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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) AUTHORIZING THE APPOINTMENT OF COURINGTON,
KIEFER, SOMMERS, MARULLO & MATHERNE, L.L.C. AS
SPECIAL ASBESTOS COUNSEL EFFECTIVE AS OF THE
PETITION DATE AND (II) GRANTING RELATED RELIEF**

Upon consideration of the application (the "Application")¹ of the above-captioned debtor and debtor-in-possession (the "Debtor"), for entry of an order authorizing the Debtor to retain and employ Courington, Kiefer, Sommers, Marullo & Matherne, L.L.C. ("CKSMM") as its special counsel ("Special Asbestos Counsel"), effective as of the Petition Date, to provide it with legal services regarding asbestos-related personal injury claims that have been and likely will continue to be asserted against the Debtor, as more fully set forth in the Application; and the Court having reviewed the Application, the Courington Declaration, the Lascell Declaration, and the First Day

¹ Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such terms in the Application.



Declaration; and this Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and the *Standing Order of Reference from the United States District Court for the Eastern District of Virginia*, dated August 15, 1984; and consideration of the Application and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Application having been provided in accordance with the Local Bankruptcy Rules; and this Court having found that notice of the Application and the opportunity to be heard on the relief sought in the Application were appropriate under the circumstances and that no other or further notice need be provided; and upon the Courington Declaration, the Lascell Declaration, and the record of the hearing, if any, on the Application; and all objections to the relief requested in the Application having been withdrawn, resolved, or overruled; and the Court having determined that CKSMM represents and holds no interest materially adverse to the Debtor or its estate with respect to any matter on which the Debtor seeks to employ it; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Application is granted as set forth in this order (the “Order”).
2. Pursuant to sections 327(e), 328(a), 329, and 1107(b) of the Bankruptcy Code, rules 2014 and 2016 of the Bankruptcy Rules, and rules 2014-1 and 2016-1 of the Bankruptcy Local Rules, the Debtor is hereby authorized to employ and retain CKSMM as Special Asbestos Counsel under the terms and conditions set forth in the Application and the Courington Declaration effective as of the Petition Date.
3. The terms and conditions of the retention of CKSMM set forth in the Application and in the Courington Declaration are reasonable, and CKSMM shall be compensated in

accordance with sections 330 and 331 of the Bankruptcy Code, any applicable Bankruptcy Rule, any applicable Local Bankruptcy Rule, and any orders of the Court.

4. CKSMM is authorized, but not directed, to continue to hold the Advance Payment Retainer and apply such Advance Payment Retainer, to the extent necessary, to pay any allowed fees, costs, and expenses relating to services rendered by CKSMM to the Debtor subsequent to the Petition Date in accordance with the Application.

5. CKSMM intends to make a reasonable effort to comply with the U.S. Trustee's requests for information and additional disclosures as set forth in the *Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filing under 11 U.S.C. § 330 by Attorneys in Larger Chapter 11 Cases* both in connection with the Application and the interim and final fee applications filed by CKSMM in the course of its engagement.

6. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

7. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation or interpretation of this Order.

Dated: _____, 2024
Richmond, Virginia
Sep 11 2024

/s/ Keith L Phillips

UNITED STATES BANKRUPTCY JUDGE

Entered On Docket: Sep 11 2024

WE ASK FOR THIS:

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

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Counsel for the Debtor and Debtor-in-Possession

SEEN AND NO OBJECTION:

/s/ Kathryn Montgomery

Kathryn Montgomery
Office of The United States Trustee
701 East Broad Street
Suite 4304
Richmond, VA 23219

United States Trustee

**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