

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)
Debtor	§	(Jointly Administered)

SHAWNA GREEN, INDIVIDUALLY, AND AS REPRESENTATIVE OF THE ESTATE
OF AARON GREEN'S MOTION FOR RELIEF FROM AUTOMATIC STAY
TO PERMIT CONTINUATION OF PERSONAL INJURY LITIGATION
AND TO PURSUE INSURANCE PROCEEDS

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF IT IS GRANTED, THE MOVANT MAY ACT OUTSIDE OF THE BANKRUPTCY PROCESS. IF YOU DO NOT WANT THE STAY LIFTED, IMMEDIATELY CONTACT THE MOVING PARTY TO SETTLE. IF YOU CANNOT SETTLE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY AT LEAST 7 DAYS BEFORE THE HEARING. IF YOU CANNOT SETTLE, YOU MUST ATTEND THE HEARING. EVIDENCE MAY BE OFFERED AT THE HEARING AND THE COURT MAY RULE.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

THERE WILL BE A HEARING ON THIS MATTER ON OCTOBER 25, 2024 AT 9:00 A.M. CST IN COURTROOM 404, 515 RUSK, HOUSTON, TX 77002. YOU MAY PARTICIPATE IN THE HEARING EITHER IN PERSON OR BY AN AUDIO AND VIDEO CONNECTION.

YOU MAY ACCESS THE FACILITY AT 832-917-1510. ONCE CONNECTED, YOU WILL BE ASKED TO ENTER THE CONFERENCE ROOM NUMBER. JUDGE ISGUR'S CONFERENCE ROOM NUMBER IS 954554. VIDEO COMMUNICATION WILL BE BY USE OF THE GOTOMEETING PLATFORM. CONNECT VIA THE FREE GOTOMEETING APPLICATION OR CLICK THE LINK ON JUDGE ISGUR'S HOME PAGE. THE MEETING CODE IS "JUDGE ISGUR". CLICK THE SETTINGS ICON IN THE UPPER RIGHT CORNER AND ENTER YOUR NAME UNDER THE PERSONAL INFORMATION SETTING. HEARING APPEARANCES MUST BE MADE

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' proposed claims and noticing agent at <https://veritaglobal.net/zhi>. The location of the Debtors' service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.



ELECTRONICALLY IN ADVANCE OF BOTH ELECTRONIC AND IN-PERSON HEARINGS. TO MAKE YOUR APPEARANCE, CLICK THE “ELECTRONIC APPEARANCE” LINK ON JUDGE ISGUR’S HOME PAGE. SELECT THE CASE NAME, COMPLETE THE REQUIRED FIELDS AND CLICK “SUBMIT” TO COMPLETE YOUR APPEARANCE.

TO THE HONORABLE MARVIN ISGUR, U. S. BANKRUPTCY JUDGE:

Shawna Green, individually, and as representative of the estate of Aaron Green (“**Movant**”), a personal injury plaintiff against, among others Zachry Industrial, Inc (“**ZI Debtor**”) in Cause No. 99329-CV, which is pending in the 239th Judicial District Court in Brazoria County, Texas (the “**Wrongful Death Litigation**”), requests this Court grant Movant relief from the automatic stay of 11 U.S.C. § 362 for cause to permit her to continue the Personal Injury Litigation and to pursue the proceeds of applicable insurance coverage. In support of this *Motion for Relief from Automatic Stay* (the “**Motion**”), Movant represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(G).
2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory basis for relief sought is 11 U.S.C. § 362.

BACKGROUND

4. On or about May 21, 2024 (the “**Petition Date**”), Zachry Industrial, Inc., and its debtor affiliates, as debtors and debtors in possession in the above-captioned chapter 11 cases (the “**Bankruptcy Debtors**”), filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code (the “**Petition**”) in this Court, the United States Bankruptcy Court for the Southern District of Texas, Houston Division. The ZI Debtor is one of the Bankruptcy Debtors in these cases.

5. Movant's Personal Injury Litigation is a wrongful death claim that arises from a workplace accident. A true and correct copy of Movant's Original Petition in the Wrongful Death Litigation is attached hereto as **Exhibit A**.

6. On the Petition Date, Movant's case was set for a November trial, and discovery was substantially complete.

ARGUMENT AND AUTHORITIES

7. Movant seeks relief from the automatic stay for cause to continue prosecuting the Wrongful Death Litigation up to the limits of the applicable insurance coverage and to collect against the proceeds of applicable insurance. *Houston v. Edgeworth (In re Edgeworth)*, 993 F.2d 51, 53-54 (5th Cir. 1993) (finding that a tort plaintiff must first establish debtor's liability before the insurer is contractually obligated to make payments).

8. Movant currently does not seek to prosecute the Wrongful Death Litigation to collect from ZI Debtor, Bankruptcy Debtors, or the bankruptcy estate². Movant is aware or advised that applicable insurance coverage would cover her claims. ZI Debtor, upon information and belief, has not claimed insurance proceeds as an asset of ZI Debtor or its bankruptcy estate. As such, Movant seeks to continue the Wrongful Death Litigation against ZI Debtor as a nominal party to establish liability only, including to liquidate the amount of Movant's claim to be allowed in ZI Debtor's bankruptcy case if the applicable insurance proceeds do not completely cover Movant's claim.

9. Under section 362(d)(1), a bankruptcy court may lift the automatic stay for "cause." Courts consider various facts to determine whether "cause" exists to warrant relief from the automatic stay, including "whether the bankruptcy case was filed . . . on the eve of trial, whether

² Movant reserves the right to file a proof of claim in the bankruptcy case, however.

there is a lack of connection with or interference with the bankruptcy case . . . , whether prejudice to the bankruptcy estate results and whether the unsecured creditor seeking relief intends to recover from non-estate property.” *In re Fowler*, 259 B.R. 856, 858 (Bankr. E.D. Tex. 2001) (citing *In re Borbidge*, 81 B.R. 332 (Bankr. E.D. Pa. 1988)). Movant’s tort claim lacks connection to or interference with ZI Debtor’s bankruptcy case. Further, Movant has a strong interest in continuing her Wrongful Death Litigation. As such, cause exists to grant Movant’s requested relief.

10. Additionally, there are numerous non-debtor defendants in the Wrongful Death Litigation. The other defendants are not debtors in the bankruptcy case. Accordingly, the Texas State Court hearing the Wrongful Death Litigation is the court with personal jurisdiction over all parties to the Personal Injury Litigation.

11. ZI Debtor’s estate will not be prejudiced if the court grants the requested relief in this Motion. Any initial recovery Movant receives will be from applicable insurance coverage only and limited by applicable policy limits. *See In re Edgeworth*. at 55–56. (“When a payment by the insurer cannot inure to the debtor’s pecuniary benefit, then that payment should neither enhance nor decrease the bankruptcy estate.” (citing *First Fidelity Bank v. McAteer*, 985 F.2d 114, 117 (3d Cir. 1993))).

12. In comparison, Movant will be severely prejudiced if she is prevented from pursuing her claims because the event giving rise to the claims years ago, and the Wrongful Death Litigation has been pending for years and is set for trial. Movant is entitled to a trial by jury of the Wrongful Death Litigation and has expended significant resources in the Wrongful Death Litigation, not including Movant’s damages.

WHEREFORE, based on the foregoing, the Movant requests that the Court grant this Motion and lift the automatic stay pursuant to § 362(d)(1) of the Bankruptcy Code; waive the

fourteen-day stay provided by the Fed. R. Bankr. P. 4001(a)(3); and grant the Movant such other and further relief to which it may justly be entitled.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: /s/ Trip Nix

William R. "Trip" Nix
State Bar No. 24092902
100 Congress Avenue, Suite 1800
Austin, Texas 78701
(512) 685-6400
(512) 685-6417 (FAX)
Email: trip.nix@hklaw.com

ATTORNEYS FOR SHAWNA GREEN,
INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE
OF AARON GREEN

CERTIFICATE OF CONFERENCE

I, the undersigned attorney, do hereby certify that on June 11, 2024, I began communicating with ZI Debtor's counsel concerning the relief requested herein, and have had several conversations with ZI Debtor's counsel since that time, both by email and telephone, with the most recent communications occurring on September 23, 2024 via email. ZI Debtor's counsel were not able to agree to the relief requested in this Motion, so it is presented to the Court for determination.

/s/ Trip Nix

Trip Nix

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon all parties receiving the Court's ECF e-mail notifications in this case, including the parties listed below, on September 24, 2024:

Charles R. Koster
White & Case LLP
609 Main Street, Suite 2900
Houston, Texas 77002

Bojan Guzina
Andrew F. O'Neill
RJ Szuba
Barrett Lingle
111 South Wacker Drive, Suite 5100
Chicago, Illinois 60606

/s/ Trip Nix

Trip Nix

Exhibit A: Original Complaint in the Personal Injury Litigation

CAUSE NO. 99329-CV

SHAWNA GREEN, INDIVIDUALLY, § IN THE DISTRICT COURT OF
AND AS PERSONAL REPRESENTATIVE §
OF THE ESTATE OF AARON GREEN, §
DECEASED §
VS. § BRAZORIA COUNTY, TEXAS
CB&I-ZACHRY JOINT VENTURE, §
CB&I LLC, ZACHRY INDUSTRIAL, INC., §
GABRIEL ERN PINILLOS-RAMIREZ, §
CARPENTER BUS, LLC., CARPENTER BUS §
SALES, INC., FOREST RIVER, INC., §
MORRYDE INTERNATIONAL, INC., §
STARCRAFT BUS, STARCRAFT BUS & §
MOBILITY, A DIVISION OF FOREST §
RIVER, INC. , FORD MOTOR COMPANY, §
C/Z, CB&I, INC. AND ZACHRY JOINT, §
VENTURE, C/Z JV, CB&I, INC. AND §
ZACHRY JOINT VENTURE § 239TH JUDICIAL DISTRICT

**PLAINTIFF'S SIXTH AMENDED ORIGINAL PETITION
AND REQUEST FOR DISCLOSURE**

Plaintiff, Shawna Green, Individually, as Heir and as Personal Representative of the Estate of Aaron Green Deceased, files her Sixth Amended Original Petition against CB&I-Zachry Joint Venture, CB&I LLC, Zachry Industrial, Inc., Gabriel Ern Pinillos-Ramirez, Carpenter Bus, LLC, Carpenter Bus Sales, Inc., Forest River, Inc., Morryde International, Inc., Starcraft Bus, Starcraft Bus & Mobility, a Division of Forest River, Ford Motor Company, and C/Z, CB&I Inc. and Zachry Joint Venture, and C/Z JV, CB&I Inc. and Zachry Joint Venture, Defendants.

DISCOVERY CONTROL PLAN

- 1. In accordance with Rule 190.1, Plaintiff intends to conduct discovery under Level 3.

RULE 194 REQUEST FOR DISCLOSURE

2. Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendants are requested to disclose within fifty [50] days of this request, the information and material described in Rule 194.2 of the Texas Rules of Civil Procedure.

PARTIES AND SERVICE

3. Plaintiff resides in Dayton, Liberty County, Texas.

4. Defendant, CB&I -Zachry Joint Venture, is a business entity doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

5. Defendant, CB&I LLC, is a domestic limited liability company duly licensed to do business in the State of Texas and doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

6. Defendant, Zachry Industrial, Inc. a foreign corporation duly licensed to do business in the State of Texas and doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

7. Defendant, Gabriel Ern Pinillos-Ramirez is an individual who resides in Texas. This Defendant has filed an appearance in this case.

8. Defendant, Carpenter Bus, LLC., is a foreign limited liability company duly licensed to do business in the State of Texas and doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

9. Defendant, Carpenter Bus Sales, Inc., is a foreign corporation having sufficient business contacts with Texas to make it amenable to service of process. This Defendant has filed an appearance in this case.

10. Defendant, Forest River, Inc., is a foreign corporation duly licensed to do business in the State of Texas and doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

11. Defendant, Morryde International, Inc., is a foreign corporation having sufficient business contacts with Texas to make it amenable to service of process. This Defendant has filed an appearance in this case.

12. Defendant, Starcraft Bus, is a foreign business entity having sufficient business contacts with Texas to make it amenable to service of process. This Defendant has filed an appearance in this case.

13. Defendant, Starcraft Bus & Mobility, a Division of Forest River, Inc., is a foreign business entity having sufficient business contacts with Texas to make it amenable to service of process. This Defendant has filed an appearance in this case.

14. Defendant, Ford Motor Company, is a foreign corporation duly licensed to do business in the State of Texas and doing business in the State of Texas for the purpose of accumulating monetary profit. This Defendant has filed an appearance in this case.

15. Defendant, C/Z, CB&I Inc. and Zachry Joint Venture, is an entity doing business in the State of Texas for the purpose of accumulating monetary profit and may be served with process at their place of business, 1602 CR 723, Quintana, Texas 77541.

16. Defendant, C/Z JV, CB&I Inc. and Zachry Joint Venture, is an entity doing business in the State of Texas for the purpose of accumulating monetary profit and may be served with process at their place of business, 1602 CR 723, Quintana, Texas 77541.

JURISDICTION AND VENUE

17. Venue may be maintained in Brazoria County, Texas because the events that form the basis of this lawsuit occurred in Brazoria County, Texas.

18. It is yet too early to ascertain the full extent of the damages sustained by Plaintiff, but they are clearly within the jurisdictional limits of this Court. Although the fact-finder should determine the monetary compensation for Plaintiff's injuries and damages, Plaintiff seeks monetary damages for compensatory losses in an amount over \$1,000,000.00, excluding any punitive damages, interests, or costs.

FACTS

19. This action arises from a vehicle rollover that occurred on October 23, 2018 causing Plaintiff's injuries and damages, including the death of Aaron Green. On that date, Aaron Green was a passenger. While on Highway 36, the vehicle rolled and slid until it landed in a ditch filled with water. Aaron Green died from injuries caused in the rollover and its aftermath. Plaintiff, Shawna Green, is the surviving spouse of Aaron Green, Deceased. Plaintiff brings this suit individually and as the personal representative of the Estate of Aaron Green, Deceased.

NEGLIGENCE

20. Defendants' negligent acts or omissions caused the fatal injuries to Aaron Green.

21. Defendants knew, or in the exercise of reasonable care should have known, that the bus in question was not reasonably safe for the reasons set forth in paragraphs 23 and 24. However, Defendants failed to take reasonable and appropriate steps to remedy the problem.

22. Defendant, Gabriel Ern Pinillos-Ramirez, driver of the bus, had a duty to exercise a degree of care that a reasonable driver would use to avoid harm to others under circumstances similar to

those presented. The death of Aaron Green was proximately caused by the negligence of Defendant, Gabriel Ern Pinillos-Ramirez, and the careless disregard of that duty.

23. Defendants, Carpenter Bus, LLC, Carpenter Bus Sales, Inc., Forest River, Inc., Morryde International, Inc., Starcraft Bus, Starcraft Bus & Mobility, a Division of Forest River, and Ford Motor Company, owed and breached a duty to reasonably and safely design, manufacture, sell, supply, and market the vehicle in question.

24. The vehicle in question was designed, manufactured, sold, supplied, installed, and/or marketed in a negligent and defective condition. Specifically, Defendants, Forest River, Inc., Morryde International, Inc., and Starcraft Bus, Starcraft Bus & Mobility, a Division of Forest River, converted the bus in such a way that made it unstable and prone to rollover. The seller, Carpenter Bus, LLC and Carpenter Bus Sales, Inc., of the vehicle knew or should have known of the vehicle's propensity to roll and warn of the defect. Such actions by the Defendants who converted the bus and sold the bus were negligent and were a proximate cause of the incident in question. As a result, the negligence of Defendants, Carpenter Bus, LLC, Carpenter Bus Sales, Inc., Forest River, Inc., Morryde International, Inc., Starcraft Bus, and Starcraft Bus & Mobility, a Division of Forest River, proximately caused the occurrence in question, Plaintiff's injuries, death and Plaintiffs' damages.

GROSS NEGLIGENCE

25. Defendants' conduct involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others as set forth in paragraphs 21, 23 and 24. Defendants had actual subjective awareness of the risk involved but nevertheless proceeded with conscious indifference to the rights, safety and/or welfare of others. Defendants' conduct constitutes gross negligence as that term is defined under the Civil Practice and Remedies Code and a willful act,

omission or gross neglect as set forth in the Texas Constitution. Plaintiff seeks exemplary damages pursuant to the Texas Constitution and the Texas Civil Practice & Remedies Code.

WRONGFUL DEATH CLAIM

26. Plaintiff, Shawna Green, is the surviving spouse of Aaron Green, Deceased. Plaintiff, therefore, seeks to recover all damages pursuant to Tex. Civ. Prac. & Rem. Code §71.002 for the wrongful death of Aaron Green. As the surviving spouse of Aaron Green, Plaintiff seeks to recover the following damages under the wrongful death statute:

- a. Pecuniary loss resulting from the death of Aaron Green, including but not limited to the care, maintenance, support, services, advice, counsel, and reasonable contributions of a pecuniary value that Plaintiff, in reasonable probability would have received from Aaron Green had he lived;
- b. Loss of consortium, companionship, and society resulting from the destruction of the husband-wife relationship between Aaron Green and Plaintiff, including the loss of the positive benefits flowing from the love, affection, solace, comfort, companionship, society, assistance and sexual relationship that Plaintiff, in reasonable probability, would have received from Aaron Green had he lived;
- c. Mental anguish in the general sense, including the emotional pain, torment, and suffering experienced by Plaintiff as a result of the death of Aaron Green. This element does not include any psychiatric disorders that would require medical treatment or diagnoses. Plaintiff does not seek physical, psychological, or psychiatric damages. Plaintiff does not make any claim for deep seated emotional disturbance, or psychiatric problems caused by, or made worse from, this incident. Plaintiff will not offer psychological or psychiatric testimony at the time of trial; and

- d. Loss of inheritance, meaning the loss of the present value of the assets that Aaron Green, in reasonable probability, would have added to the estate and left to Plaintiff at his natural death had he lived.

SURVIVAL CLAIM

27. The incident in question caused Aaron Green to suffer injuries that led to his death. At the time of the incident made the basis of this suit, Aaron Green was a healthy, able-bodied man. As a result of the incident in question, Aaron Green, Deceased, suffered conscious physical pain and mental anguish. Plaintiff seeks the recovery of damages for pre-death physical pain and mental anguish. As the surviving spouse and heir to the Estate recovery in this case, Plaintiff also seeks damages for funeral and burial expenses. Plaintiff, therefore, seeks to recover all damages pursuant to Tex. Civ. Prac. & Rem. Code §71.021, as a result of the death of Aaron Green.

RECOVERY OF INTEREST

28. Plaintiff seeks the recovery of pre-judgment interest, if applicable, and post-judgment interest. Plaintiff, therefore, requests that she recover pre-judgment interest, if applicable, and post-judgment interest as provided by law.

PRAYER

WHEREFORE, Plaintiff, Shawna Green, Individually, and as Personal Representative of the Estate of Aaron Green, Deceased, prays that Defendants be cited to appear and answer this lawsuit, that judgment be entered against Defendants, that Plaintiff recover her damages in accordance with the evidence, that Plaintiff recover her costs of court, that Plaintiff recover interest to which she is entitled under the law, and for all other just and equitable relief.

Respectfully submitted,

STEVENSON & MURRAY

/s/ John W. Stevenson, Jr.

JOHN W. STEVENSON, JR.

State Bar No. 19196050

MARK T. MURRAY

State Bar No. 14724810

24 Greenway Plaza, Suite 750

Houston, Texas 77046

(713) 622-3223

(713) 622-3224 (FAX)

jstevenson@stevensonmurray.com

mmurray@stevensonmurray.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to all counsel of record on November 23, 2022.

/s/ John W. Stevenson, Jr.

JOHN W. STEVENSON, JR.

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jeremy Newell on behalf of Jeremy Newell
 Bar No. 24013230
 jnewell@stevensonmurray.com
 Envelope ID: 70436958
 Status as of 11/28/2022 10:41 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Alton Todd		alton@actlaw.com	11/23/2022 11:29:51 AM	SENT
Jessica Salto		jsalto@txattorneys.com	11/23/2022 11:29:51 AM	SENT
Randy E. Moore		rmoore@moore-law.us	11/23/2022 11:29:51 AM	SENT
Kaycie Moore		kmoore@moore-law.us	11/23/2022 11:29:51 AM	SENT
Krista Wilson		krista@actlaw.com	11/23/2022 11:29:51 AM	SENT
Jason Aron Itkin	24032461	e-service@arnolditkin.com	11/23/2022 11:29:51 AM	SENT
Ryan Pigg	24088227	rpigg@txattorneys.com	11/23/2022 11:29:51 AM	SENT
Craig Douglas Dillard	24040808	cdillard@foley.com	11/23/2022 11:29:51 AM	SENT
Ronald D. Wamsted	20832000	rwamsted@thompsoncoe.com	11/23/2022 11:29:51 AM	SENT
Jasminder Singh		jsingh@actlaw.com	11/23/2022 11:29:51 AM	SENT
Patrick N. Smith		psmith.service@spe-law.com	11/23/2022 11:29:51 AM	SENT
Gracie Gonzales		gracie@sanestlarkin.com	11/23/2022 11:29:51 AM	SENT
Robert Rice		attorneyrice@aol.com	11/23/2022 11:29:51 AM	SENT
Ryan S. Pigg		tbuzbee@txattorneys.com	11/23/2022 11:29:51 AM	SENT
Christopher Leavitt		cleavitt@txattorneys.com	11/23/2022 11:29:51 AM	SENT
Pedro Garcia		Pedro@actlaw.com	11/23/2022 11:29:51 AM	ERROR
Scott A. Sanes		scott@sanestlarkin.com	11/23/2022 11:29:51 AM	SENT
Jeremy Newell		jnewell@stevensonmurray.com	11/23/2022 11:29:51 AM	SENT
Firm Contact		efiling@txattorneys.com	11/23/2022 11:29:51 AM	SENT
Michael Rahmn		mrahmn@foley.com	11/23/2022 11:29:51 AM	SENT
Xitlali Salinas		xsalinas@grsm.com	11/23/2022 11:29:51 AM	SENT
David Prichard		dprichard@prichardyoungllp.com	11/23/2022 11:29:51 AM	SENT
Karla McDonald		kmcdonald@prichardyoungllp.com	11/23/2022 11:29:51 AM	SENT
Cathy Shea		cshea@prichardyoungllp.com	11/23/2022 11:29:51 AM	SENT

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jeremy Newell on behalf of Jeremy Newell
 Bar No. 24013230
 jnewell@stevensonmurray.com
 Envelope ID: 70436958
 Status as of 11/28/2022 10:41 AM CST

Case Contacts

Karl Long		klong@awtxlaw.com	11/23/2022 11:29:51 AM	SENT
Lilia Sosa		lsosa@awtxlaw.com	11/23/2022 11:29:51 AM	SENT
Jersie Spears		jspears@awtxlaw.com	11/23/2022 11:29:51 AM	SENT
Douglas Gilman		dgilman@gilmanallison.com	11/23/2022 11:29:51 AM	SENT

Associated Case Party: Ford Motor Company

Name	BarNumber	Email	TimestampSubmitted	Status
William LMennucci		bmennucci@thompsoncoe.com	11/23/2022 11:29:51 AM	SENT
Trudy Rush		trush@thompsoncoe.com	11/23/2022 11:29:51 AM	SENT
Elizabeth Brabb		ebrabb@thompsoncoe.com	11/23/2022 11:29:51 AM	SENT
Marcus Fuentes		mfuentes@thompsoncoe.com	11/23/2022 11:29:51 AM	SENT

Associated Case Party: Shawna Green

Name	BarNumber	Email	TimestampSubmitted	Status
John W.Stevenson		jstevenson@stevensonmurray.com	11/23/2022 11:29:51 AM	SENT
Mark TMurray		mmurray@stevensonmurray.com	11/23/2022 11:29:51 AM	SENT
Cesar Cordero		ccordero@stevensonmurray.com	11/23/2022 11:29:51 AM	SENT
Richard JNava		jnava@stern-lawgroup.com	11/23/2022 11:29:51 AM	SENT
Jeffrey MStern		jstern@stern-law.com	11/23/2022 11:29:51 AM	ERROR

Associated Case Party: Carpenter Bus, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Laura De Santos		ldesantos@grsm.com	11/23/2022 11:29:51 AM	SENT

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jeremy Newell on behalf of Jeremy Newell
 Bar No. 24013230
 jnewell@stevensonmurray.com
 Envelope ID: 70436958
 Status as of 11/28/2022 10:41 AM CST

Associated Case Party: Carpenter Bus, LLC

Cristina Guerrero		cxguerrero@grsm.com	11/23/2022 11:29:51 AM	SENT
-------------------	--	---------------------	------------------------	------

Associated Case Party: Forest River, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Mike Johanson		mjohanson@jandflaw.com	11/23/2022 11:29:51 AM	SENT
Rick Espey		espeyservice@lawespey.com	11/23/2022 11:29:51 AM	SENT
Camryn Coates		ccoates@jandflaw.com	11/23/2022 11:29:51 AM	SENT

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

IN RE:	§	Chapter 11
	§	
ZACHRY HOLDINGS, INC., et al¹	§	Case No. 24-90377 (MI)
Debtor	§	(Jointly Administered)

**ORDER GRANTING SHAWNA GREEN’S MOTION FOR RELIEF FROM
AUTOMATIC STAY**

On September 24, 2024 Shawna Green (“**Movant**”) filed her *Motion for Relief from Automatic Stay* (the “**Motion**”),² pursuant to 11 U.S.C. § 362, in the above-referenced case. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate negative notice language pursuant to Local Bankruptcy Rule 4001. The Court finds that good cause exists for the entry of the following order.

It is, therefore, **ORDERED** that the *Motion for Relief from Automatic Stay* is **GRANTED**; it is further

ORDERED that Movant is permitted to pursue the claims alleged in the Motion, including pursuing her suit in Wrongful Death Litigation, as defined in the Motion, against the ZI Debtor (as a nominal party); it is further

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’ proposed claims and noticing agent at <https://veritaglobal.net/zhi>. The location of the Debtors’ service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion.

ORDERED that Movant is permitted to pursue against the ZI Debtor's insurance coverage that may be available (up to the policy limits) for any recovery or resulting judgment in connection with the claims alleged in the Motion; it is further

ORDERED that Movant may liquidate her claim for purposes of ZI Debtor's bankruptcy case in the Personal Injury Litigation, as defined in the Motion.

It is further **ORDERED** that the fourteen-day stay period under Fed. R. Bankr. P. 4001(a) is waived.

SIGNED: _____.

MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE