

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

)		
In re:))	Chapter 11
ZACHRY HOLDINGS, INC., <i>et al.</i> ¹))	Case No. 24-90377 (MI)
Debtors.))	(Jointly Administered)
))	Re: Docket No. 885
)		

**CERTIFICATE OF COUNSEL REGARDING
ALFRED MILLER CONTRACTING COMPANY’S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

Pursuant to the *Procedures for Complex Cases in the Southern District of Texas*, counsel to Alfred Miller Contracting Company (“AMCC”) certifies as follows:

1. On September 4, 2024, AMCC filed its *Motion for Relief from the Automatic Stay* [Docket No. 885] (the “**Motion**”). The Motion attached a proposed form of order authorizing stay relief (the “**Proposed Order**”). The Motion set September 13, 2024 as the deadline for all parties in interest to file a response. After filing the Motion, counsel to AMCC extended the response deadline for the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) to September 17, 2024.

2. AMCC met and conferred with the Debtors, as well as with Golden Pass LNG Terminal LLC (“**Golden Pass**”) and CB&I LLC (“**CB&I**”), regarding a revised form of order granting the Motion. The attached revised proposed order (the “**Revised Proposed Order**”) is

¹ The last four digits of Zachry Holdings, Inc.’s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.veritaglobal.net/zhi>. The location of the Debtors’ service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.



agreed among AMCC, the Debtors, Golden Pass, and CB&I. AMCC, the Debtors, Golden Pass, and CB&I consent to entry of the Revised Proposed Order.

3. A redline reflecting the changes in the Revised Proposed Order is attached hereto as **Exhibit A**.

Dated: September 17, 2024
Houston, Texas

Respectfully Submitted,

**STEWART ROBBINS BROWN & ALTAZAN,
LLC**

By: /s/ Paul Douglas Stewart, Jr.
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Counsel for Alfred Miller Contracting Company

Certificate of Service

I certify that on September 17, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Paul Douglas Stewart, Jr.
Paul Douglas Stewart, Jr. (La. Bar # 24661)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

CHAPTER 11

ZACHRY HOLDINGS, INC., ET AL.

CASE NO. 24-90377 (MI)

*Debtors*¹

(JOINTLY ADMINISTERED)

[PROPOSED] ORDER GRANTING ALFRED MILLER CONTRACTING
COMPANY'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY
[RELATES TO DOCKET # 885]

Upon ~~CONSIDERING~~ *Alfred Miller Contracting Company's Motion for Relief From the Automatic Stay* [Doc. No. 885] (the "Motion"),² filed by Alfred Miller Contracting Company ("AMCC"), which seeks entry of an order ("Order"):

- (i) modifying the automatic stay under 11 U.S.C. § 362 and granting related relief. ~~Modifying the automatic stay under 11 U.S.C. § 362 to authorize the United States Bankruptcy Court for the Western District of Louisiana, Lake Charles Division (the "Louisiana Bankruptcy Court") to hear, determine, and rule on the motions filed by AMCC in Case No. 22-20400 (the "AMC Bankruptcy") to: (a) administratively reopen the AMC Bankruptcy (Doc. No. 355); and (b) enforce the Confidential Settlement Agreement (the "Confidential Settlement Agreement") filed under seal and approved by the Louisiana Bankruptcy Court through Doc. No. 236 on March 9, 2023 (Doc. No. 356) (collectively, the "Pending Motions");~~
- (ii) ~~Authorizing the Louisiana Bankruptcy Court to: (a) enforce the Confidential Settlement Agreement and any order entered in connection with the Pending Motions against any and all non-debtor defendants, but not against Zachry Holdings Inc. and its debtor affiliates, except to the extent that the Louisiana Bankruptcy Court may (b) enforce any and all non-monetary relief the deems appropriate in connection with the Pending Motions against any party thereto; and~~

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² Capitalized terms used but not otherwise defined shall have the meaning ascribed to them in the Motion.

~~(iii) Granting related relief;~~

as set forth more fully in the Motion; the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; due, sufficient, and proper notice of the Motion having been provided in accordance with the Bankruptcy Rules and the Local Bankruptcy Rules; all objections, if any, to the Motion having been withdrawn, resolved, or overruled; this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; it appearing that the relief requested in the Motion may be afforded on an emergency basis; and after due deliberation and sufficient cause appearing therefore,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The automatic stay is modified, to the extent applicable, to authorize the Louisiana Bankruptcy Court to hear, determine, and rule on the Pending Motions.
2. The automatic stay is further modified, to the extent applicable, to authorize the Louisiana Bankruptcy Court ~~to: (a) liquidate any claim to be asserted against Zachry Holdings Inc. and its debtor affiliates; (b)~~ or state court of appropriate jurisdiction to enforce the Confidential Settlement Agreement ~~and any order entered in connection with~~ against any non-debtor party. All parties' rights are reserved with respect to any pending state court action related to the Pending Motions ~~against any and all non-debtor defendants, but not against Zachry Holdings Inc. and its debtor affiliates, except to the extent that the Louisiana Bankruptcy~~

~~Court may (c) enforce any and all non-monetary relief the deems appropriate in connection with the Pending Motions against any party thereto.~~ Nothing herein constitutes a finding regarding the appropriate venue or jurisdiction for resolving any claims or disputes related to or arising from the Confidential Settlement Agreement.

3. The fourteen day stay provided by FED. R. BANKR. P. 4001(a)(3) shall not apply, and this Order shall be immediately effective and enforceable upon its entry.

4. The relief authorized herein is without prejudice to ~~AMCC's~~ any party's rights to seek additional relief.

5. Nothing contained herein is a waiver of ~~AMCC's~~ any party's rights under applicable law.

6. ~~The~~ Subject to paragraphs 1 and 2 of this Order, the Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: __, 2024

MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE

~~Respectfully Submitted,~~

~~STEWART ROBBINS BROWN & ALTAZAN,
LLC~~

~~By: /s/ Paul Douglas Stewart, Jr.~~
~~Paul Douglas Stewart, Jr. (La. Bar # 24661)~~

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Summary report:	
Litera Compare for Word 11.8.0.56 Document comparison done on 9/17/2024 5:17:53 PM	
Style name: 2 WC StandardSet	
Intelligent Table Comparison: Active	
Original filename: Zachry; AMCC Stay Relief Proposed Order.docx	
Modified filename: Zachry; AMCC Stay Relief Proposed Order (WC Edits 9.16.24).docx	
Changes:	
<u>Add</u>	13
Delete	40
<u>Move From</u>	1
<u>Move To</u>	1
<u>Table Insert</u>	1
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	56

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

CHAPTER 11

ZACHRY HOLDINGS, INC., ET AL.

CASE NO. 24-90377 (MI)

*Debtors*¹

(JOINTLY ADMINISTERED)

**[PROPOSED] ORDER GRANTING ALFRED MILLER CONTRACTING
COMPANY'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY
[RELATES TO DOCKET # 885]**

Upon *Alfred Miller Contracting Company's Motion for Relief From the Automatic Stay* [Doc. No. 885] (the "Motion"),² filed by Alfred Miller Contracting Company ("AMCC"), which seeks entry of an order ("Order") modifying the automatic stay under 11 U.S.C. § 362 and granting related relief, as set forth more fully in the Motion; the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; due, sufficient, and proper notice of the Motion having been provided in accordance with the Bankruptcy Rules and the Local Bankruptcy Rules; all objections, if any, to the Motion having been withdrawn, resolved, or overruled; this Court having determined that the legal and factual bases set forth in the Motion establish just

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² Capitalized terms used but not otherwise defined shall have the meaning ascribed to them in the Motion.

cause for the relief granted herein; it appearing that the relief requested in the Motion may be afforded on an emergency basis; and after due deliberation and sufficient cause appearing therefore,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The automatic stay is modified, to the extent applicable, to authorize the Louisiana Bankruptcy Court to hear, determine, and rule on the Pending Motions.

2. The automatic stay is further modified, to the extent applicable, to authorize the Louisiana Bankruptcy Court or state court of appropriate jurisdiction to enforce the Confidential Settlement Agreement against any non-debtor party. All parties' rights are reserved with respect to any pending state court action related to the Pending Motions. Nothing herein constitutes a finding regarding the appropriate venue or jurisdiction for resolving any claims or disputes related to or arising from the Confidential Settlement Agreement.

3. The fourteen day stay provided by FED. R. BANKR. P. 4001(a)(3) shall not apply, and this Order shall be immediately effective and enforceable upon its entry.

4. The relief authorized herein is without prejudice to any party's rights to seek additional relief.

5. Nothing contained herein is a waiver of any party's rights under applicable law.

6. Subject to paragraphs 1 and 2 of this Order, the Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: ____, 2024

MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE