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

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

**LIBERTY’S MOTION FOR EXPEDITED
HEARING CONCERNING LIBERTY’S EMERGENCY
MOTION FOR ENTRY OF PROTECTIVE ORDER**

Liberty Mutual Insurance Company (“Liberty”) seeks entry of an order, substantially in the form attached hereto as Exhibit A (the “Order”), granting an expedited hearing pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure and Rule 9013-1(N) of the Local Rules of Practice of the United States Bankruptcy Court for the Eastern District of Virginia, in connection with *Liberty Mutual Insurance Company’s Assented-to Emergency Motion for Entry of Protective Order* (the “Motion for Protective Order”), which Liberty filed today. Debtor does not oppose Liberty’s request for expedited consideration of its Motion for Protective Order during the hearing scheduled for September 10, 2024 at 10:00 a.m. Liberty respectfully states as follows in support of its Motion for Expedited Hearing:



Expedited Hearing

1. Liberty's Motion for Protective Order, filed herewith, requests entry of a protective order that will maintain the confidentiality of three agreements executed between Hopeman Brothers, Inc. (the "Debtor") and Liberty (collectively, the "Confidential Agreements") and related documents and/or correspondence, while allowing for their use during these Chapter 11 proceedings. *See Motion for Protective Order.*

2. As described in Liberty's Motion for Protective Order, the Confidential Agreements are subject to stringent confidentiality restrictions and reflect commercially sensitive transactions and information. Accordingly, a protective order shielding the Confidential Agreements from public disclosure is warranted. Liberty's Motion for Protective Order attaches a Proposed Protective Order for the Court's consideration. *See Motion for Protective Order, Ex. A.*

3. The Court is set to hear the *Motion of the Debtor for Entry of Interim and Final Orders Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants* (Dkt. No. 7) (the "Stay Motion") during a hearing scheduled for 10:00 a.m. on September 10 (the "September 10 Hearing").

4. As explained in Liberty's Motion for Protective Order, Debtor has represented that it believes the Confidential Agreements are responsive to discovery requests served in connection with its Stay Motion. *See Motion for Protective Order* at ¶¶ 12-16. In addition, Debtor has represented that the Confidential Agreements might be discussed during the September 10 Hearing. *Id.* However, Debtor has been unable to execute confidentiality agreements that would protect the Confidential Agreements during discovery and the September 10 Hearing. *Id.*

5. Accordingly, Liberty requests that this Court adjudicate Liberty's Motion for Protective Order on an expedited basis, in order to prevent the imminent public disclosure of the Confidential Agreements during the September 10 Hearing.

6. Debtor assents to Liberty's Motion for Protective Order and does not oppose Liberty's request that the Court hear Liberty's Motion for Protective Order on an expedited basis during the September 10 Hearing.

Notice Period

7. Liberty hereby requests that the Motion for Protective Order be heard by the Court during the hearing scheduled for September 10 at 10:00 a.m., prevailing Eastern Time.

Notice

8. Notice of this Motion will be provided via first class mail, facsimile or email (where available) to the Service List. Liberty submits that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, Liberty requests that the Court grant an expedited hearing with respect to its Motion for Protective Order and award any further relief the Court deems proper.

Date: September 9, 2024

Respectfully submitted,

/s/ Douglas M. Foley

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Counsel for Liberty Mutual Insurance Company

CERTIFICATION

Pursuant to Local Rules of this Court, I certify that:

1. I am a member of the Bar of this Court.
2. I have carefully examined this matter and have concluded that there is a true need for an emergency hearing.
3. I have not created the emergency through the lack of diligence.
4. A bona fide effort to resolve the matter could not be made without a hearing.

/s/ Douglas M Foley

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2024, a true copy of the foregoing Notice of Appearance and Request for Notices was filed with the Clerk of the Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to all creditors and parties in interest.

/s/ Douglas M. Foley

Exhibit A

EXHIBIT A

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

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

[PROPOSED] ORDER GRANTING EXPEDITED HEARING

Upon consideration of Liberty Mutual Insurance Company’s Motion for Expedited Hearing Concerning Liberty’s Motion for Protective Order, the Court hereby orders that it will hear Liberty’s Motion for Protective Order during the hearing scheduled for September 10 at 10:00 a.m., prevailing Eastern Time, prior to the potential disclosure of the Confidential Agreements.

Richmond, Virginia, this ____ day of _____, 2024.

Bankruptcy Judge Keith L. Phillips