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

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Chapter 11

Case No. 24-32428 (KLP)

**LIBERTY MUTUAL INSURANCE COMPANY'S
DESIGNATION OF RECORD AND STATEMENT OF ISSUES ON APPEAL
OF THE ORDER DISALLOWING LIBERTY'S CLAIM**

Liberty Mutual Insurance Company ("Liberty"), by and through undersigned counsel and pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 8009-1 of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia (the "Bankruptcy Court"), hereby files its Designation of Record and Statement of Issues on Appeal of this Court's *Order Disallowing and Expunging Claim of Liberty Mutual Insurance Company* [Dkt. No. 907] (the "Order").

Designation of Items to Be Included in the Record on Appeal

Liberty hereby designates the following items to be included in the record on appeal:

ECF No.	Date	Description
1	June 30, 2024	Voluntary Petition for Non-Individuals Filing for Bankruptcy



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7	June 30, 2024	Motion of the Debtor for Entry of Interim and Final Orders Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
8	June 30, 2024	Declaration of Christopher Lascell in Support of Chapter 11 Petition and First Day Pleadings of Hopeman Brothers, Inc.
35	July 3, 2024	Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
57	July 12, 2024	Disclosure Statement with Respect to the Plan of Liquidation of Hopeman Brothers, Inc. Under Chapter 11 Bankruptcy Code
86	July 30, 2024	Opposition and Objection to Motion of the Debtor for Entry of Interim and Final Orders Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
139	August 30, 2024	Opposition and Objection to Motion of the Debtor for Entry of Interim and Final Orders Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
157	September 9, 2024	Omnibus Reply in Support of Motion of the Debtor for Entry of Interim and Final Orders Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
245	September 25, 2024	Second Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
N/A	November 4, 2024	Claim No. 10 of Liberty Mutual Insurance Company
579	February 19, 2025	Motion of the Debtor for Entry of a Third Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
592	February 28, 2025	Opposition and Objection to Motion of the Debtor for Entry of a Third Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
593	February 28, 2025	Motion of the Debtor for Entry of a Third Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
611	March 7, 2025	Omnibus Reply in Support of Motion of the Debtor for Entry of a Third Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
622	March 11, 2025	Third Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
627	March 14, 2025	Transcript Filed re: Hearing Held Mar. 13, 2025

689	April 29, 2025	Plan of Reorganization of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code
690	April 29, 2025	Disclosure Statement with Respect to the Plan of Reorganization of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code
693	April 30, 2025	[Sealed] Objection of Hopeman Brothers, Inc. to Claim No. 10 of Liberty Mutual Insurance Company
694	April 30, 2025	[Unsealed] Objection of Hopeman Brothers, Inc. to Claim No. 10 of Liberty Mutual Insurance Company
759	May 20, 2025	Omnibus Reply in Support of Solicitation Procedures Motion
766	May 21, 2025	Amended Plan of Reorganization of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code
767	May 21, 2025	Amended Disclosure Statement with Respect to the Plan of Reorganization of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code
733	May 14, 2025	Stipulated Order Approving Settlement of Appeal of Insurance Settlement Order and Granting Limited Relief from Third Interim Stay Order
789	May 22, 2025	Transcript Filed re: Hearing Held May 21, 2025
N/A	May 30, 2025	Claim No. 19 of Liberty Mutual Insurance Company (Amendment to Claim No. 10)
825	May 30, 2025	[Unsealed] Response of Liberty Mutual Insurance Company to Objection of Hopeman Brothers, Inc. to Claim No. 10 of Liberty Mutual Insurance Company
826	May 30, 2025	[Sealed] Response of Liberty Mutual Insurance Company to Objection of Hopeman Brothers, Inc. to Claim No. 10 of Liberty Mutual Insurance Company
839	June 4, 2025	Motion of the Debtor for Entry of a Fourth Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
900	June 20, 2025	Fourth Interim Order Extending the Automatic Stay to Stay Asbestos-Related Actions Against Non-Debtor Defendants
907	June 23, 2025	Order Disallowing and Expunging Claim of Liberty Mutual Insurance Company
915	June 24, 2025	Notice of Filing of Transcript and of Deadlines Related To Restriction And Redaction [Transcript Filed re: Hearing Held June 18, 2025]

Statement of Issues

Liberty hereby submits the statement of issues to be presented on its appeal from the Order:

1. Whether the Bankruptcy Court erred in disallowing and expunging Liberty's proofs of claim [Claim Nos. 10 and 19] (together, collectively, the "Claim").
2. Whether the Bankruptcy Court erred in holding that Liberty has no Claim against Hopeman Brothers, Inc. ("Hopeman") because Hopeman has no independent obligation to defend Liberty against direct action claims under the Indemnification and Hold Harmless Agreement Between Hopeman Brothers, Inc. and Liberty Mutual Insurance Company, dated as of March 21, 2003 (the "Indemnification Agreement").
3. Whether the Bankruptcy Court erred in finding that Liberty cannot enforce damages against Hopeman because the Indemnification Agreement only allows Liberty to enforce damages against the Trust.
4. Whether the Bankruptcy Court erred in determining that Hopeman has not breached its obligations under the Indemnification Agreement, including, but not limited to, its obligation to minimize claims against Liberty.

Liberty reserves the right to modify, restate, and/or supplement the foregoing issues to the fully extent permitted by the Bankruptcy Code and Bankruptcy Rules.

Date: July 8, 2025

Respectfully submitted,

/s/ Douglas M. Foley

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 8, 2025, a true and correct copy of the foregoing Designation of Record and Statement of Issues on Appeal of the Order Disallowing Liberty's Claim was served upon all parties receiving electronic notice through the Court's ECF notification system.

/s/ Douglas M. Foley
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