

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 BAR DATE FOR CERTAIN MESOTHELIOMA CLAIMS

On April 4, 2022, the United States Bankruptcy Court for the Western District of North Carolina (the "Court") entered an order (the "Bar Date Order") in the above captioned chapter 11 cases establishing a claims bar date for certain asbestos-related claims. Pursuant to the Bar Date Order, the Court has established **July 29, 2022** (the "Prepetition Mesothelioma Claims Bar Date") as the date by which holders of Prepetition Mesothelioma Claims (as defined below) are required to submit a proof of claim to avoid the potential consequences set forth in paragraph 10 of the Bar Date Order and described herein.

**WHO MUST SUBMIT A PROOF OF CLAIM
FORM BY THE PREPETITION MESOTHELIOMA CLAIMS BAR DATE**

The Bar Date Order requires claimants asserting Prepetition Mesothelioma Claims to submit proofs of claim by the Prepetition Mesothelioma Claims Bar Date. "**Prepetition Mesothelioma Claims**" include all claims against the Debtors asserted in a lawsuit prior to June 18, 2020 (the "Petition Date") for mesothelioma relating in any way to asbestos or asbestos-containing products for which the Debtors or their predecessors-in-interest, including the former Ingersoll-Rand Company, a New Jersey corporation ("Old IRNJ") and Trane U.S. Inc. ("Old Trane") are alleged to be responsible; provided, however, that Prepetition Mesothelioma Claims do not include asbestos-related claims for which the exclusive remedy is provided under workers' compensation statutes and similar laws; provided, further, that for law firms party to an agreement establishing a structure for either Debtor, Old IRNJ, or Old Trane to resolve claims against them without being named as a defendant in a lawsuit in the tort system, the Prepetition Mesothelioma Claims Bar Date applies to all mesothelioma claims governed by said agreement and for which, pursuant to said agreement, statutes of limitation have been tolled by the filing of an asbestos related lawsuit against any entity in the tort system prior to June 18, 2020 (the "Settlement Agreement Claims").

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.



WHO DOES NOT NEED TO SUBMIT A PROOF OF CLAIM FORM AT THIS TIME

The Prepetition Mesothelioma Claims Bar Date does not apply to any claim or demand against, or interest in, the Debtors other than Prepetition Mesothelioma Claims including, without limitation: (a) non-asbestos-related claims, (b) asbestos-related claims on account of diagnoses other than mesothelioma, (c) asbestos-related claims for which the exclusive remedy is provided under workers' compensation statutes and similar laws, and (d) claims against one or both of the Debtors based on, arising out of, or related to asbestos-related injury, disease, or death that either (i) except for any Settlement Agreement Claims, had manifested, become evident, or been diagnosed as of the Petition Date, but for which a claim had not been asserted against one or both of the Debtors as of the Petition Date, or (ii) had not manifested, become evident, or been diagnosed as of the Petition Date.

PROCEDURES FOR SUBMITTING PROOFS OF CLAIM

As further described below, claimants asserting Prepetition Mesothelioma Claims must complete and submit a proof of claim form substantially in the form attached to the Bar Date Order as Exhibit 1 (each, a "Prepetition Mesothelioma Claim Form"). To avoid the potential consequences set forth in paragraph 10 of the Bar Date Order, holders of Prepetition Mesothelioma Claims must complete their Prepetition Mesothelioma Claim Forms and either (i) submit them electronically through the electronic claims filing system maintained by Kurtzman Carson Consultants LLC ("KCC"), the Debtors' claims and noticing agent, available at <https://epoc.kccllc.net/PrepetitionMesotheliomaClaim> (the "Claims Website"), **by no later than 5:00 p.m. (prevailing Eastern time) on the Prepetition Mesothelioma Claims Bar Date** or (ii) send them to KCC so as to be actually received **by no later than 5:00 p.m. (prevailing Eastern time) on the Prepetition Mesothelioma Claims Bar Date** at the following address:

**Aldrich Claims Processing Center
c/o KCC
222 N. Pacific Coast Highway, Suite 300
El Segundo, CA 90245**

An electronic signature on a Prepetition Mesothelioma Claim Form submitted through the Claims Website will be treated as equivalent to a physical signature.

Any Prepetition Mesothelioma Claim Form submitted by facsimile or electronic mail will not be accepted.

If you submit a Prepetition Mesothelioma Claim Form electronically, you will be provided with a date and time-stamped copy of the submitted Prepetition Mesothelioma Claim Form on the Claims Website that you can print or download, which confirms receipt by KCC. If you want to receive acknowledgement of KCC's receipt of a Prepetition Mesothelioma Claim Form submitted by mail, you must submit by the Prepetition Mesothelioma Claims Bar Date and concurrently with submitting your original Prepetition Mesothelioma Claim Form (a) a copy of the original form and (b) a self-addressed, postage prepaid return envelope.

THE REQUIREMENT TO SUBMIT A PERSONAL INJURY QUESTIONNAIRE

The Bar Date Order further provides that every claimant who completes and submits a Prepetition Mesothelioma Claim Form on account of a Prepetition Mesothelioma Claim will be required to complete and submit a personal injury questionnaire (the "Questionnaire"). The precise form and the deadlines and requirements for completion and submission of Questionnaires will be established by and set forth in a subsequent Order of the Court.

FILING PROOFS OF CLAIM AGAINST BOTH DEBTORS; REQUIREMENT TO IDENTIFY DEBTOR

Claimants asserting Prepetition Mesothelioma Claims against one or both Debtors are required to submit only one Prepetition Mesothelioma Claim Form but must identify in such Prepetition Mesothelioma Claim Form whether the claim is against Aldrich, Murray, or both Debtors.

EFFECT OF FAILURE TO FILE A PROOF OF CLAIM

PURSUANT TO PARAGRAPH 10 OF THE BAR DATE ORDER, ANY HOLDER OF A PREPETITION MESOTHELIOMA CLAIM WHO FAILS TO FILE A PROOF OF CLAIM WITH RESPECT TO SUCH PREPETITION MESOTHELIOMA CLAIM IN ACCORDANCE WITH THE BAR DATE ORDER BY THE PREPETITION MESOTHELIOMA CLAIMS BAR DATE SHALL BE SUBJECT TO SUCH LEGAL CONSEQUENCES AS THE BANKRUPTCY CODE MAY PRESCRIBE OR PERMIT, WHICH MAY INCLUDE DISALLOWANCE OF THE UNTIMELY FILED PREPETITION MESOTHELIOMA CLAIM AND THE BARRING, ESTOPPING, AND ENJOINING OF SUCH HOLDER FROM (A) ASSERTING ANY PREPETITION MESOTHELIOMA CLAIM AGAINST THE DEBTORS (OR AGAINST ANY ENTITY THAT, PURSUANT TO ANY PLAN OF REORGANIZATION, ASSUMES LIABILITY FOR PREPETITION MESOTHELIOMA CLAIMS), (B) VOTING TO ACCEPT OR REJECT ANY PLAN OR PLANS OF REORGANIZATION, (C) PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CHAPTER 11 CASES ON ACCOUNT OF SUCH PREPETITION MESOTHELIOMA CLAIM (INCLUDING RECEIVING ANY PAYMENT FROM AN ASBESTOS TRUST FORMED IN THE DEBTORS' CHAPTER 11 CASES ON ACCOUNT OF SUCH PREPETITION MESOTHELIOMA CLAIM), OR (D) RECEIVING FURTHER NOTICES REGARDING SUCH PREPETITION MESOTHELIOMA CLAIM. FOR THE AVOIDANCE OF DOUBT, NOTHING IN THE BAR DATE ORDER EXPANDS THE OTHERWISE APPLICABLE CONSEQUENCES OF FAILING TO FILE A PROOF OF CLAIM BY THE PREPETITION MESOTHELIOMA CLAIMS BAR DATE.

ADDITIONAL INFORMATION

If you require additional information regarding the filing of a proof of claim, you may contact KCC at (866) 573-9926 or visit the Claims Website at <https://epoc.kcellc.net/PrepetitionMesotheliomaClaim>. You also may contact KCC by email at aldrichinfo@kcellc.com or by writing to 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245 (Attn: Aldrich Claims Processing Center). Additional copies of the Prepetition Mesothelioma Claim Form may be obtained by calling KCC or by downloading the Prepetition Mesothelioma Claim Form from the Claims Website.

RESERVATION OF RIGHTS

The Debtors reserve the right to (a) dispute, or to assert offsets, defenses, or counterclaims against, any claim for which a proof of claim is filed as to nature, amount, liability, classification, or otherwise; and (b) subsequently designate any claim as disputed, contingent, or unliquidated. Nothing contained in this Notice shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

Dated: April 4, 2022

BY ORDER OF THE COURT

/s/ A. Cotten Wright

A. Cotten Wright (State Bar No. 28162)
GRIER WRIGHT MARTINEZ, PA
521 E Morehead Street, Suite 440
Charlotte, NC 28202
Telephone: (704) 332-0207
Facsimile: (704) 332-0215
Email: cwright@grierlaw.com

/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: r-rayburn@rcdlaw.net
jmiller@rcdlaw.net

-and-

-and-

Jonathan P. Guy, Esq.
Debbie L. Felder, Esq.
ORRICK, HERRINGTON & SUTCLIFFE LLP
1152 15th Street, N.W.
Washington, D.C. 20005
Telephone: (202) 339-8400
Facsimile: (202) 339-8500
Email: jguy@orrick.com
dfelder@orrick.com
(Admitted *pro hac vice*)

Brad B. Erens (IL Bar No. 06206864)
Mark A. Cody (IL Bar No. 6236871)
Caitlin K. Cahow (IL Bar No. 6317676)
JONES DAY
77 West Wacker
Chicago, Illinois 60601
Telephone: (312) 782-3939
Facsimile: (312) 782-8585
E-mail: bberens@jonesday.com
macody@jonesday.com
ccahow@jonesday.com
(Admitted *pro hac vice*)

COUNSEL FOR JOSEPH W. GRIER, III,
FUTURE CLAIMANTS' REPRESENTATIVE

-and-

Gregory M. Gordon (TX Bar No. 08435300)
JONES DAY
2727 N. Harwood Street
Dallas, Texas 75201
Telephone: (214) 220-3939
Facsimile: (214) 969-5100
E-mail: gmgordon@jonesday.com
(Admitted *pro hac vice*)

-and –

C. Michael Evert, Jr.
EVERT WEATHERSBY HOUFF
3455 Peachtree Road NE, Suite 1550
Atlanta, Georgia 30326
(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTORS
AND DEBTORS IN POSSESSION