

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE:

ALDRICH PUMP LLC, et al.,

Debtor.

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 TRUST, and
YARWAY ASBESTOS PERSONAL INJURY
TRUST,

Petitioners,

v.

ALDRICH PUMP LLC and MURRAY BOILER
LLC,

Respondents,

VERUS CLAIMS SERVICES, LLC,

Interested Party,

NON-PARTY CERTAIN MATCHING
CLAIMANTS,

Interested Party.

Chapter 11

Underlying Case No.: 20-30608
(JCW)
(United States Bankruptcy Court
for the Western District of North
Carolina)

Case No.: 22-05116 (MAS-TJB)

Honorable Michael A. Shipp

Honorable Tonianne J.
Bongiovanni



2030608230112000000000004

Dated: September 9, 2022

Respectfully submitted,

/s/ Paul R. DeFilippo

Paul R. DeFilippo

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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY**

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Case No.: 22-05116 (MAS-TJB)

Honorable Michael A. Shipp

Honorable Tonianne J.
 Bongiovanni

**CONSENT ORDER REGARDING BRIEFING SCHEDULE OF
 MATCHING CLAIMANTS' MOTIONS AND MOTION TO TRANSFER**

WHEREAS, on July 5, 2022, Aldrich Pump LLC and Murray Boiler LLC (together, “Respondents”) served subpoenas (the “Subpoenas”) to produce documents on each of the Trusts¹ and Verus Claims Services, LLC (“Verus”);

WHEREAS, on August 19, 2022, the Trusts initiated this action by filing a motion to quash the Subpoenas and stay [Dkt. No. 1] (“Trusts’ Motion to Quash”);

WHEREAS, on August 19, 2022, Verus filed a motion to quash Subpoena and stay [Dkt. No. 5] (the “Verus’ Motion to Quash” and together with the Trusts’ Motion to Quash, the “Initial Motions to Quash”);

WHEREAS, on September 2, 2022, Non-Party Certain Matching Claimants (“Matching Claimants”) filed a motion to quash or modify the Subpoenas and joinder [Dkt. No. 13] (the “Matching Claimants’ Motion to Quash”);

WHEREAS, on September 2, 2022, Matching Claimants filed a motion to proceed anonymously [Dkt. No. 14] (the “Motion to Proceed Anonymously” and together with the Matching Claimants’ Motion to Quash, the “Matching Claimants’ Motions”);

WHEREAS, on September 6, 2022, the Court entered a Consent Order [Dkt. No. 15] (the “Initial Consent Order”) setting the briefing schedule for the Initial

¹ The “Trusts” are, collectively, AC&S Asbestos Trust, Combustion Engineering 524(g) Asbestos PI Trust, G-I Holdings Inc. Asbestos Personal Injury Settlement Trust, GST Settlement Facility, Kaiser Aluminum & Chemical Corp. Asbestos Personal Injury Trust, Quigley Asbestos Trust, THAN Asbestos Personal Injury Trust, and Yarway Asbestos Personal Injury Trust.

Motions to Quash and Respondents' motion to transfer the Initial Motions to Quash to the U.S. Bankruptcy Court for the Western District of North Carolina (the "Motion to Transfer");

WHEREAS, the current deadline for Respondents to file oppositions to the Matching Claimants' Motions is September 19, 2022;

WHEREAS, the current return date for the Matching Claimants' Motions is October 3, 2022;

WHEREAS, counsel for the Respondents, Trusts, Verus, and Matching Claimants having conferred regarding the briefing schedule of the Matching Claimants' Motions and Motion to Transfer to provide consistency with the Initial Consent Order; and

NOW, THEREFORE, with the consent of the parties and the Court having found that good cause exists for the entry of this Order;

IT IS, on this ____ day of September, 2022, ORDERED, that

1. Respondents must file and serve the Motion to Transfer, which may include a request for relief transferring the Matching Claimants' Motions, no later than September 9, 2022.

2. All oppositions related to the Matching Claimants' Motions must be filed and served no later than September 26, 2022.

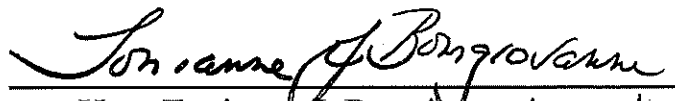
3. Consistent with the Initial Consent Order, Matching Claimants' opposition related to the Motion to Transfer must be filed and served no later than October 3, 2022.

4. All responses related to the Matching Claimants' Motions and Motion to Transfer must be filed and served no later than October 11, 2022.

5. The return date for the Matching Claimants' Motions is adjourned to November 7, 2022.

6. Nothing herein shall prejudice any party from seeking further extensions or relief as to the briefing schedule for good cause.

7. A copy of this Consent Order shall be served on the parties of record via the Court's CM/ECF system.



Hon. Tonianna J. Bongiovanni
United States Magistrate Judge 7/01/22

The parties hereby consent to the form and entry of the within Order:

Dated: Bedminster, New Jersey
September 9, 2022

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DEUTSCH LLP**

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(Applications *pro hac vice* pending)

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STARK & STARK, PC

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*Attorneys for Non-Party Certain
Matching Claimants*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE:

ALDRICH PUMP LLC, et al.,

Civil Action No. 22-cv-05116 MAS-TJB

Underlying Case. No. 20-30608 (JCW)

(U.S. Bankruptcy Court for the Western
District of North Carolina)

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Joseph H. Lemkin, Esq. of Stark & Stark, PC hereby enters an appearance as counsel for Non-Party Certain Matching Claimants (the “**Certain Matching Claimants**”) along with Timothy P. Duggan, Esq. (already appearing), and requests that copies of all papers filed in this action be served upon the undersigned.

STARK & STARK

A Professional Corporation

Dated: September 13, 2022

/s/ Joseph H. Lemkin

JOSEPH H. LEMKIN

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September 20, 2022

VIA ECF

Hon. Michael A. Shipp, U.S.D.J.
Hon. Tonianne J. Bongiovanni, U.S.M.J.
District of New Jersey
Clarkson S. Fisher Building and U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: AC&S Asbestos Settlement Trust, et al. v. Aldrich Pump LLC et al.
Case No.: 3-22-cv-05116

Dear Judge Shipp and Judge Bongiovanni:

This law firm represents the eight third-party asbestos settlement trusts identified below¹ (collectively, the “**Trusts**”) in the above-captioned action. We write regarding the Trusts’ August 19, 2022 Motion to Quash Subpoenas and In Support of Stay (Dkt. No. 1) (and additional motions to quash filed by Verus Claims Services, LLC and certain Matching Claimants (Dkt. Nos. 5, 13)) and Aldrich Pump LLC and Murray Boiler LLC’s (together, the “**Debtors**”) September 9, 2022 Motion to Transfer the Case. (Dkt. No. 20.)

The motions to quash are presently assigned to Judge Bongiovanni, and the motion to transfer is presently assigned to Judge Shipp. After the Debtors filed their Motion to Transfer, counsel for all parties received an automated message from the Court setting the return date for the Motion as October 17, 2022. By way of two consent orders entered on September 6 and 12 (Dkt. Nos. 15, 23), however, Judge Bongiovanni approved the following combined briefing schedule for all motions:

- September 9, 2022 – Deadline to file Motion to Transfer
- September 26, 2022 – Deadline to file Opposition to Motions to Quash
- October 3, 2022 – Deadline to file opposition to motion to transfer
- October 11, 2022 – Deadline to file replies to motion to quash opposition and motion to transfer opposition
- November 7, 2022 – Return date for all motions

¹ The eight trusts are: (i) ACandS Asbestos Settlement Trust; (ii) Combustion Engineering 524(g) Asbestos PI Trust; (iii) G-I Holdings Inc. Asbestos Personal Injury Settlement Trust; (iv) GST Settlement Facility; (v) Kaiser Aluminum & Chemical Corporation Asbestos Personal Injury Trust; (vi) Quigley Company, Inc. Asbestos PI Trust; (vii) T H Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust; and (viii) Yarway Asbestos Personal Injury Trust.

Hon. Michael A. Shipp, U.S.D.J.
Hon. Tonianne J. Bongiovanni, U.S.M.J.
September 20, 2022
Page 2

With the consent of all counsel, for the sake of efficiency and judicial economy, we respectfully request that all currently pending motions be assigned to Judge Bongiovanni, and seek to confirm the briefing schedule according to the September 9, 2022 Consent Order.

We thank the Court for its time and consideration.

Respectfully submitted,

s/ Lynda A. Bennett

Lynda A. Bennett, Esq.

cc: All Counsel of Record (via ECF and email)



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September 20, 2022

VIA ECF

Hon. Michael A. Shipp, U.S.D.J.
Hon. Tonianne J. Bongiovanni, U.S.M.J.
District of New Jersey
Clarkson S. Fisher Building and U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

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Case No.: 3-22-cv-05116

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Hon. Michael A. Shipp, U.S.D.J.
Hon. Tonianne J. Bongiovanni, U.S.M.J.
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We thank the Court for its time and consideration.

Respectfully submitted,

s/ Lynda A. Bennett

Lynda A. Bennett, Esq.

cc: All Counsel of Record (via ECF and email)

It is on this 21st day of September, 2022
SO ORDERED.

s/Tonianne J. Bongiovanni
Hon. Tonianne J. Bongiovanni