Proceeding, [Docket No. 91](#)]
- xiii. Declaration of John R. Miller, Jr. in Support of Debtors' Complaint for Injunctive and Declaratory Relief and Related Motions [Adversary Proceeding, [Docket No. 92](#)]
- xiv. First Amended Case Management Order [Adversary Proceeding, [Docket No 116](#)]

- xv. The Future Claimants' Representative's Initial Submission on the Debtors' Preliminary Injunction Motion [Adversary Proceeding, [Docket No. 129](#)]
 - xvi. Opposition of the Official Committee of Asbestos Personal Injury Claimants to the Debtors' Motion for Preliminary Injunction or Declaratory Relief [Adversary Proceeding, [Docket No. 151](#)]
 - xvii. Notice of Filing of Exhibits in Support of Opposition to Debtors' Motion for Preliminary Injunction [Adversary Proceeding, [Docket No. 153](#)]
 - xviii. Second Amended Case Management Order [Adversary Proceeding, [Docket No. 166](#)]
 - xix. Supplemental Memorandum of the Official Committee of Asbestos Personal Injury Claimants in Opposition to Debtors' Motion for Preliminary Injunction or Declaratory Relief [Adversary Proceeding, [Docket No. 179](#)]
 - xx. Future Asbestos Claimants' Representative's Omnibus Reply in Support of the Debtors' (I) Preliminary Injunction Motion and (II) Motion for Partial Summary Judgment [Adversary Proceeding, [Docket No. 187](#)]
 - xxi. Debtors' Reply in Support of Motion of Debtors for an Order (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring that the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adversary Proceeding, [Docket No. 188](#)]
 - xxii. Non-Debtor Affiliates' Reply Memorandum in Further Support of the Debtors' Motion for Preliminary Injunction and Declaratory Relief [Adversary Proceeding, [Docket No. 193](#)]
 - xxiii. Notice of Filing of Declaration of Brad B. Erens in Support of Debtors' Reply in Support of Motion of Debtors for an Order (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring that the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing [Adversary Proceeding, [Docket No. 194](#)]
- b. Objection Deadline: As per the Second Amended Case Management Order [Adversary Proceeding, [Docket No. 166](#)]
- c. Status: This matter is going forward

Virtual Hearing Instructions: In response to the COVID-19 pandemic, 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 ursula_c_hamilton@ncwb.uscourts.gov and provide the email address for each of those attorneys (and witnesses, if any) requesting the needed link, codes and dial-in information. Parties who plan to speak via Microsoft Teams should plan to wear headphones, if available, to prevent feedback.

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Dated: May 3, 2021
Charlotte, North Carolina

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
jmillerr@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

-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

ATTORNEYS FOR DEBTORS AND DEBTORS
IN POSSESSION