

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

**SIXTH 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 *Sixth 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 provided that Movants were 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. That on September 4, 2025 Movants filed a Motion to Extend Time [Doc. No.8] which the Court granted September 5, 2025 [Doc. No. 9], extending the Response Date to October 6, 2025. That on October 3, 2025 Movants filed a Second Motion to Extend Time [Doc. No. 12] which the Court granted October 7, 2025 [Doc. No.13], extending the Response Date to October 20, 2025. That on October 17, 2025 Movants filed a Third Motion to Extend Time [Doc. No. 15] which the Court granted October 21, 2025 [Doc. No. 16], extending the Response Date to November 3, 2025. That on October 30, 2025 Movants filed a Fourth Motion to Extend Time [Doc. No. 18] which the Court granted on November 3, 2025 [Doc. No. 19], extending the Response Date to December 3, 2025. That on December 3, 2025 Movants filed a Fifth Motion to Extend Time [Doc. No. 21] which the Court granted on December 5, 2025 [Doc. No. 22], extending the Response Date to January 7, 2026.

5. Each of the aforesaid motions was filed with the consent of Plaintiff.

6. 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, the director of the Nebraska Workers' Compensation Court retired from her position at the end of 2026 and her successor, while familiar with the matter, must still familiarize herself in depth.

7. As previously indicated to the Court in Movants' prior requests, from and after the commencement of this matter, Movants have been in regular discussions with Plaintiff regarding the issues alleged in the Complaint, and applicable law. Those discussions have included counsel for the co-defendant Zurich-American Insurance Company (Zurich), which was the surety for the workers compensation bond at issue in this matter, and which is operating under an informal extension of time for its pleading in this action. The parties have investigated the issues related to the bond, which the parties have learned is a bond that addressed all of the operations of the Briggs & Stratton entities. Without disclosing the parties' respective factual or legal positions, which remain disputed, Movants represent to the Court that they have been working with Plaintiff and with Zurich to fashion a consensual resolution and to avoid likely significant litigation costs.

8. In December, the parties received and discussed information Zurich was able to obtain regarding the matter, have sought clarification of some matter, which is expected to be received, but which has not been as of this date. As such, Movants respectfully request that the Response Date in this action be extended for Movants through and including February 10, 2026.

9. The undersigned represents to this Court that counsel for Plaintiff consents to this request.

10. This request is made timely under Rule 9006 of the Federal Rules of Bankruptcy Procedure. Movants do not anticipate making a further request in this matter.

11. 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, to assist the parties in their efforts to reach a consensual resolution – if possible – 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 February 10, 2026, and that the Court grant Movants such additional and further relief as is just and proper.

**MATHIS, MARIFIAN, & RICHTER, LTD.**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was served this 6<sup>th</sup> day of January, 2026, by first-class mail, postage prepaid, to the following parties, unless said parties received service by electronic means:

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