

ARMSTRONG WORLD INDUSTRIES,
INC. ASBESTOS PERSONAL INJURY
SETTLEMENT TRUST *et al.*

Plaintiff(s),

vs.

ALDRICH PUMP LLC, *et al.*

Defendant(s).

Miscellaneous Pleading

No. 22-00303 (JCW)

(Transferred from District of Delaware)

AC&S ASBESTOS SETTLEMENT
TRUST, COMBUSTION ENGINEERING
524(G) ASBESTOS PI TRUST, GI
HOLDINGS INC. ASBESTOS
PERSONAL INJURY SETTLEMENT
TRUST, GST SETTLEMENT FACILITY,
KAISER ALUMINUM & CHEMICAL
CORPORATION ASBESTOS
PERSONAL INJURY TRUST, QUIGLEY
COMPANY, INC. ASBESTOS PI TRUST
T H AGRICULTURE & NUTRITION,
L.L.C. ASBESTOS PERSONAL INJURY
TRUST, and YARWAY ASBESTOS
PERSONAL INJURY TRUST,

Petitioners,

vs.

ALDRICH PUMP LLC and MURRAY
BOILER LLC,

Respondents,

VERUS CLAIM SERVICES, LLC,

Interested Party,

NON-PARTY CERTAIN MATCHING
CLAIMANTS,

Interested Party.

Miscellaneous Pleading

No. 23-00300 (JCW)

(Transferred from District of New Jersey)

NOTICE OF PROPOSED AGENDA OF MATTERS SCHEDULED FOR HEARING ON THURSDAY, JANUARY 26, 2023, AT 9:30 A.M.

STATUS CONFERENCE IN MATTER IN BASE CASE

1. Motion for Order Directing Parties to Mandatory Mediation and Establishing Mediation Procedures [Docket No. 1247]

a. Related Pleadings:

- i. Response of Certain Insurers to the Bankruptcy Administrator's Motion to Compel Mediation [Docket No. 1289]
- ii. The Future Asbestos Claimants' Representative's Response in Support of Bankruptcy Administrator's Motion for Order Directing Parties to Mandatory Mediation and Establishing Mediation Procedures [Docket No. 1298]
- iii. The Non-Debtor Affiliates' Response to the Motion for Order Directing Parties to Mandatory Mediation and Establishing Mediation Procedures [Docket No. 1370]
- iv. Objection of the Official Committee of Asbestos Personal Injury Claimants to the Bankruptcy Administrator's Motion for Mandatory Mediation [Docket No. 1371]
- v. Debtors' Response to Motion for Order Directing Parties to Mandatory Mediation and Establishing Mediation Procedures [Docket No. 1373]
- vi. Order Directing Parties to Mediation and Scheduling Further Status Conference [Docket No. 1449]

b. Objection Deadline: October 21, 2022, per agreement of the parties

c. Status: The parties are circulating a consent order and will provide and update to the Court related to this matter.

STATUS CONFERENCE IN PROCEEDING TRANSFERRED FROM THE DISTRICT OF DELAWARE

2. Third-Party Asbestos Trusts' Motion Quash or Modify Subpoenas [NC District Court Docket No. 1] [Bankruptcy Docket No. 3-1]

a. Related Pleadings:

- i. Aldrich Pump LLC and Murray Boiler LLC's Brief in Opposition to: (A) Third-Party Asbestos Trusts' Motion to Quash or Modify Subpoenas; and (B) Delaware Claims Processing Facility, LLC's (I) Motion to Quash or Modify Subpoenas and (II) Joinder [NC District Court Docket No. 10] [Bankruptcy Docket No. 4-9]
- ii. Kazan McClain Matching Claimants' Motion to Quash and Joinders in Third Party Asbestos Trusts' and Delaware Claims Processing Facility, LLC's Motions to Quash or Modify Subpoenas [NC District Court Docket No. 15] [Bankruptcy Docket No. 5-5]
- iii. Third-Party Asbestos Trusts' Reply in Support of Motion to Quash or Modify Subpoenas [NC District Court Docket No. 20] [Bankruptcy Docket No. 6-2]
- iv. Memorandum Order [NC District Court Docket No. 40] [Bankruptcy Docket No. 7-10]
- v. Order [NC District Court Docket No. 44] [Bankruptcy Docket No. 8-4]

b. Status: This matter is set for status conference.

3. Delaware Claims Processing Facility, LLC's (I) Motion to Quash or Modify Subpoena and (II) Joinder [NC District Court Docket No. 3] [Bankruptcy Docket No. 4-2]

a. Related Pleadings:

- i. Aldrich Pump LLC and Murray Boiler LLC's Brief in Opposition to: (A) Third-Party Asbestos Trusts' Motion to Quash or Modify Subpoenas; and (B) Delaware Claims Processing Facility, LLC's (I) Motion to Quash or Modify Subpoenas and (II) Joinder [NC District Court Docket No. 10] [Bankruptcy Docket No. 4-9]
- ii. Kazan McClain Matching Claimants' Motion to Quash and Joinders in Third Party Asbestos Trusts' and Delaware Claims Processing Facility, LLC's Motions to Quash or Modify Subpoenas [NC District Court Docket No. 15] [Bankruptcy Docket No. 5-5]
- iii. Delaware Claims Processing Facility, LLC's Reply in Support of its (I) Motion to Quash or Modify Subpoena and (II) Joinder [NC District Court Docket No. 23] [Bankruptcy Docket No. 6-5]

- iv. Memorandum Order [NC District Court Docket No. 40] [Bankruptcy Docket No. 7-10]
- v. Order [NC District Court Docket No. 44] [Bankruptcy Docket No. 8-4]

b. Status: This matter is set for status conference.

4. Non-Party Certain Matching Claimants' (I) Motion to Quash or Modify Subpoenas and (II) Joinders [NC District Court Docket No. 13] [Bankruptcy Docket No. 5-3]

a. Related Pleadings:

- i. Kazan McClain Matching Claimants' Motion to Quash and Joinders in Third Party Asbestos Trusts' and Delaware Claims Processing Facility, LLC's Motions to Quash or Modify Subpoenas [NC District Court Docket No. 15] [Bankruptcy Docket No. 5-5]
- ii. Aldrich Pump LLC and Murray Boiler LLC's Brief in Opposition to: (A) Non-Party Certain Matching Claimants' (I) Motion to Quash or Modify Subpoenas and (II) Joinders; and (B) Kazan McClain Matching Claimants' Motion to Quash and Joinders in Third Party Asbestos Trusts' and Delaware Claims Processing Facility, LLC's Motions to Quash or Modify Subpoenas [NC District Court Docket No. 21] [Bankruptcy Docket No. 6-3]
- iii. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [NC District Court Docket No. 26] [Bankruptcy Docket No. 6-8]
- iv. Joinder of the Kazan McClain Matching Claimants to Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [NC District Court Docket No. 30] [Bankruptcy Docket No. 6-12]
- v. Memorandum Order [NC District Court Docket No. 40] [Bankruptcy Docket No. 7-10]
- vi. Order [NC District Court Docket No. 44] [Bankruptcy Docket No. 8-4]

b. Status: This matter is set for status conference.

**STATUS CONFERENCE IN PROCEEDING TRANSFERRED
FROM THE DISTRICT OF NEW JERSEY**

5. Notice of Third Party Trusts' Motion to Quash and in Support of Stay and Memorandum of Law in Support of Third Party Asbestos Trusts' Motion to Quash Subpoenas and in Support of Stay [Docket No. 2-2]

a. Related Pleadings:

- i. Letter from Lynda A. Bennett [Docket No. 2-10]
- ii. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants' Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 3-3]
- iii. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [Docket No. 5-2]
- iv. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 5-8]
- v. Third Party Asbestos Trusts' Reply Memorandum of Law in Further Support of Their Motion to Quash Subpoenas [Docket No. 5-9]
- vi. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [Docket No. 1]
- vii. Notice of Status Hearing [Docket No. 7]

b. Status: This matter is set for status conference.

6. Notice of Motion to Quash Subpoena and to Stay and Verus Claim Services, LLC's Memorandum of Law in Support of its Motion to Quash Subpoena and to Stay [Docket No. 2-6]

a. Related Pleadings:

- i. Letter from Andrew E. Anselmi [Docket No. 2-11]

- ii. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants' Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 3-3]
 - iii. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [Docket No. 5-2]
 - iv. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 5-8]
 - v. Verus Claim Services, LLC's Reply Memorandum of Law in Further Support of its Motion to Quash [Docket No. 5-10]
 - vi. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [Docket No. 1]
 - vii. Notice of Status Hearing [Docket No. 7]
- b. Status: This matter is set for status conference.

7. Notice of Non-Party Certain Matching Claimants' Joinders and Motion to Quash and Non-Party Certain Matching Claimants' Memorandum of Law in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 3-3]

- a. Related Pleadings:
- i. Aldrich Pump LLC and Murray Boiler LLC's Memorandum of Law in Opposition to: (I) Third-Party Trusts' Motion to Quash Subpoenas and in Support of Stay; (II) Verus Claim Services, LLC's Motion to Quash Subpoena and to Stay; and (III) Non-Party Certain Matching Claimants' Joinders and Motion to Quash [Docket No. 5-2]
 - ii. Non-Party Certain Matching Claimants' Reply in Support of (I) Motion to Quash or Modify Subpoenas and (II) Joinders [Docket No. 5-8]

- iii. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [Docket No. 1]
- iv. Notice of Status Hearing [Docket No. 7]

b. Status: This matter is set for status conference.

8. Notice of Non-Party Certain Matching Claimants' Motion to Proceed Anonymously and Non-Party Certain Matching Claimants' Memorandum of Law in Support of Motion to Proceed Anonymously [Docket No. 3-4]

a. Related Pleadings:

- i. Aldrich Pump LLC and Murray Boiler LLC's Brief in Opposition to Non-Party Certain Matching Claimants' Motion to Proceed Anonymously [Docket No. 5-1]
- ii. Non-Party Certain Matching Claimants' Reply in Support of the Motion to Proceed Anonymously [Docket No. 5-7]
- iii. Consent Order Regarding Respondents Aldrich Pump LLC and Murray Boiler LLC's Motion to Transfer Subpoena-Related Motions to the Issuing Court, the United States Bankruptcy Court for the Western District of North Carolina [Docket No. 1]
- iv. Notice of Status Hearing [Docket No. 7]

b. Status: This matter is set for status conference.

MATTER GOING FORWARD IN BASE CASE

9. Motion of the Future Claimants Representative for an Order to Establish a Protocol for Determining a Representative Sample of Resolved Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1342]

a. Related Pleadings:

- i. Objection of the Official Committee of Asbestos Personal Injury Claimants to Motion of the Future Asbestos Claimants' Representative for an Order to Establish a Protocol for Determining a Representative Sample of Resolved Mesothelioma Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1364]

- ii. Debtors' Response to the Motion of the Future Asbestos Claimants' Representative for an Order to Establish a Protocol for Determining a Representative Sample of Resolved Claims for Purposes of Discovery and Use in the Estimation Proceeding [Docket No. 1365]
- b. Objection Deadline: October 17, 2022, per agreement of the parties.
- c. Status: This matter is going forward.

MATTER GOING FORWARD IN ADVERSARY PROCEEDING NO. 22-03028

- 10. **Motion to File Confidential Documents Under Seal [Docket No. 2]**
 - a. Related Pleadings: None.
 - b. Objection Deadline: July 5, 2022
 - c. Status: This matter is going forward.

MATTER GOING FORWARD IN ADVERSARY PROCEEDING NO. 22-03029

- 11. **Motion to File Confidential Documents Under Seal [Docket No. 2]**
 - a. Related Pleadings: None.
 - b. Objection Deadline: July 5, 2022
 - c. Status: This matter is going forward.

Dated: January 24, 2023
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.
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