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Counsel for Debtor and Debtor in Possession

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

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

:
: **Chapter 11**
:
: **Case No. 24-32428 (KLP)**
:
:
:
:

**CERTIFICATION OF NO OBJECTION
AND NOTICE OF FILING OF REVISED PROPOSED ORDER**

On May 28, 2025, the above-captioned debtor and debtor in possession (the “Debtor”) filed the *Objection of the Debtor to Proof of Claim Filed by GERLANDO CASTELLI as Asbestos Personal Injury Claim that was Improperly Filed in the Chapter 11 Case* [Docket No. 805] (the “Objection”), which Objection includes a proposed form of order (the “Original Proposed Order”).

The undersigned certifies that the Debtor served the Objection on all necessary parties on May 28, 2025, in accordance with the “Procedures for Complex Chapter 11 Cases in the Eastern District of Virginia” (the “Case Management Procedures”), as adopted by Rule 1075-1 of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia. Pursuant to the Case Management Procedures and the notice served with the Objection, all



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responses to the approval of the relief requested in the Objection were due on or before June 27, 2025.

In response to informal comments received to the Objection, the Debtor has made certain revisions to the Original Proposed Order and hereby is filing a revised proposed *Order Disallowing Proof of Claim Filed by GERLANDO CASTELLI as Asbestos Personal Injury Claim that was Improperly Filed in the Chapter 11 Case* (the “Revised Proposed Order”), which is attached hereto as **Exhibit A**. Attached hereto as **Exhibit B** is a redline of the Revised Proposed Order as compared to the Original Proposed Order.

The undersigned further certifies that the notice filed with the Objection includes a statement that the Objection may be granted and an order entered without a hearing unless a timely response is made. The undersigned further certifies that, he has caused a review of the Court’s docket in this case and no answer or other responsive pleading to the Objection appears thereon.

Therefore, pursuant to the notice filed with the Objection and the Case Management Procedures, the Debtor is authorized, and intends, to submit the Revised Proposed Order, without further notice or hearing.

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Dated: July 11, 2025
Richmond, Virginia

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

Tyler P. Brown (VSB No. 28072)

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Counsel for the Debtor and Debtor in Possession

Exhibit A

Revised Proposed Order

HUNTON ANDREWS KURTH LLP

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In re:

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: **Chapter 11**
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**ORDER DISALLOWING PROOF OF CLAIM FILED BY
GERLANDO CASTELLI AS ASBESTOS PERSONAL INJURY CLAIM
THAT WAS IMPROPERLY FILED IN THE CHAPTER 11 CASE**

Upon the objection (the “Objection”)¹ of the above-captioned debtor in the above-captioned chapter 11 case (the “Debtor”) for entry of an order (this “Order”) disallowing and expunging Claim No. 15 (the “Claim”) filed by GERLANDO CASTELLI (the “Claimant”) solely for purposes of this chapter 11 case because it is asbestos-related personal injury claim that will be assumed by and channeled to the Asbestos Personal Injury Trust in accordance with the proposed *Amended Plan of Reorganization of Hopeman Brothers, Inc. Under Chapter 11 of the Bankruptcy Code* [Docket No. 766] (as may be amended, modified, or supplemented from time to time, the “Plan”); and the Court having jurisdiction to consider the Objection and the relief

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

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 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 Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Objection 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 relief requested in the Objection is hereby SUSTAINED.
2. The Claim is disallowed and expunged solely for purposes of this chapter 11 case because it is an Asbestos Personal Injury Claim that will be assumed by and channeled to the Asbestos Personal Injury Trust in accordance with the proposed Plan.
3. This Order shall have no impact on the Claimant's Asbestos Personal Injury Claim and shall be without prejudice to, and shall not impair, the Claimant's rights, if any, to (i) subsequently file its Asbestos Personal Injury Claim in this chapter 11 case if the Court sets a bar date for Asbestos Personal Injury Claims, (ii) vote on the Plan in accordance with any solicitation procedures approved by the Court, (iii) pursue its Asbestos Personal Injury Claim against (a) Reorganized Hopeman to obtain the benefits of Asbestos Insurance Coverage in accordance with section 8.12 of the Plan or (b) a Non-Settling Asbestos Insurer (as defined in the Plan), and (iv) submit its Asbestos Personal Injury Claim to any trust established in accordance with a confirmed chapter 11 plan.

4. Furthermore, this Order is without prejudice to the rights of the Asbestos Personal Injury Trust or any other appropriate party to object and/or contest the Claimant's Asbestos Personal Injury Claim.

5. The Debtor and the Debtor's claims and noticing agent are authorized to take all actions necessary to implement the relief granted in this Order in accordance with the Objection.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation or enforcement of this Order.

Dated: _____, 2025
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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

Tyler P. Brown (VSB No. 28072)

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

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Counsel for the Debtor and Debtor in Possession

**CERTIFICATION OF ENDORSEMENT
UNDER BANKRUPTCY LOCAL 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

Redline

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THAT WAS IMPROPERLY FILED IN THE CHAPTER 11 CASE**

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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 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 Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Objection 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

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2. The Claim is disallowed and expunged solely for purposes of this chapter 11 case because it is an Asbestos Personal Injury Claim that will be assumed by and channeled to the Asbestos Personal Injury Trust in accordance with the proposed Plan.
3. This Order shall have no impact on the Claimant's Asbestos Personal Injury Claim and shall be without prejudice to and shall not impair, the Claimant's rights, if any, to (i) subsequently file its Asbestos Personal Injury Claim in this chapter 11 case if the Court sets a bar date for Asbestos Personal Injury Claims, (ii) vote on the Plan in accordance with ~~the~~any solicitation procedures ~~proposed in the Solicitation Procedures Motion, and~~approved by the Court, (iii) pursue its Asbestos Personal Injury Claim against ~~the~~(a) Reorganized Hopeman to obtain the benefits of Asbestos Insurance Coverage in accordance with section 8.12 of the Plan or (b) a Non-Settling Asbestos Insurer (as defined in the Plan), and (iv) submit its

Asbestos Personal Injury ~~Trust and~~Claim to any trust established in accordance with ~~the applicable provisions of the Plan~~a confirmed chapter 11 plan.

4. Furthermore, this Order is without prejudice to the rights of the Asbestos Personal Injury Trust or any other appropriate party to object and/or contest the Claimant's Asbestos Personal Injury Claim.

5. The Debtor and the Debtor's claims and noticing agent are authorized to take all actions necessary to implement the relief granted in this Order in accordance with the Objection.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation or enforcement of this Order.

Dated: _____, 2025
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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Henry P. (Toby) Long, III

Summary report:	
Litera Compare for Word 11.10.0.38 Document comparison done on 7/11/2025 10:52:57 AM	
Style name: Firm Standard	
Intelligent Table Comparison: Active	
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Modified DMS: iw://hunton.cloudmanage.com/DMS/351956720/1	
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<u>Table Insert</u>	0
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Table moves from	0
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Embedded Excel	0
Format changes	0
Total Changes:	16