

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

In re:	§	CASE NO. 24-90391 (MI)
	§	
Computer Simulation & Analysis, Inc ¹ ,	§	CHAPTER 11
	§	
REORGANIZED DEBTOR.	§	
	§	

**STIPULATION AND ORDER ABATING OBJECTION TO CLAIM OF
COMMONWEALTH ELECTRIC COMPANY OF THE MIDWEST**
[Relates to Docket 2336 & 3166]

This stipulation and agreed order (this “Stipulation and Order”) is made by and among Commonwealth Electric Company of the Midwest (“CECM”) and Zachry Holdings, Inc. and its affiliated reorganized debtors (the “Reorganized Debtors”) (together, CECM and the Reorganized Debtors are referred to as the “Parties,” and each a “Party”). The Parties hereby stipulate and agree as follows:

WHEREAS, on May 21, 2024, the Reorganized Debtors commenced chapter 11 cases in the United States Bankruptcy Court for the Southern District of Texas (the “Court”);

WHEREAS, on August 27, 2024, CECM filed proof of claim no. 1003 in bankruptcy case 24-90385 for Zachry Industrial, Inc. for \$5,359,030.62 (the “CECM Bankruptcy Claim”);

WHEREAS, on February 20, 2025, the Reorganized Debtors filed an Objection to the CECM Bankruptcy Claim [Doc. 2336] (“the Claim Objection”);

WHEREAS, on May 23, 2025, CECM filed the Motion for Summary Judgment with Respect to Debtors’ Objection to the Claim of Commonwealth Electric Company of the Midwest [Doc. 2953] (the “Summary Judgment Motion”);

¹ The last four digits of the federal tax identification number for Computer Simulation & Analysis, Inc. are 4097. The location of the Reorganized Debtor’s service address in this chapter 11 case is: P.O. Box 240130, San Antonio, Texas 78224. On June 27, 2025, the Bankruptcy Court entered the *Final Decree Closing Certain of the Chapter 11 Cases* (Case No. 24-90377 (MI), Doc3178) closing the chapter 11 cases for Zachry Holdings, Inc., Zachry EPC Holdings, Inc., Zachry Engineering Corporation, ZEC New York, Inc., Zachry High Voltage Solutions, LLC, UE Properties, Inc., ZEC Michigan, Inc., Zachry Constructors, LLC, Zachry Industrial, Inc., Zachry Enterprise Solutions, LLC, Moss Point Properties, LLC, Zachry Nuclear Construction Inc., Zachry Nuclear, Inc., Zachry Nuclear Engineering, Inc., Zachry Plant Services Holdings, Inc., JVIC Fabrication, LLC, Zachry Industrial Americas, Inc., Zachry Maintenance Services, LLC, J.V. Industrial Companies, LLC, Madison Industrial Services Team, LLC.

WHEREAS, on June 23, 2025, the Court entered the *Stipulation and Order Regarding the Claim Objection* [Doc. 3166] (the “Stipulation”) that, among other things, set trial on the Claim Objection to begin on October 14, 2025;

WHEREAS, on July 15, 2025, the United States District Court for the District of Nebraska entered an order (the “Stay Order”) staying the dispute commenced by CECM against Zachry’s sureties under Case No. 4:24CV3149, *Commonwealth Electric Company of the Midwest, a Nebraska Corporation v. Travelers Casualty and Surety Company of America, a Corporation; and Pacific Indemnity Company, a Delaware Corporation* (the “CECM Nebraska Action”);

WHEREAS, the Parties have engaged in discovery but have not yet conducted depositions;

WHEREAS, the Parties have agreed to abate further discovery and related deadlines, including scheduling depositions, and adjourn the trial on the Claim Objection in order to participate in mediation relating to the CECM Bankruptcy Claim as provided herein;

WHEREAS, CECM has agreed it will not attempt to remove the Stay Order or otherwise attempt to revive the CECM Nebraska Action or take any other action against Zachry’s sureties until the Parties have participated in mediation on the CECM Bankruptcy Claim as provided herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND ORDERED:

1. The discovery deadlines relating to the Claim Objection are abated pending the Parties participating in mediation with a mutually acceptable mediator, with a mediation to be held by September 20, 2025 or the mediator’s next available date. In no event shall the mediation occur later than October 14, 2025, absent a further written agreement of the Parties or order of the Court. If the Parties have not participated in a mediation session by such date, the abatement of discovery deadlines shall automatically terminate, and the litigation shall resume in accordance with a revised case schedule to be agreed upon by the Parties or set by the Court at the next status conference.

2. The trial on the Claim Objection is adjourned indefinitely, and the October 14, 2025 trial date shall be reset as a status conference.

3. The Parties shall not schedule a hearing on the Summary Judgment Motion until the conclusion of the mediation.

4. CECM shall not take any action to terminate the Stay Order, or otherwise attempt to revive the CECM Nebraska Action or take any other action against Zachry’s sureties, until the conclusion of the mediation.

5. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Order.

SIGNED:

UNITED STATES BANKRUPTCY JUDGE

SO STIPULATED:

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