

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested in the Motion, or if you want the Court to consider your views on the Motion, then, by **July 30, 2024** (the “Response Deadline”), you or your attorney must:

- File with the Court, either electronically or at the address shown below, a written response to the Motion pursuant to Rule 9013-1(H) of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia and the Case Management Procedures. If you mail your written response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the Response Deadline.

If a response is not properly and timely filed and served, the Court may deem any opposition waived, treat the Motion as conceded and enter appropriate orders granting the requested relief without further notice or hearing.

Clerk of the Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219

In accordance with the Case Management Procedures, you must also serve a copy of your written response on the Debtor so that the response is received on or before the Response Deadline.

- Attend the hearing before the Honorable Keith L. Phillips, United States Bankruptcy Judge, at **10:00 a.m. (prevailing Eastern Time) on August 6, 2024**, in Courtroom 5100 of the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, 701 East Broad Street, 5th Floor, Richmond, Virginia 23219.

PLEASE TAKE FURTHER NOTICE that you should consult the Case Management Procedures before filing any written response to the Motion.

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Dated: July 10, 2024
Richmond, Virginia

/s/ Henry P. (Toby) Long, III

Tyler P. Brown (VSB No. 28072)

Henry P. (Toby) Long, III (VSB No. 75134)

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Proposed Counsel for Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:	:	Chapter 11
	:	
HOPEMAN BROTHERS, INC.,	:	Case No. 24-32428 (KLP)
	:	
Debtor.	:	
	:	

**MOTION OF THE DEBTOR FOR ENTRY OF AN ORDER
(I) ESTABLISHING PROCEDURES TO SCHEDULE HEARINGS TO
CONSIDER THE INSURER SETTLEMENT MOTIONS; (II) APPROVING THE FORM
AND MANNER OF NOTICE THEREOF; AND (III) GRANTING RELATED RELIEF**

Hopeman Brothers, Inc., the debtor and debtor in possession in the above-captioned chapter 11 case (the “Debtor”), respectfully represents as follows in support of this motion (the “Motion”):

PRELIMINARY STATEMENT

1. By this Motion, the Debtor seeks approval of (i) the form and manner of noticing:
 - (a) the *Motion of the Debtor for Entry of an Order (I) Approving the Settlement Agreement and Release Between the Debtor and the Chubb Insurers; (II) Approving the Assumption of the Settlement Agreement and Release Between the Debtor and the Chubb Insurers; (III) Approving the Sale of Certain Insurance Policies; (IV) Issuing an*

Injunction Pursuant to the Sale of Certain Insurance Policies; and (V) Granting Related Relief (the “Chubb Insurers Settlement Motion”) [Docket No. 9];

(b) the *Motion of the Debtor for Entry of an Order (I) Approving the Settlement Agreement and Release Between the Debtor and Certain Settling Insurers; (II) Approving the Sale of Certain Insurance Policies; (III) Issuing an Injunction Pursuant to the Sale of Certain Insurance Policies; and (IV) Granting Related Relief* (the “Certain Settling Insurers Settlement Motion”) [Docket No. 53]; and

(c) any other motions to be filed by the Debtor during the pendency of this chapter 11 case seeking Court approval of settlement agreements entered into between the Debtor and the various insurance companies (the “Insurers”) that issued the Debtor insurance policies related to the Debtor’s asbestos-related liabilities (together with the Chubb Insurers Settlement Motion and the Certain Settling Insurers Settlement Motion, the “Insurer Settlement Motions”);

and (ii) establishing procedures for setting hearings for the Court’s consideration of the Insurer Settlement Motions and parties’ related objection and response deadlines.

2. The Debtor hopes, through the commencement of this chapter 11 case, to establish an efficient and fair process to address the thousands of presently pending and likely-to-be filed personal injury and wrongful death claims resulting from alleged exposure to asbestos fibers contained in marine interior materials included within joiner packages provided by the Debtor in connection with its legacy ship joining business (collectively, the “Asbestos-Related Claims”). As explained in further detail in the First Day Declaration (defined below), prepetition, the Debtor primarily funded its defense and resolution of the Asbestos-Related Claims by drawing upon available coverage from its liability insurance program as well as the

debtor's cash on hand. After years of Hopeman covering the shortfall in insurance proceeds for its defense costs and claims payments in connection with the Asbestos-Related Claims, the Debtor's cash position has dwindled and the Debtor has reached a point where its traditional methods of reconciling the Asbestos-Related Claims are no longer economically feasible.

3. Through the Insurer Settlement Motions, the Debtor seeks entry of an order approving the applicable settlement agreements entered into between the Debtor, on the one hand, and the applicable Insurers, on the other hand. These settlement agreements are the products of extensive, good faith, arms-length negotiations among the Debtor and the applicable Insurers and, if approved, will provide substantial monetary contributions towards payment of valid Asbestos-Related Claims asserted against the Debtor, in exchange for certain Insurer releases and injunctions. For example, and as described further in the Chubb Insurers Settlement Motion, if approved by this Court, the underlying settlement agreement will monetize the applicable insurance policies in the aggregate amount of \$31,500,000, and these settlement proceeds will be transferred to the liquidation trust (the "Liquidation Trust") to be established pursuant to the terms of the Debtor's proposed plan of liquidation (the "Plan", which the Debtor anticipates filing in the near term). Similarly, if the Certain Settling Insurers Settlement Motion is approved by this Court, the underlying settlement agreement will monetize the applicable insurance policies in the aggregate amount of \$18,395,011, and such settlement proceeds will be transferred to the Liquidation Trust. The Liquidation Trust will then use these collective proceeds in accordance with the terms of the Plan, including to pay the Asbestos-Related Claims that the liquidation trustee determines are valid and payable pursuant to the terms of the Trust Distribution Procedures that will be attached to the Plan.

4. The Debtor anticipates that there may be additional settlement motions related to other insurance policies filed during this chapter 11 case seeking approval of settlement agreements that will provide for similar terms to those set forth in the Insurer Settlement Motions, thereby further improving the recoveries to claimants with valid, payable Asbestos-Related Claims in accordance with the terms of the Plan and the Trust Distribution Procedures. Because the settlement payments contemplated by the proposed settlement agreements are likely to be the most substantial assets the Debtor will have available to transfer to the Liquidation Trust pursuant to the Plan, the Debtor desires to obtain this Court's approval of its provision of notice to parties in interest concerning the Insurer Settlement Motions in advance of any approval hearings.

5. Further, given the considerable number of Asbestos-Related Claims presently known and asserted against the Debtor, in addition to those Asbestos-Related Claims currently unknown but likely to be asserted against the Debtor or the Liquidation Trust proposed in the Plan, and considering that these claimants potentially have an interest in the coverage provided to the Debtor by the Insurers, the relief requested herein is critical to ensure that all parties-in-interest receive adequate notice and an opportunity to be heard in connection with approval of the settlement agreements pursuant to the Insurer Settlement Motions.

RELIEF REQUESTED

6. The Debtor hereby seeks entry of an order:
- (a) Establishing procedures for scheduling hearings to consider the Insurer Settlement Motions, which may be filed at different times throughout the pendency of this chapter 11 case;
 - (b) approving the form and manner of notice thereof; and
 - (c) granting related relief.

7. A proposed form of order granting the relief requested herein is annexed hereto as **Exhibit A** (the “Proposed Order”).

JURISDICTION AND VENUE

8. The United States Bankruptcy Court for the Eastern District of Virginia (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334, and the *Standing Order of Reference from the United States District Court for the Eastern District of Virginia*, dated August 15, 1984. This is a core proceeding pursuant to 28 U.S.C. § 157, and the Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

9. The bases for the relief requested herein are section 105 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), rules 2002, 6004, 6006, 9007, and 9008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rule 2002-1 and 6004-2 of the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the “Bankruptcy Local Rules”).

BACKGROUND

10. On June 30, 2024 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in this Court commencing this chapter 11 case.

11. The Debtor continues to manage its business as debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. No trustee, examiner, or statutory committee has been appointed in this chapter 11 case.

12. Additional information regarding the Debtor’s business and the circumstances leading to the commencement of this chapter 11 case is set forth in detail in the *Declaration of Christopher Lascell in Support of Chapter 11 Petition and First Day Pleadings of Hopeman Brothers, Inc.* (the “First Day Declaration”) [Docket No. 8] and is fully incorporated herein by

reference. Furthermore, additional information in support of each Insurer Settlement Motion is set forth therein respectively and is fully incorporated herein by reference.

BASIS FOR RELIEF

13. Given the substantial number of parties that potentially have an interest in the Insurer Settlement Motions and the importance to the Debtor of approval of the Insurer Settlement Motions to obtain the respective settlement amounts to be in a position to contribute those amounts to the proposed Liquidation Trust, the Debtor believes that entry of a procedures order scheduling hearing dates and objection deadlines, and establishing notice procedures for known and unknown claimants, is appropriate in these circumstances.

A. The Court Should Establish Procedures to Schedule Hearings and Set Briefing Deadlines For The Insurer Settlement Motions.

14. The Debtor respectfully requests that the Court establish the following deadlines and procedures relating to approval of the Insurer Settlement Motions:

- a. The Court will hold a hearing on one or more Insurer Settlement Motions¹ on a date that is at least fourteen (14) days following the date the Debtor provides notice required by these procedures of the filing of such motion(s) (each, an “Approval Hearing”). An Approval Hearing may be adjourned from time to time by the Court or the Debtor without further notice other than adjournments announced in open court.
- b. Objections, if any, to one or more of the Insurer Settlement Motions must (i) be in writing, (ii) set forth in detail the name and address of any party filing the objection, the grounds for the objection, any relevant and admissible evidence in support of the objection, and the amount of the objector’s claims or such other grounds that give the objector standing to assert the objection, (iii) be filed with the Court, and (iv) served on the following parties so as to be actually received on or before 4:00 p.m. (prevailing Eastern Time) on a date to be determined by the Court that is at least seven (7) days prior to the Approval Hearing on the Insurer Settlement Motion: (i) the U.S. Trustee, the Office of the United States

¹ To the extent the Debtor files more than one Insurer Settlement Motion on or around the same date, the Debtor submits that scheduling such motions for the same hearing date and time promotes judicial economy and the preservation of the Debtor’s limited resources.

Trustee for the Eastern District of Virginia, 701 East Broad Street, Suite 4304, Richmond, VA 23219, Attn: Kathryn R. Montgomery, email: kathryn.montgomery@usdoj.gov; (ii) proposed counsel to the Debtor, Hunton Andrews Kurth LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219, Attn: Tyler P. Brown and Henry P. (Toby) Long, III, email: tpbrown@huntonAK.com and hlong@huntonAK.com; (iii) proposed counsel to the Debtor, Hunton Andrews Kurth LLP, 600 Travis Street, Suite 4200, Houston, Texas, Attn: Joseph P. Rovira and Catherine A. Rankin, email: josephrovira@huntonAK.com and crankin@huntonAK.com; and (v) the attorneys for any official committee of unsecured creditors. Any objection not properly and timely filed and served shall be deemed to be waived and to be a consent to the entry of an order approving the Insurer Settlement Motion.

- c. The deadline for the Debtor and/or the applicable settling Insurers to file replies or a consolidated reply to any objections to the Insurer Settlement Motions shall be on or before 12:00 p.m. (prevailing Eastern Time) on the date that is at least one business day before the scheduled Approval Hearing.

15. The Debtor submits that the proposed dates for the deadlines for objecting to the Insurer Settlement Motions and for responding to such objections, and the related procedures set forth in this Motion, are reasonable and appropriate under the circumstances.

B. The Form, Manner, And Scope Of The Proposed Mailed And Published Approval Hearing Notices Are Reasonable And Appropriate.

16. Bankruptcy Rule 2002(a) requires the Debtor to provide at least twenty-one days' notice by mail of (i) a proposed use, sale, or lease of property of the estate other than in the ordinary course of business and (ii) the hearing on approval of the compromise or settlement of a controversy. Fed. R. Bankr. P. 2002(a).

17. The Debtor will provide notice of the time fixed for filing objections to an Insurer Settlement Motion and the Approval Hearing thereon, substantially in the form attached hereto as **Exhibit B** (the "Insurer Settlement Notice"), to the following entities (collectively, the "Notice Parties"): (i) the Office of the United States Trustee; (ii) counsel to any official committee appointed in this Chapter 11 Case; (iii) all persons or entities known to the Debtor to

have a claim against it or the Debtor's estate through participating in this Chapter 11 Case, filing a lawsuit, filing a proof of claim, or otherwise asserting a claim (or to his, her, or its counsel of record if known to the Debtor); (iv) all persons or entities known by the Debtor that are entitled or allegedly entitled to insurance coverage under the Chubb Insurers' policies, including additional insureds and named insureds; (v) all persons or entities known by the Debtor that are entitled or allegedly entitled to insurance coverage under the Certain Settling Insurers' policies, including additional insureds and named insureds; (vi) all persons or entities known to have provided general liability insurance to Debtor; (vii) all persons or entities identified on the master service list established in this Chapter 11 Case; and (viii) all parties that have requested or that are required to receive notice pursuant to Bankruptcy Rule 2002.

18. With respect to holders of Asbestos-Related Claims, an Insurer Settlement Notice will be served by mail on their counsel of record (with a single notice to any counsel of record who represents multiple holders of Asbestos-Related Claims constituting notice to all that counsel's clients who hold Asbestos-Related Claims) and at the address for any holder of an Asbestos-Related Claim supplied by counsel of record (but only if such counsel supplies such address and requests in writing that service be made thereto).² With respect to all other known claimants, the Insurer Settlement Notice will be mailed to the last known address in the Debtor's books and records or on a filed proof of claim.

19. The Insurer Settlement Notice will be mailed on or before a date that is not less than twenty-one (21) days prior to the hearing on an Insurer Settlement Motion. Accordingly,

² The Debtor filed and obtained Court approval of its *Motion of the Debtor for Entry of an Order (I) Authorizing the Listing of Addresses of Counsel for Personal Injury Claimants in the Creditor Matrix in Lieu of Claimants' Addresses; (II) Approving Notice Procedures for Such Claimants; and (III) Granting Related Relief* [Docket No. 6]. The Order approving of that motion authorizes the Debtor, among other things, to serve all notices, mailings and other communications that are required to be served in this bankruptcy case on the claimants asserting Asbestos-Related Claims against the Debtor on such claimants respective counsel. [Docket No. 32].

the Insurer Settlement Notice should be considered adequate and sufficient notice under Bankruptcy Rule 2002.

20. Bankruptcy Rule 2002(1) permits the Court to order “notice by publication if it finds that notice by mail is impracticable or that it is desirable to supplement the notice.” Fed. R. Bankr. P. 2002(1). Further, Local Bankruptcy Rule 2002-1 prescribes the place and time of publication for cases in each Division in the Eastern District of Virginia. Bankr. L. R. 2002-1 (providing that for proceedings in Richmond, all notices requiring advertisement shall be “published at least once” in the *Richmond Times-Dispatch* and must be published “at least 7 days prior to requiring any action”).

21. In addition to mailing the Insurer Settlement Notice to the Notice Parties, the Debtor will cause the Insurer Settlement Notice to be published once in the *Richmond Times-Dispatch*, as well as in one or more of the national edition of *USA Today*, *The Wall Street Journal National Edition*, or *The New York Times* and *The Times-Picayune/New Orleans Advocate* on or before a date not less than twenty-one (21) days prior to the hearing and, again, on or before a date not less than fourteen (14) days in advance of the hearing.

22. Publication of the Insurer Settlement Notice will provide for as wide a distribution of the Insurer Settlement Notice as is reasonable and practicable under the circumstances of this chapter 11 case. Publication of the Insurer Settlement Notice also complies with the requirements of the due process clause of the Fifth Amendment to the United States Constitution as construed by the Supreme Court in *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950). Due process requires that the notice provided to such persons be “reasonably calculated, under all circumstances, to apprise [them] of the pendency of the action and afford them the opportunity to present their objections.” *Id.* at 314; *see, e.g., Mullane v. Cent. Hanover*

Bank & Trust Co., 339 U.S. 306, 317 (1950) (notice is required to parties whose names and addresses are “reasonably ascertainable”); *Tulsa Prof'l Collection Serv., Inc. v. Pope*, 485 U.S. 478, 490 (1988) (if names and addresses are available, notice must be mailed, whereas publication notice is allowed if it is not “reasonably possible or practicable to give more adequate warning”); *Zurich Am. Ins. Co. v. Tessler (In re J.A. Jones, Inc.)*, 492 F.3d 242, 249 (4th Cir. 2007). If a creditor is known to the debtor, due process requires that the debtor take reasonable steps, such as direct mailing, to provide actual notice of the deadline for submitting proofs of claim. *See id.* However, if a creditor is unknown to the debtor, due process requires only that the debtor take reasonable steps, such as notice by publication, to provide constructive notice of the deadline for submitting proofs of claim. *Id.* at 249-50.

23. The Debtor submits that publication of the Insurer Settlement Notice in the newspapers identified above is sufficient to provide due process to unknown claimants.

24. Accordingly, the Court should approve the form and scope of, and the manner of providing, the Insurer Settlement Notice. *See* Fed. R. Bankr. P. 9007 (“When notice is to be given under these rules, the court shall designate . . . the form and manner in which the notice shall be given.”); Fed. R. Bankr. P. 9008 (allowing the court to “determine the form and manner” of publication notice).

NOTICE

25. Notice of this Motion will be given to: (a) the Office of the United States Trustee for the Eastern District of Virginia; (b) the 20 law firms with the largest number of asbestos personal injury claims currently pending against the Debtor; (c) the 20 law firms that represent clients with, collectively, the largest unpaid settlement amounts; (d) counsel to the Chubb Settling Insurers; (e) counsel to the Certain Settling Insurers that are parties to the settlement agreement that is the subject of the Certain Settling Insurers Settlement Motion; and (f) all

parties that have requested or that are required to receive notice pursuant to Bankruptcy Rule 2002. The Debtor submits that, under the circumstances, no other or further notice is required.

NO PRIOR REQUEST

26. No previous request for the relief sought herein has been made to this Court or any other court.

WHEREFORE, the Debtor respectfully requests that the Court enter the Proposed Order granting the relief requested in this Motion and such other and further relief as may be just and proper.

Dated: July 10, 2024
Richmond, Virginia

/s/ Henry P. (Toby) Long, III

Tyler P. Brown (VSB No. 28072)

Henry P. (Toby) Long, III (VSB No. 75134)

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Proposed Counsel for the Debtor and Debtor in Possession

Exhibit A

Proposed Order

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Proposed Counsel for Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re: :
 : **Chapter 11**
 :
HOPEMAN BROTHERS, INC., : **Case No. 24-32428 (KLP)**
 :
 : **Debtor.** :
 :
 :
 :
 :
 :

ORDER (I) ESTABLISHING PROCEDURES TO SCHEDULE HEARINGS TO CONSIDER THE INSURER SETTLEMENT MOTIONS; (II) APPROVING THE FORM AND MANNER OF NOTICE THEREOF; AND (III) GRANTING RELATED RELIEF

Upon the motion (the “Motion”)¹ of the above-captioned debtor in the above-captioned chapter 11 case (the “Debtor”) for entry of an order (this “Order”) (a) scheduling a hearing to consider the Insurer Settlement Motions; (b) approving the form and manner of notice thereof; and (c) granting related relief, all as more fully set forth in the Motion; and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334 and the *Standing Order of Reference from the United States District Court for the Eastern District of Virginia*, dated August 15, 1984; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that

¹ Capitalized terms used but not defined herein have the meanings given to them in the Motion.

the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and the Court having determined that there is good and sufficient cause for the relief granted in this order, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is granted as provided herein.
2. Objections and responses, if any, to an Insurer Settlement Motion must (i) be in writing, (ii) set forth in detail the name and address of any party filing the objection, the grounds for the objection, any relevant and admissible evidence in support of the objection, and the amount of the objector's claims or such other grounds that give the objector standing to assert the objection, (iii) conform to the Bankruptcy Rules and the Bankruptcy Local Rules, (iv) be filed with the Court, and (v) served upon the parties on the master service list established in this chapter 11 case so as to be actually received on or before 4:00 p.m. (prevailing Eastern Time) on a date to be determined by the Court that is at least seven (7) days prior to the Approval Hearing on the Insurer Settlement Motion. Objections or responses not timely filed and served in accordance with the provisions of this Order shall not be considered by the Court and are denied and overruled unless otherwise ordered by the Court.
3. The Debtor and/or the applicable settling Insurers may file and serve replies or a consolidated reply to any objections to an Insurer Settlement Motion on or before 12:00 p.m. (prevailing Eastern Time) on the date that is at least one business day before the scheduled Approval Hearing. The replies or consolidated reply shall be served on the parties on the master

service list for this chapter 11 case and any party not otherwise listed on the master service list that filed an objection to one or more of the Insurer Settlement Motion.

4. A hearing on an Insurer Settlement Motion shall be held on a date that is at least thirty (30) days following the date the Debtor files such motion(s), or as soon thereafter as counsel may be heard, and at least 14 days following the Debtor providing service of the Insurer Settlement Motion as contemplated by this Order, before the Court in Courtroom 5100 at the United States Bankruptcy Court for the Eastern District of Virginia, 701 East Broad Street, Suite 4000, Richmond, VA 23219. The hearing may be adjourned from time to time by the Court or the Debtor without further notice other than adjournments announced in open court.

5. The proposed procedures regarding notice to all parties in interest of an Insurer Settlement Motion, the applicable underlying settlement agreement, and the time, date, and place of the Approval Hearing and for filing objections or responses to an Insurer Settlement Motion, provide due, proper, and adequate notice and comply with Bankruptcy Rule 2002.

6. The proposed form, manner, and scope of the mailed and published Insurer Settlement Notice, substantially in the form as attached to the Motion as **Exhibit B**, constitute good, sufficient, and adequate notice on all interested parties, including known and unknown claimants, and comply with due process. Such notice is being provided by means reasonably calculated to reach all interested persons, reasonably conveys all the required information to inform all persons affected thereby, and provides a reasonable time for a response and an opportunity to object to the relief requested. No other or further notice is necessary.

7. The Debtor is authorized to make any non-substantive changes to the Insurer Settlement Notice without further order of the Court, including, without limitation, filling in any missing dates or other missing information and changes to correct typographical, grammatical,

and/or formatting errors or omissions prior to mailing or publishing the Insurer Settlement Notice.

8. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and/or interpretations of this Order.

Dated: _____, 2024
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/ Henry P. (Toby) Long, III

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Henry P. (Toby) Long, III (VSB No. 75134)
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Proposed Counsel for the Debtor and Debtor in Possession

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Henry P. (Toby) Long III
Henry P. (Toby) Long III

Exhibit B

Insurer Settlement Notice

5. **Objections to Insurer Settlement Motion.** Objections, if any, to the Insurer Settlement Motion must: (i) be in writing, (ii) set forth in detail the name and address of any party filing the objection, the grounds for the objection, any relevant and admissible evidence in support of the objection, and the amount of the objector's claims or such other grounds that give the objector standing to assert the objection, (iii) be filed with the Court, and (v) served on the following parties so as to be actually received on or before **by 4:00 p.m. (prevailing Eastern Time)**: (i) the U.S. Trustee, the Office of the United States Trustee for the Eastern District of Virginia, 701 East Broad Street, Suite 4304, Richmond, VA 23219, Attn: Kathryn R. Montgomery, email: kathryn.montgomery@usdoj.gov; (ii) proposed counsel to the Debtor, Hunton Andrews Kurth LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219, Attn: Tyler P. Brown and Henry P. (Toby) Long, III, email: tpbrown@huntonAK.com and hlong@huntonAK.com; (iii) proposed counsel to the Debtor, Hunton Andrews Kurth LLP, 600 Travis Street, Suite 4200, Houston, Texas, Attn: Joseph P. Rovira and Catherine A. Rankin, email: josephrovira@huntonAK.com and crankin@huntonAK.com; and (iv) the attorneys for any official committee of unsecured creditors. ***If you or your attorney do not timely and properly file an objection, the Bankruptcy Court may conclude that you do not oppose approval of the Insurer Settlement Motion and may enter an order granting the relief requested without further notice or hearing.***

6. **Additional Information.** Copies of the Insurer Settlement Motion and the Insurer Settlement Agreement are available and may be examined (i) at the website maintained for Debtor's bankruptcy case: <https://www.veritaglobal.net/hopeman>, (ii) at the office of the Clerk of the Court, 701 East Broad Street, Suite 4000, Richmond, VA 23219, between the hours of 8:00 a.m. and 3:00 p.m. (prevailing Eastern Time), or (iii) on the Court's electronic docket of these cases at the address <https://www.vaeb.uscourts.gov>.

Dated: [●], 2024

BY ORDER OF THE UNITED STATES BANKRUPTCY COURT