

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

In re: BRIGGS & STRATTON CORPORATION, et al., Debtors.¹	§ § § § § § § § § §	Chapter 11 Case No. 20-43597-399 (Joint Administration Requested) Hearing Date: July 21, 2020 Hearing Time: 10:00 a.m. (Central Time) Hearing Location: Courtroom 5 North 111 S. 10th St., St. Louis, MO 63102
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MOTION OF DEBTORS FOR LEAVE TO EXCEED THE PAGE LIMITATION IN THEIR FIRST DAY MOTIONS

Briggs & Stratton Corporation and its debtor affiliates in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), hereby move this Court for an order allowing them to exceed the page limitation on certain of the first day motions (collectively, the “**First Day Motions**”) filed by the Debtors contemporaneously herewith and as set forth below, and in support thereof, respectfully represent as follows:

Background

1. On the date hereof (the “**Petition Date**”), the Debtors each commenced with this Court a voluntary case under title 11 of the United States Code (the “**Bankruptcy Code**”). The Debtors are authorized to continue to operate their business and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee of creditors has been appointed in these chapter 11 cases. The Debtors have also filed a motion requesting joint administration of their chapter 11 cases pursuant

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Briggs & Stratton Corporation (2330), Billy Goat Industries, Inc. (4442), Allmand Bros., Inc. (4710), Briggs & Stratton International, Inc. (9957), and Briggs & Stratton Tech, LLC (2102). The address of the Debtors’ corporate headquarters is 12301 West Wirth Street, Wauwatosa, Wisconsin 53222.



to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 1015(b) of the Local Rules of Bankruptcy Procedure for the Eastern District of Missouri (the “**Local Rules**”).

2. The Debtors, combined with their non-Debtor affiliates (collectively, the “**Company**”), are the world’s largest producer of gasoline engines for outdoor power equipment and a leading designer, manufacturer and marketer of power generation, pressure washer, lawn and garden, turf care and job site products. The Company’s products are marketed and serviced in more than 100 countries on six continents through 40,000 authorized dealers and service organizations. Additional information regarding the Debtors’ business and capital structure and the circumstances leading to the commencement of these chapter 11 cases is set forth in the *Declaration of Jeffrey Ficks, Financial Advisor of Briggs & Stratton Corporation, in Support of the Debtors’ Chapter 11 Petitions and First Day Relief*, sworn to on the date hereof (the “**Ficks Declaration**”),² which has been filed with the Court contemporaneously herewith and is incorporated by reference herein.

Jurisdiction

3. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

Argument

4. Rule 9004(C) of the Local Rules requires that “[w]ithout leave of Court, no motion, memorandum or brief shall exceed 15 pages exclusive of the signature page, certificate of service and attachments.” The Debtors will limit the number of pleadings exceeding the page

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Ficks Declaration.

limitation to those in which it is unavoidable to exceed the limitation in order to present the Court with all of the facts, law and analysis necessary to fully advise the Court.

5. Courts in this District have granted motions to file pleadings in excess of the page limitation specified by the local rules where, as here, the issues addressed are significant and complex. *See, e.g., In re Noranda Aluminum, Inc.*, No. 16-10082 (Bankr. E.D. Mo. Feb. 12, 2016) (Docket No. 123) (order granting debtors' request to waive page limitation in Local Bankruptcy Rule 9004(C)); *In re Arch Coal, Inc.*, No. 16-40120 (Bankr. E.D. Mo. Jan. 21, 2016) (Docket No. 155) (same); *In re Peabody Energy Corp.*, No. 16-42529 (Bankr. E.D. Mo. Apr. 13, 2016) (Docket No. 44) (same).

No Previous Request

6. No previous request for the relief sought herein has been made by the Debtors to this or any other court.

WHEREFORE, the Debtors respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: July 20, 2020
St. Louis, Missouri

Respectfully submitted,

CARMODY MACDONALD P.C.

/s/ Robert E. Eggmann

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