

**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)

NOTICE OF SERVICE OF SUBPOENAS TO PRODUCE DOCUMENTS

PLEASE TAKE NOTICE that Debtors Aldrich Pump LLC and Murray Boiler LLC intend to serve subpoenas to produce documents on or about May 17, 2024 on Bestwall LLC and DBMP LLC. A copy of the subpoenas (without the referenced schedule of Aldrich Pump LLC and Murray Boiler LLC Claimants) is attached hereto as Exhibit A.

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.



203060824051600000000002

Dated: May 16, 2024
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
jmiller@rcdlaw.net

-and-

Brad B. Erens (IL Bar No. 06206864)
Morgan R. Hirst (IL Bar No. 6275128)
Caitlin K. Cahow (IL Bar No. 6317676))
JONES DAY
110 N. Wacker Drive, Suite 4800
Chicago, Illinois 60606
Telephone: (312) 782-3939
Facsimile: (312) 782-8585
E-mail: bberens@jonesday.com
mhirst@jonesday.com
ccahow@jonesday.com
(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTORS
AND DEBTORS IN POSSESSION

-and-

C. Michael Evert, Jr.
Clare M. Maisano
EVERT WEATHERSBY HOUFF
3455 Peachtree Road NE, Suite 1550
Atlanta, GA 30326
Telephone: (678) 651-1200
Facsimile: (678) 651-1201
E-mail: cmevert@ewhlaw.com
cmmaisano@ewhlaw.com
(Admitted *pro hac vice*)

SPECIAL ASBESTOS LITIGATION
COUNSEL FOR DEBTORS
AND DEBTORS IN POSSESSION

EXHIBIT A

UNITED STATES BANKRUPTCY COURT

Western District of North Carolina

In re Aldrich Pump LLC, et al.
Debtor

Case No. 20-30608 (JCW)

(Complete if issued in an adversary proceeding)

Chapter 11

Plaintiff
v.

Adv. Proc. No.

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: Bestwall LLC c/o United Agent Group Inc., 15720 Brixham Hill Avenue #300, Charlotte, NC 28277
(Name of person to whom the subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Exhibit A attached

| | |
|---|---------------------------------------|
| PLACE K&L Gates LLP 300 S. Tryon St., Suite 1000 Charlotte, NC 28202 | DATE AND TIME May 31, 2024 by 5 PM |
|---|---------------------------------------|

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

| | |
|-------|---------------|
| PLACE | DATE AND TIME |
|-------|---------------|

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: May 17, 2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Clare M. Maisano
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party) Aldrich Pump LLC, et al., who issues or requests this subpoena, are:

Clare M. Maisano, Evert Weathersby Houff, 111 South Calvert St., Suite 1910, Baltimore, MD 21202, cmmaisano@ewhlaw.com, (443) 573-8507

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...
(g) **Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

1. “*Claimants*” shall mean, collectively, the individuals identified on Schedule 1 to this Exhibit, each of whom either (a) resolved a mesothelioma claim asserted against Aldrich Pump LLC, Old IRNJ, Murray Boiler LLC, or Old Trane, and is identified on Exhibit A to the *Agreed Order with Respect to Resolved Claims Sampling for Purposes of Estimation Discovery* [Dkt. 2048], or (b) has a Pending Claim, as defined below, against Aldrich Pump LLC, Old IRNJ, Murray Boiler LLC, or Old Trane.
2. “*Aldrich*” shall mean Aldrich Pump LLC.
3. “*Old IRNJ*” shall mean the former Ingersoll Rand Company.
4. “*Murray*” shall mean Murray Boiler LLC.
5. “*Old Trane*” shall mean the former Trane U.S. Inc.
6. “*The Debtors*” shall mean, collectively, Aldrich Pump LLC and Murray Boiler LLC.
7. “*Pending Claim*” shall mean an asbestos claim described in any proof of claim form filed by a claimant against Aldrich, Old IRNJ, Murray, or Old Trane, which proof of claim was not subsequently withdrawn.
8. “*Bestwall*” shall mean Bestwall LLC.
9. “*Old GP*” shall mean the former Georgia-Pacific Corporation.
10. “*Claims Data*” shall mean all electronic information and data contained in Bestwall’s/Old GP’s PACE claims database within Bestwall’s possession, custody, or control whose purpose is or was to track mesothelioma claims asserted against Bestwall or Old GP before the Petition Date.
11. “*Bestwall Claim*” shall mean a mesothelioma claim asserted against Bestwall or Old GP, or for which Bestwall or Old GP was alleged to be responsible, before the Petition Date.

12. “*Injured Party*” shall mean the injured party diagnosed with mesothelioma related to a Bestwall Claim.

13. “*Related Party*” shall mean an individual who is not the Injured Party but who is asserting a Bestwall Claim based on or derived from the Injured Party’s mesothelioma, either in a representative capacity (*e.g.*, the personal representative of the Injured Party’s estate suing for the Injured Party’s injuries), or in an independent capacity (*e.g.*, a family member suing for his or her own losses based on the alleged personal injury to or wrongful death of the Injured Party).

14. “*Petition Date*” shall mean November 2, 2017, the date when Bestwall commenced a chapter 11 bankruptcy case, Case No. 17-31795, in the United States Bankruptcy Court for the Western District of North Carolina.

15. To the extent any Claims Data are not produced on the basis of a claim of privilege or immunity:

(a) submit a list identifying such Claims Data or nature of such Claims Data not produced in a manner that, without revealing the data or information itself privileged or protected, will enable other parties to assess the claimed privilege or immunity;

(b) identify the basis for the privilege (including work product) that is being claimed; and

(c) identify each person having knowledge of the factual basis, if any, on which the claim of privilege or immunity is based.

16. The Debtors will deem the information produced in response to this subpoena “confidential” pursuant to the *Agreed Protective Order Governing Confidential Information* [Dkt. 345].

ELECTRONIC INFORMATION TO BE PRODUCED PURSUANT TO SUBPOENA

1. Fields containing the following Claims Data for each Bestwall Claim asserted by an Aldrich/Murray Claimant (to the extent they exist):

- Law firm(s) representing Injured Party or any Related Party
- Jurisdiction and state in which claim was filed
- Claim status (*e.g.*, settled, dismissed, plaintiff verdict, defense verdict, settled pending payment, open, etc.)
- Date of resolution (if applicable)
- Date(s) on which settlement or judgment was paid (if applicable)
- Exposure-related information for Injured Party, including fields reflecting the following data:
 - Date(s) exposure(s) began
 - Date(s) exposure(s) ended
 - Manner of exposure
 - Location of exposure
 - Occupation and industry when exposed
 - Products to which Injured Party was exposed

RESPONSE:

UNITED STATES BANKRUPTCY COURT

Western District of North Carolina

In re Aldrich Pump LLC, et al.
Debtor

Case No. 20-30608 (JCW)

(Complete if issued in an adversary proceeding)

Chapter 11

Plaintiff
v.

Adv. Proc. No.

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: DBMP LLC c/o CT Corporation System, 160 Mine Lake Ct, Ste 200, Raleigh, NC 27615
(Name of person to whom the subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Exhibit A attached

| | |
|---|---------------------------------------|
| PLACE K&L Gates LLP 300 S. Tryon St., Suite 1000 Charlotte, NC 28202 | DATE AND TIME May 31, 2024 by 5 PM |
|---|---------------------------------------|

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

| | |
|-------|---------------|
| PLACE | DATE AND TIME |
|-------|---------------|

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: May 17, 2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Clare M. Maisano
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party) Aldrich Pump LLC, et al., who issues or requests this subpoena, are:

Clare M. Maisano, Evert Weathersby Houff, 111 South Calvert St., Suite 1910, Baltimore, MD 21202, cmmaisano@ewhlaw.com, (443) 573-8507

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...
(g) Contempt. The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

1. “*Claimants*” shall mean, collectively, the individuals identified on Schedule 1 to this Exhibit, each of whom either (a) resolved a mesothelioma claim asserted against Aldrich Pump LLC, Old IRNJ, Murray Boiler LLC, or Old Trane, and is identified on Exhibit A to the *Agreed Order with Respect to Resolved Claims Sampling for Purposes of Estimation Discovery* [Dkt. 2048], or (b) has a Pending Claim, as defined below, against Aldrich Pump LLC, Old IRNJ, Murray Boiler LLC, or Old Trane.
2. “*Aldrich*” shall mean Aldrich Pump LLC.
3. “*Old IRNJ*” shall mean the former Ingersoll Rand Company.
4. “*Murray*” shall mean Murray Boiler LLC.
5. “*Old Trane*” shall mean the former Trane U.S. Inc.
6. “*The Debtors*” shall mean, collectively, Aldrich Pump LLC and Murray Boiler LLC.
7. “*Pending Claim*” shall mean an asbestos claim described in any proof of claim form filed by a claimant against Aldrich, Old IRNJ, Murray, or Old Trane, which proof of claim was not subsequently withdrawn.
8. “*DBMP*” shall mean DBMP LLC.
9. “*Old CT*” shall mean the former CertainTeed Corporation.
10. “*Claims Data*” shall mean all electronic information and data contained in DBMP’s/Old CT’s PACE claims database within DBMP’s possession, custody, or control whose purpose is or was to track mesothelioma claims asserted against DBMP or Old CT before the Petition Date.
11. “*DBMP Claim*” shall mean a mesothelioma claim asserted against DBMP or Old CT, or for which DBMP or Old CT was alleged to be responsible, before the Petition Date.

12. “*Injured Party*” shall mean the injured party diagnosed with mesothelioma related to a DBMP Claim.

13. “*Related Party*” shall mean an individual who is not the Injured Party but who is asserting a DBMP Claim based on or derived from the Injured Party’s mesothelioma, either in a representative capacity (*e.g.*, the personal representative of the Injured Party’s estate suing for the Injured Party’s injuries), or in an independent capacity (*e.g.*, a family member suing for his or her own losses based on the alleged personal injury to or wrongful death of the Injured Party).

14. “*Petition Date*” shall mean January 23, 2020, the date when DBMP commenced a chapter 11 bankruptcy case, Case No. 20-30080, in the United States Bankruptcy Court for the Western District of North Carolina.

15. To the extent any Claims Data are not produced on the basis of a claim of privilege or immunity:

(a) submit a list identifying such Claims Data or nature of such Claims Data not produced in a manner that, without revealing the data or information itself privileged or protected, will enable other parties to assess the claimed privilege or immunity;

(b) identify the basis for the privilege (including work product) that is being claimed; and

(c) identify each person having knowledge of the factual basis, if any, on which the claim of privilege or immunity is based.

16. The Debtors will deem the information produced in response to this subpoena “confidential” pursuant to the *Agreed Protective Order Governing Confidential Information* [Dkt. 345].

ELECTRONIC INFORMATION TO BE PRODUCED PURSUANT TO SUBPOENA

1. Fields containing the following Claims Data for each DBMP Claim asserted by an Aldrich/Murray Claimant (to the extent they exist):

- Law firm(s) representing Injured Party or any Related Party
- Jurisdiction and state in which claim was filed
- Claim status (*e.g.*, settled, dismissed, plaintiff verdict, defense verdict, settled pending payment, open, etc.)
- Date of resolution (if applicable)
- Date(s) on which settlement or judgment was paid (if applicable)
- Exposure-related information for Injured Party, including fields reflecting the following data:
 - Date(s) exposure(s) began
 - Date(s) exposure(s) ended
 - Manner of exposure
 - Location of exposure
 - Occupation and industry when exposed
 - Products to which Injured Party was exposed

RESPONSE: