

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

<p>In re</p> <p>ALDRICH PUMP LLC, <i>et al.</i>,¹</p> <p>Debtors.</p>	<p>Chapter 11</p> <p>Case No. 20-30608 (JCW)</p> <p>(Jointly Administered)</p>
<p>OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS</p> <p>Plaintiff,</p> <p>v.</p> <p>ALDRICH PUMP LLC, MURRAY BOILER LLC, TRANE TECHNOLOGIES COMPANY LLC, and TRANE U.S. INC.,</p> <p>Defendants.</p>	<p>Adv. Pro. No. 21-03029</p>
<p>OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS, on behalf of the estates of Aldrich Pump LLC and Murray Boiler LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>INGERSOLL-RAND GLOBAL HOLDING COMPANY LIMITED, TRANE TECHNOLOGIES HOLDCO INC., TRANE TECHNOLOGIES COMPANY LLC, TRANE INC., TUI HOLDINGS INC., TRANE U.S. INC., and MURRAY BOILER HOLDINGS LLC</p> <p>Defendants.</p>	<p>Adv. Pro. No. 22-03028</p>

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.



OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, on behalf
of the estates of Aldrich Pump LLC and Murray
Boiler LLC,

Plaintiff,

v.

TRANE TECHNOLOGIES PLC,
INGERSOLLRAND GLOBAL HOLDING
COMPANY LIMITED, TRANE
TECHNOLOGIES HOLDCO INC., TRANE
TECHNOLOGIES COMPANY LLC, TRANE
INC., TUI HOLDINGS INC., TRANE U.S.
INC., MURRAY BOILER HOLDINGS LLC,
SARA BROWN, RICHARD DAUDELIN,
MARC DUFOUR, HEATHER HOWLETT,
CHRISTOPHER KUEHN, MICHAEL
LAMACH, RAY PITTARD, DAVID
REGNERY, AMY ROEDER, ALLAN
TANANBAUM, EVAN TURTZ, MANLIO
VALDES, and ROBERT ZAFARI,

Defendants.

Adv. Pro. No. 22-03029

ARMSTRONG WORLD INDUSTRIES, INC.
ASBESTOS PERSONAL INJURY
SETTLEMENT TRUST *et al.*,

Plaintiff(s),

v.

ALDRICH PUMP LLC, *et al.*

Defendant(s).

Miscellaneous Pleading

No. 22-00303 (JCW)

(Transferred from District of Delaware)

AC&S ASBESTOS SETTLEMENT TRUST,
COMBUSTION ENGINEERING 524(G)
ASBESTOS PI TRUST, GI HOLDINGS INC.
ASBESTOS PERSONAL INJURY
SETTLEMENT TRUST, GST SETTLEMENT
FACILITY, KAISER ALUMINUM &
CHEMICAL CORPORATION ASBESTOS

PERSONAL INJURY TRUST, QUIGLEY
COMPANY, INC. ASBESTOS PI TRUST T H
AGRICULTURE & NUTRITION, L.L.C.
ASBESTOS PERSONAL INJURY TRUST, and
YARWAY ASBESTOS PERSONAL INJURY
TRUST,

Petitioners,

v.

ALDRICH PUMP LLC and MURRAY BOILER
LLC,

Respondents,

VERUS CLAIM SERVICES, LLC,

Interested Party,

NON-PARTY CERTAIN MATCHING
CLAIMANTS,

Interested Party.

Miscellaneous Pleading

No. 23-00300 (JCW)

(Transferred from District of New Jersey)

**NOTICE OF SECOND AMENDED² PROPOSED AGENDA OF MATTERS
SCHEDULED FOR HEARING ON THURSDAY, MARCH 30, 2023, AT 9:30 A.M.**

STATUS CONFERENCE IN BASE CASE

1. Motion of the Future Claimants Representative for an Order to Establish a Protocol for Determining a Representative Sample of Resolved Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1342]

a. Related Pleadings:

- i. Objection of the Official Committee of Asbestos Personal Injury Claimants to Motion of the Future Asbestos Claimants' Representative for an Order to Establish a Protocol for Determining a Representative Sample of Resolved Mesothelioma Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1364]
- ii. Debtors' Response to the Motion of the Future Asbestos Claimants' Representative for an Order to Establish a Protocol for Determining a

² Amended agenda items appear in bold.

Representative Sample of Resolved Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1365]

- b. Objection Deadline: October 17, 2022, per agreement of the parties.
- c. Status: This matter is set for status conference.

CONTESTED MATTER IN THE BASE CASE

2. Robert Semian's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 1588]

- a. Related Pleadings:
 - i. Debtors' Objection to Robert Semian's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 1638]
 - ii. Objection of Future Claimants' Representative to Robert Semian's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) and Joinder in Support of Debtors' Objection [Docket No. 1639]
 - iii. Joinder of the Non-Debtor Affiliates to the Debtors' Objection to Robert Semian's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 1640]
 - iv. Reply in Support of Robert Semian's Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 1665]
- b. Objection Deadline: March 9, 2023
- c. Status: This matter is going forward.

**CONTESTED MATTERS IN PROCEEDING TRANSFERRED
FROM THE DISTRICT OF NEW JERSEY, 23-00300**

3. Notice of Third Party Trusts' Motion to Quash and in Support of Stay and Memorandum of Law in Support of Third Party Asbestos Trusts' Motion to Quash Subpoenas and in Support of Stay [MP Docket No. 2-1]

- a. Related Pleadings:
 - i. Letter from Lynda A. Bennett [MP Docket No. 2-10]
 - ii. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants'

Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 3-3]

- iii. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [MP Docket No. 5-2]
- iv. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 5-8]
- v. Third Party Asbestos Trusts' Reply Memorandum of Law in Further Support of Their Motion to Quash Subpoenas [MP Docket No. 5-9]
- vi. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [MP Docket No. 1]
- vii. Notice of Status Hearing [MP Docket No. 7]

b. Status: This matter is going forward.

4. Notice of Motion to Quash Subpoena and to Stay and Verus Claim Services, LLC's Memorandum of Law in Support of its Motion to Quash Subpoena and to Stay [MP Docket No. 2-6]

a. Related Pleadings:

- i. Letter from Andrew E. Anselmi [MP Docket No. 2-11]
- ii. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants' Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 3-3]
- iii. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [MP Docket No. 5-2]

- iv. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 5-8]
- v. Verus Claim Services, LLC's Reply Memorandum of Law in Further Support of its Motion to Quash [MP Docket No. 5-10]
- vi. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [MP Docket No. 1]
- vii. Notice of Status Hearing [MP Docket No. 7]

b. Status: This matter is going forward.

5. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants' Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 3-3]

a. Related Pleadings:

- i. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [MP Docket No. 5-2]
- ii. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [MP Docket No. 5-7]
- iii. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [MP Docket No. 1]
- iv. Notice of Status Hearing [MP Docket No. 7]

b. Status: This matter is going forward.

**CONTESTED MATTERS IN PROCEEDING TRANSFERRED FROM
THE DISTRICT OF DELAWARE, 22-00303**

6. Debtors' Motion to Strike Pleadings Filed by Non-Party Certain Matching Claimants [MP Docket No. 84]

- a. Related Pleadings:
 - i. **Non-Party Certain Matching Claimants' Opposition to the Debtors' Motion to Strike [MP Docket No. 104]**
 - ii. **Non-Party Certain Matching Claimants' Opposition to the Debtors' Motion to Strike [MP Docket No. 105]**
- b. Objection Deadline: March 29, 2023
- c. Status: This matter is going forward.

7. Third Party Asbestos Trusts' Motion for Adjournment and Related Relief [MP Docket No. 58]

- a. Related Pleadings:
 - iii. Joinder of Motion of Third Party Asbestos Trusts' Motion for Adjournment and Related Relief [MP Docket No. 64]
 - iv. Joinder to Motion of Third-Party Asbestos Trusts' Motion for Adjournment and Related Relief [MP Docket No. 66]
 - v. Debtors' Opposition to Verus Claim Services, LLC's and the Verus Trusts' Motion for Adjournment and Related Relief [MP Docket No. 89]
 - vi. Declaration of Morgan R. Hirst [MP Docket No. 91]
- b. Objection Deadline: None stated.
- c. Status: This matter is going forward before the Rehearing Motion (as defined below) at the direction of the Court.

8. Motion of Third Party Verus Claim Services, LLC for Adjournment and Related Relief [MP Docket No. 61]

- a. Related Pleadings:
 - i. Joinder to Motion Third Party Motion for Adjournment on Behalf of Verus Trust [MP Docket No. 65]
 - ii. Joinder to Motion of Third-Party Motion for Adjournment on Behalf of Verus Trust [MP Docket No. 67]
 - iii. Debtors' Opposition to Verus Claim Services, LLC's and the Verus Trusts' Motion for Adjournment and Related Relief [MP Docket No. 89]
 - iv. Declaration of Morgan R. Hirst [MP Docket No. 91]
 - v. Reply of Third Party Verus Claim Services, LLC in Further Support of Motion for Adjournment and Related Relief [MP Docket No. 99]
- b. Objection Deadline: None stated.
- c. Status: This matter is going forward.

9. Delaware Claims Processing Facility's Motion to Strike, or in the Alternative, Motion to Continue Hearing on Debtors' Motion for Reconsideration [MP Docket No. 74]

- a. Related Pleadings:
 - i. Third-Party Asbestos Trusts' Joinder to Delaware Claims Processing Facility's Motion to Strike, or in the Alternative, Motion to Continue Hearing on Debtors' Motion for Reconsideration [MP Docket No. 77]
 - ii. Debtors' Opposition to Delaware Claims Processing Facility's Motion to Strike, or in the Alternative, Continue the Hearing on Debtors' Motion for Reconsideration [MP Docket No. 92]
 - iii. Declaration of Morgan R. Hirst [MP Docket No. 93]
- b. Objection Deadline: None stated.
- c. Status: This matter is going forward.

10. **Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 54] ("Rehearing Motion")**

- a. Related Pleadings:
 - i. Declaration of Charles H. Mullin, Ph.D [MP Docket No. 55]
 - ii. Declaration of Morgan R. Hirst [MP Docket No. 56]
 - iii. Limited Response by the Future Claimants' Representative to the Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF'S Subpoena-Related Motions [MP Docket No. 60]
 - iv. Non-Party Certain Matching Claimants' Opposition to the Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 63]
 - v. Joinder to Non-Party Certain Matching Claimants' Opposition to the Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 68]
 - vi. The Official Committee of Asbestos Personal Injury Claimants' Objection to the Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 69]
 - vii. Third-Party Asbestos Trusts' Opposition to Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 70]
 - viii. Declaration of Beth Moskow-Schnoll in Support of Third-Party Asbestos Trusts' Opposition to Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 71]
 - ix. Delaware Claims Processing Facility, LLC's Response to Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 72]
 - x. Declaration of Kevin A. Guerke in Support of Delaware Claims Processing Facility, LLC's Response to Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motions [MP Docket No. 73]

- xi. Debtors' Reply in Support of Their Motion for Rehearing Concerning the Issue of Samling on DCPF's Subpoena-Related Motions [MP Docket No. 87]
 - xii. Declaration of Morgan R. Hirst [MP Docket No. 88]
 - xiii. Non-Party Verus Trusts' Opposition to Debtors' Motion for Rehearing Concerning the Issue of Sampling on DCPF's Subpoena-Related Motion [MP Docket No. 98]
- b. Objection Deadline: March 23, 2023
 - c. Status: This matter is going forward.

CONTESTED MATTER IN ADVERSARY PROCEEDINGS
21-03029, 22-03028, AND 22-03029

11. Plaintiff's Motion on Discovery Procedures [Adv. Pro. No. 21-03029, Docket No. 119; Adv. Pro. No. 22-03028, Docket No. 50; Adv. Pro. No. 22-03029, Docket No. 46]

- a. Related Pleadings:
 - i. Non-Debtor Defendants' Objection to Plaintiff's Motion on Discovery Procedures [Adv. Pro. No. 21-03029, Docket No. 121; Adv. Pro. No. 22-03028, Docket No. 52]
 - ii. Debtor's Joinder to Non-Debtor Defendants' Objection to Plaintiff's Motion on Discovery Procedures [Adv. Pr. No. 21-03029, Docket No. 122]
 - iii. Reply in Further Support of Plaintiff's Motion on Discovery Procedures [Adv. Pro. No. 21-03029, Docket No. 123; Adv. Pro No. 21-03028, Docket No. 53]
- b. Objection Deadline: March 23, 2023
- c. Status: This matter is going forward.

[SIGNATURE PAGE FOLLOWS]

Dated: March 30, 2023
Charlotte, North Carolina

Respectfully submitted,

/s/ Matthew L. Tomsic

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ATTORNEYS FOR DEBTORS AND DEBTORS
IN POSSESSION