

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re

ALDRICH PUMP LLC, *et al.*,

Debtors.¹

Chapter 11

Case No. 20-30608 (LMJ)

(Jointly Administered)

**THE FUTURE ASBESTOS CLAIMANTS' REPRESENTATIVE'S
RESPONSE TO THE BANKRUPTCY ADMINISTRATOR'S
MOTION TO MODIFY ORDER ESTABLISHING MEDIATION PROTOCOL**

Joseph W. Grier, III, the representative for future asbestos claimants in the above-captioned cases (the “FCR”), through counsel, hereby files this *Response* to the Bankruptcy Administrator’s (the “BA”) *Motion to Modify Order Establishing Mediation Protocol* (the “Mediation Motion”).²

The FCR fully supports any mediation efforts in this case. That said, the FCR respectfully submits that a hearing on the Mediation Motion would best be scheduled after: (i) the Court has determined what, if any, measures are warranted regarding concerns as to the ACC’s governance identified by the Court in its *Order Continuing Hearing on Motion for Bankruptcy Rule 2004 Examination and Requesting Appearance and Assistance of Bankruptcy Administrator* (the “2004 Order”)³; and (ii) the Court has heard and ruled on the FCR’s motion, to be filed shortly, seeking to schedule a streamlined estimation trial for spring 2026.

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 Dkt. No. 2887.

³ Dkt. 2881.



The FCR notes that Judge Whitley ordered mediation three years ago at the urging of both the FCR and the BA and over the objection of the ACC.⁴ No committee members participated in the prior mediation, however, and the record before the Court suggests they may not have been aware it was taking place or, critically, that the Debtors have proposed and funded a \$545 million asbestos trust.

In the FCR's view, this case could potentially benefit from further attempts to mediate once the ACC has been reformatted and questions as to governance issues going forward have been addressed. A reconstituted ACC that fully understands its role as a fiduciary for current claimants and is prepared to negotiate in good faith *could* reach an agreement with the Debtors and the FCR that would resolve this case. Even short of that, the parties would have the opportunity to gain a better understanding of their respective positions and potentially narrow the issues regardless of whether they reach a settlement. Likewise, a ruling on the FCR's coming motion for an order scheduling a streamlined estimation trial for spring 2026 can be expected to provide an alternative framework for the parties' discussion in mediation.

For these reasons, the FCR respectfully requests that the Court continue the hearing on the Mediation Motion, without prejudice, until after entry of any order addressing governance and oversight issues with respect to the ACC and after the Court has heard and decided the FCR's coming motion for a streamlined estimation trial for spring 2026.

⁴ *Order Directing Parties to Mediation and Scheduling Further Hearing*, Dkt. 1440.

WHEREFORE, the FCR prays that the Court will enter an Order continuing the hearing on the Mediation Motion, without prejudice, pending further orders regarding ACC governance and oversight and the FCR's coming motion for a streamlined estimation trial in spring 2026; and granting such further relief as is just and proper.

Dated: November 17, 2025

Charlotte, North Carolina

Respectfully submitted,

/s/ A. Cotten Wright

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