

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE:

BRIGGS & STRATTON CORPORATION, *et al.*,

Debtors.

ALAN D. HALPERIN, solely as Plan
Administrator of the Wind-Down Estates of
Briggs & Stratton Corporation,

Plaintiff,

v.

STATE OF NEBRASKA, NEBRASKA
WORKERS' COMPENSATION COURT and
ZURICH-AMERICAN INSURANCE
COMPANY,

Defendants.

In Proceedings Under Chapter 11
Hon. Kathy A. Surratt-States

Case No. 20-43597-659
(Jointly Administered)

Adversary No. 25-04044-659

FOURTH MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT

COME NOW the Nebraska Workers' Compensation Court and the State of Nebraska (collectively, the "Movants") and in support of their *Fourth Motion for Extension of Time to Respond to Complaint* (the "Motion"), state to this honorable Court as follows:

1. Plaintiff commenced this action on August 1, 2025. In its Complaint, Plaintiff purports to seek declaratory relief, turnover, damages, and additional relief against Movants and against a surety bond issuer.

2. Movants are the state of Nebraska and the Nebraska Workers' Compensation Court, a judicial branch of the state of Nebraska.



3. On August 6, 2025 this Court issued a Summons [Doc. No.4] which provides that Movants are to file a motion or answer to the Complaint on or before the expiration of thirty (30) days from the date of issuance of the Summons. As such, Movants' initial response deadline under Rules 7007, 7012, 7013, and 9006 of the Federal Rules of Bankruptcy Procedure was September 5, 2025 (the "Response Date").

4. Movants filed motions to extend time, each of which was with the consent of Plaintiff and ordered by the Court. See motions at [Doc. Nos. 8, 12, and 15] and orders entered with respect to same [Doc. Nos 9, 13, and 16].

5. Movants are a sovereign state and a judicial branch of that sovereign state. In order to appropriately respond to the Complaint in this action, Movants will need to review applicable statutes and rules, communications between and among them and Debtor, communications between and among them and Plaintiff in this matter, and relevant documents. In addition, prior to submitting a response to the Complaint, appropriate approvals will be required from officials of the state of Nebraska.

6. The parties in this action, including co-defendant Zurich-American Insurance Company (Zurich) have had discussions regarding the issues alleged in the Complaint and have worked to informally investigate the facts, which are complex and concern matters from several years ago. This investigation will, the parties believe, assist the parties in crafting a resolution of the matter or will distil the facts forming the claims for relief in the Complaint. Movants understand and previously noted that Plaintiff has granted an informal extension to Zurich while this investigation continues. Movants respectfully request that the Response Date in this action be extended for Movants through and including December 3, 2025.

7. The undersigned represents to this Court that counsel for Plaintiff consents to this request and further state that the request is made to facilitate efforts of Zurich to investigate its records and to provide the results to the parties for review.

8. This request is made timely under Rule 9006 of the Federal Rules of Bankruptcy Procedure.

9. Movants respectfully submit that the foregoing constitutes good and sufficient cause under Rule 9006(b) and further that this request is not made for an improper purpose. Rather, the request is made, with consent of Plaintiff and in order to allow Movants sufficient time to fully respond to the Complaint.

WHEREFORE, Movants respectfully request that this honorable Court grant this Motion, that the Court extend the Response Date through and including December 3, 2025, and that the Court grant Movants such additional and further relief as is just and proper.

MATHIS, MARIFIAN, & RICHTER, LTD.

By: /s/ Robert A. Breidenbach

Robert A. Breidenbach (ARN 74339, MBE 41557)

23 Public Square, Ste. 300

Belleville, IL 62220

FAX: (618) 234-9786

(618) 234-9800

rbreidenbach@mmrltd.com

Attorneys for State of Nebraska and the
Nebraska Workers' Compensation Court

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served this 30th day of October, 2025, by first-class mail, postage prepaid, to the following parties, unless said parties received service by electronic means:

Robert E Eggmann, III
Christopher J. Lawhorn
Thomas H. Riske
Carmody MacDonald P.C.
120 South Central Avenue, Suite 1800
Clayton, MO 63105

Julie Dayas Goldberg
Chris Battadlia
Halperin Battaglia Benzja LLP
40 Wall Street, 37th Fl.
New York, NY 10005

Client (via e-mail)

/s/ Robert A. Breidenbach