

ENTERED

September 19, 2024

Nathan Ochsner, Clerk

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

In re: § **Chapter 11**
§
ZACHRY HOLDINGS, INC., et al. § **Case No. 24-90377 (MI)**
§
Debtors.¹ § **(Jointly Administered)**
§

ORDER GRANTING EMERGENCY MOTION OF CHIYODA INTERNATIONAL CORPORATION TO FILE EXHIBIT UNDER SEAL

Upon the motion (the “Motion”)² of CIC for entry of an order (this “Order”) pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Bankruptcy Local Rules 1075-1, 9013-1 and 9037-1 authorizing CIC to file the Mediation Statement, attached as Exhibit B to the Declaration, under seal, all as more fully set forth in the Motion; and this Court having jurisdiction to decide the Motion and to enter this Order pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the relief requested being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper in the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and such notice being adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and this Court having determined, after notice and a hearing, as defined in section 102 of the Bankruptcy Code, that the legal and factual bases set forth in the Motion and in the record establish just cause for entry of this Order; and upon all the proceedings had before this Court and after due deliberation and sufficient cause appearing

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, may be obtained on the website of the Debtors’ claims and noticing agent at <https://veritaglobal.net/zhi>. The Debtors’ service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.

² Capitalized terms used but not defined in this Order have the meanings ascribed to them in the Motion.



therefor, **IT IS HEREBY ORDERED THAT:**

1. Pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018 and Local Rule 9037-1, CIC is authorized to file the Mediation Statement, attached as Exhibit B to the Declaration, under seal.

2. The Mediation Statement shall remain under seal and shall not be made available to anyone; *except* that CIC shall provide electronic copies of the Mediation Statement on a strictly confidential basis to (i) the Court, (ii) the U.S. Trustee, (iii) the Committee's professionals, and (iv) other persons upon further order of the Court or as agreed by CIC and CB&I, in each case subject to confidentiality agreements or other arrangements reasonably satisfactory to CIC.

3. Any person or entity that receives the Mediation Statement in accordance with this Order shall not disclose or otherwise disseminate the Mediation Statement to any other person or entity.


4. Notwithstanding any provision of the Bankruptcy Rules or Local Rules, this Order shall be immediately effective and enforceable upon its entry.

5. This Order is without prejudice to the rights of any party in interest or the U.S. Trustee to seek to unseal the Mediation Agreement or any part thereof.

6. CIC and its agents are authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.

7. The Court retains jurisdiction over all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Signed: September 18, 2024


Marvin Isgur
United States Bankruptcy Judge