

FILED & JUDGMENT ENTERED  
Steven T. Salata  
  
June 12 2023  
  
Clerk, U.S. Bankruptcy Court  
Western District of North Carolina



*J. Craig Whitley*  
J. Craig Whitley  
United States Bankruptcy Judge

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

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In re : Chapter 11  
ALDRICH PUMP LLC, *et al.*,<sup>1</sup> : Case No. 20-30608 (JCW)  
Debtors. : (Jointly Administered)

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**FIRST AMENDED CASE MANAGEMENT ORDER FOR ESTIMATION OF  
ASBESTOS CLAIMS**

On September 24, 2021, Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), the debtors and debtors in possession in the above-captioned chapter 11 cases (the "Debtors"), filed a motion pursuant to section 502(c) of title 11 of the United States Code (the "Bankruptcy Code"), seeking authorization of an estimation of all asbestos-related personal injury claims against the Debtors that manifested disease prior to the petition date (the "Estimation Motion").

On January 27, 2022, the Court announced that it was granting the Estimation Motion, but expanded the scope of the estimation to cover all asbestos-related personal injury

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<sup>1</sup> 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.



claims against the Debtors, both prepetition and postpetition. The Court entered its formal order confirming the same on April 18, 2022 [Dkt. 1127].

On June 9, 2022, the Debtors filed their *Motion of the Debtors for an Order Approving the Debtors' Proposed Case Management Order for Estimation*, [Dkt. 1205] (the "Debtors' CMO Motion"). Also on June 9, 2022, the Official Committee of Asbestos Claimants (the "Committee") filed its *Motion for Entry of an Order Establishing Case Management Procedures for Estimation*, [Dkt. 1207] (the "ACC's CMO Motion" and with the Debtors' CMO Motion, the "Competing CMO Motions"). After full briefing, the Court heard oral argument on the Competing CMO Motions on June 30, 2022.

On August 2, 2022, the Court entered the *Case Management Order for Estimation of Asbestos Claims*, [Dkt. 1302] (the "Initial Estimation CMO") setting forth the initial schedule and procedures that shall apply to the contested estimation proceeding that this Court ordered would take place in its April 18, 2022 order (the "Estimation Proceeding");

Counsel for the each of the Debtors, the ACC, the Future Claimants Representative (the "FCR"); Trane U.S. Inc, and Trane Technologies Company LLC (and, together with the Debtors, the Committee, the FCR, and Trane U.S. Inc., the "Parties," or each individually a "Party") have met and conferred, and have agreed that the Initial Estimation CMO should be amended and certain of the deadlines within that Initial Estimation CMO should be extended, as reflected in this order;

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The deadline for completion of Written Discovery is August 2, 2024 (the "Written Discovery Deadline").

2. The Parties' October 31, 2022 preliminary disclosures of the identities of fact witnesses pursuant to Paragraph 4 of the Initial Estimation CMO shall be timely supplemented on a rolling basis until 60 days before the completion of the Written Discovery Deadline set forth in Paragraph 1. Following this latter date, no further supplements will be permitted without permission of the Court; provided, however, that the disclosures may be supplemented up until 60 days before the expiration of any extensions to the Written Discovery Deadline set forth in Paragraph 1.

3. The Parties shall serve preliminary disclosures of the subjects of expert testimony and fields of expertise (but not the experts' identities) for their respective cases in chief cases no later than 90 days before the Written Discovery Deadline set forth in Paragraph 1.

4. No later than 90 days prior to the Written Discovery Deadline set forth in Paragraph 1, the Debtors shall respond to the Committee's Interrogatory #1 and Document Request #1, previously served on September 1, 2022. The Debtors will have the right to supplement their responses to the Committee's Interrogatory #1 and Document Request #1 until the Written Discovery Deadline. For any claims identified in the last 90 days before the Written Discovery Deadline, the ACC shall be given an additional 90 days after such disclosure to seek Written Discovery as it relates to those newly disclosed claims.

5. All Written Discovery shall be served such that the response time for said discovery expires no later than the Written Discovery Deadline set forth in Paragraph 1.

6. Any motion to compel or other motions directed at compliance with Written Discovery must be served no later than 60 days after the Written Discovery Deadline set forth in Paragraph 1.

7. To the extent any motions directed at compliance with Written Discovery remain pending, or to the extent any additional responses to Written Discovery resulting from orders of this Court remain outstanding, after the Written Discovery Deadline set forth in Paragraph 1, this Court will extend the deadlines set forth in Paragraph 1 solely for compliance with the outstanding Written Discovery to which the motions are directed.

8. A schedule for fact witness depositions and associated productions, expert reports, depositions, and associated productions, and the estimation trial and related pretrial activities will be set by the Court after the Written Discovery Deadline.

9. Upon a showing of good cause by any Party, after notice and hearing, the Court may alter or extend any of the deadlines specified herein.

10. Unless otherwise amended herein, all other provisions of the Initial Estimation CMO, including Exhibit 1, the Estimation Proceeding Joint Discovery Plan and Report (ESI Protocol) remain valid and in full force.

11. This Court shall retain jurisdiction to hear and determine all matters involving the interpretation, implementation, or enforcement of this Order.

This Order has been signed electronically.  
The Judge's signature and Court's seal appear  
at the top of the Order.

United States Bankruptcy Court