

Practice and Procedure of the United States Bankruptcy Court for the Western District of North Carolina.

I. Statement of the Issues to Be Presented on Appeal

The Committee previously provided its Questions of Law Presented for Review in the Official Committee of Asbestos Personal Injury Claimants' Memorandum of Law in Support of Its Motion for Leave to Appeal Order Denying Motions to Dismiss [Dist. Ct. ECF No. 3; Bankr. Ct. ECF No. 2065]. It adopts the same questions of law as its statement of the issues to be presented on appeal:

(a) Does the power granted to bankruptcy courts by Congress under the U.S. Constitution's Bankruptcy Clause (U.S. CONST. art. I, § 8) limit subject matter jurisdiction of the bankruptcy court over a fully solvent entity, whose economic viability is not threatened?

(b) Does the dismissal standard set forth in *Carolyn* apply beyond the "very portals of bankruptcy"? *Carolyn Corp. v. Miller*, 886 F.2d 693, 700 (4th Cir. 1989).

(c) Does the *Carolyn* standard "control[] the petition" while "Section 1112(b) [of the Bankruptcy Code] controls the case"? Order Denying Motions To Dismiss, at 58 [Bankr. Ct. ECF No. 2047].

(d) Does the dismissal standard in *Carolyn* apply when there is a solvent or non-distressed debtor?

(e) Does the Bankruptcy Code provide relief to only financially distressed debtors?

(f) Does a chapter 11 debtor's use of the Bankruptcy Code's provisions to gain a "tactical litigation advantage" over its creditors constitute "cause" within the meaning of 11 U.S.C. § 1112(b)?

(g) Is the definition of "new debtor syndrome" limited to a single asset entity, and if not, does an expanded definition constitute "cause" under 11 U.S.C. § 1112(b)?

(h) Does a debtor solely in the business of managing tort litigation that it plans to resolve through a § 524(g) plan show a “hope of rehabilitation” under the *Carolin* standard?

II. Designation of the Record on Appeal

The Committee hereby designates the following items to be included in the record on appeal that are not sealed:

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
2	6/18/2020	Corporate Ownership Statement
5	6/18/2020	Informational Brief of Aldrich Pump LLC and Murray Boiler LLC
27	6/18/2020	Declaration of Ray Pittard in Support of First Day Pleadings
47	6/18/2020	Voluntary Petition for Non-Individuals Filing for Bankruptcy
1 (3:20-ap-03041)	6/18/2020	Debtors’ Complaint for Injunctive and Declaratory Relief (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring That the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing
2 (3:20-ap-03041)	6/18/2020	Motion of the Debtors for an Order (I) Preliminarily Enjoining Certain Actions Against Non-Debtors, or (II) Declaring That the Automatic Stay Applies to Such Actions, and (III) Granting a Temporary Restraining Order Pending a Final Hearing
3 (3:20-ap-03041)	6/18/2020	Declaration of Allan Tananbaum in Support of Debtors’ Complaint for Injunctive and Declaratory Relief, Related Motions, and the Chapter 11 Cases
99	6/23/2020	Courtroom Recording. Court Date & Time [6/22/2020 3:14:22 PM]
100	6/23/2020	Courtroom Recording. Court Date & Time [6/22/2020 4:14:23 PM]
101	6/23/2020	Courtroom Recording. Court Date & Time [6/22/2020 4:41:06 PM]
102	6/23/2020	Courtroom Recording. Court Date & Time [6/22/2020 5:40:15 PM]
115	6/25/2020	Transcript for Hearing/Trial held on 6/22/2020
345	9/23/2020	Agreed Protective Order Governing Confidential Information
N/A	3/2/2021	Deposition Transcript of Robert Zafari

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	3/3/2021	Deposition Transcript of Marc DuFour
N/A	3/11/2021	Deposition Transcript of Robert Sands
155 (3:20-ap-03041)	4/3/2021	Motion to File Confidential Documents Under Seal
156 (3:20-ap-03041)	4/3/2021	Motion to File Confidential Documents Under Seal
181 (3:20-ap-03041)	4/19/2021	Motion to File Confidential Documents Under Seal
N/A	4/22/2021	The Official Committee of Asbestos Personal Injury Claimants' Deposition Designations, <i>In re Aldrich Pump LLC</i> , Adv. Pro. No. 20-03041
N/A	4/22/2021	ACC Exhibit 1
N/A	4/22/2021	ACC Exhibit 2
N/A	4/22/2021	ACC Exhibit 3
N/A	4/22/2021	ACC Exhibit 4
N/A	4/22/2021	ACC Exhibit 5
N/A	4/22/2021	ACC Exhibit 6
N/A	4/22/2021	ACC Exhibit 7
N/A	4/22/2021	ACC Exhibit 8
N/A	4/22/2021	ACC Exhibit 9
N/A	4/22/2021	ACC Exhibit 10
N/A	4/22/2021	ACC Exhibit 11
N/A	4/22/2021	ACC Exhibit 12
N/A	4/22/2021	ACC Exhibit 13
N/A	4/22/2021	ACC Exhibit 14
N/A	4/22/2021	ACC Exhibit 17
N/A	4/22/2021	ACC Exhibit 18
N/A	4/22/2021	ACC Exhibit 19
N/A	4/22/2021	ACC Exhibit 22
N/A	4/22/2021	ACC Exhibit 24
N/A	4/22/2021	ACC Exhibit 25
N/A	4/22/2021	ACC Exhibit 26
N/A	4/22/2021	ACC Exhibit 27
N/A	4/22/2021	ACC Exhibit 28
N/A	4/22/2021	ACC Exhibit 29
N/A	4/22/2021	ACC Exhibit 30
N/A	4/22/2021	ACC Exhibit 31
N/A	4/22/2021	ACC Exhibit 32
N/A	4/22/2021	ACC Exhibit 33
N/A	4/22/2021	ACC Exhibit 34
N/A	4/22/2021	ACC Exhibit 35
N/A	4/22/2021	ACC Exhibit 36
N/A	4/22/2021	ACC Exhibit 37
N/A	4/22/2021	ACC Exhibit 38
N/A	4/22/2021	ACC Exhibit 39

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 40
N/A	4/22/2021	ACC Exhibit 41
N/A	4/22/2021	ACC Exhibit 43
N/A	4/22/2021	ACC Exhibit 44
N/A	4/22/2021	ACC Exhibit 45
N/A	4/22/2021	ACC Exhibit 46
N/A	4/22/2021	ACC Exhibit 47
N/A	4/22/2021	ACC Exhibit 48
N/A	4/22/2021	ACC Exhibit 49
N/A	4/22/2021	ACC Exhibit 50
N/A	4/22/2021	ACC Exhibit 51
N/A	4/22/2021	ACC Exhibit 52
N/A	4/22/2021	ACC Exhibit 53
N/A	4/22/2021	ACC Exhibit 55
N/A	4/22/2021	ACC Exhibit 56
N/A	4/22/2021	ACC Exhibit 57
N/A	4/22/2021	ACC Exhibit 58
N/A	4/22/2021	ACC Exhibit 59
N/A	4/22/2021	ACC Exhibit 60
N/A	4/22/2021	ACC Exhibit 61
N/A	4/22/2021	ACC Exhibit 64
N/A	4/22/2021	ACC Exhibit 65
N/A	4/22/2021	ACC Exhibit 68
N/A	4/22/2021	ACC Exhibit 69
N/A	4/22/2021	ACC Exhibit 70
N/A	4/22/2021	ACC Exhibit 71
N/A	4/22/2021	ACC Exhibit 74
N/A	4/22/2021	ACC Exhibit 75
N/A	4/22/2021	ACC Exhibit 76
N/A	4/22/2021	ACC Exhibit 77
N/A	4/22/2021	ACC Exhibit 78
N/A	4/22/2021	ACC Exhibit 79
N/A	4/22/2021	ACC Exhibit 81
N/A	4/22/2021	ACC Exhibit 82
N/A	4/22/2021	ACC Exhibit 83
N/A	4/22/2021	ACC Exhibit 84
N/A	4/22/2021	ACC Exhibit 85
N/A	4/22/2021	ACC Exhibit 86
N/A	4/22/2021	ACC Exhibit 87
N/A	4/22/2021	ACC Exhibit 88
N/A	4/22/2021	ACC Exhibit 89
N/A	4/22/2021	ACC Exhibit 90

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 91
N/A	4/22/2021	ACC Exhibit 92
N/A	4/22/2021	ACC Exhibit 93
N/A	4/22/2021	ACC Exhibit 94
N/A	4/22/2021	ACC Exhibit 95
N/A	4/22/2021	ACC Exhibit 96
N/A	4/22/2021	ACC Exhibit 97
N/A	4/22/2021	ACC Exhibit 98
N/A	4/22/2021	ACC Exhibit 99
N/A	4/22/2021	ACC Exhibit 100
N/A	4/22/2021	ACC Exhibit 101
N/A	4/22/2021	ACC Exhibit 102
N/A	4/22/2021	ACC Exhibit 103
N/A	4/22/2021	ACC Exhibit 104
N/A	4/22/2021	ACC Exhibit 105
N/A	4/22/2021	ACC Exhibit 106
N/A	4/22/2021	ACC Exhibit 107
N/A	4/22/2021	ACC Exhibit 116
N/A	4/22/2021	ACC Exhibit 117
N/A	4/22/2021	ACC Exhibit 118
N/A	4/22/2021	ACC Exhibit 119
N/A	4/22/2021	ACC Exhibit 120
N/A	4/22/2021	ACC Exhibit 121
N/A	4/22/2021	ACC Exhibit 122
N/A	4/22/2021	ACC Exhibit 125
N/A	4/22/2021	ACC Exhibit 126
N/A	4/22/2021	ACC Exhibit 130
N/A	4/22/2021	ACC Exhibit 133
N/A	4/22/2021	ACC Exhibit 134
N/A	4/22/2021	ACC Exhibit 135
N/A	4/22/2021	ACC Exhibit 136
N/A	4/22/2021	ACC Exhibit 137
N/A	4/22/2021	ACC Exhibit 138
N/A	4/22/2021	ACC Exhibit 139
N/A	4/22/2021	ACC Exhibit 140
N/A	4/22/2021	ACC Exhibit 141
N/A	4/22/2021	ACC Exhibit 142
N/A	4/22/2021	ACC Exhibit 143
N/A	4/22/2021	ACC Exhibit 144
N/A	4/22/2021	ACC Exhibit 146
N/A	4/22/2021	ACC Exhibit 147
N/A	4/22/2021	ACC Exhibit 148

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 149
N/A	4/22/2021	ACC Exhibit 150
N/A	4/22/2021	ACC Exhibit 152
N/A	4/22/2021	ACC Exhibit 153
N/A	4/22/2021	ACC Exhibit 155
N/A	4/22/2021	ACC Exhibit 156
N/A	4/22/2021	ACC Exhibit 158
N/A	4/22/2021	ACC Exhibit 159
N/A	4/22/2021	ACC Exhibit 162
N/A	4/22/2021	ACC Exhibit 163
N/A	4/22/2021	ACC Exhibit 166
N/A	4/22/2021	ACC Exhibit 167
N/A	4/22/2021	ACC Exhibit 168
N/A	4/22/2021	ACC Exhibit 171
N/A	4/22/2021	ACC Exhibit 172
N/A	4/22/2021	ACC Exhibit 173
N/A	4/22/2021	ACC Exhibit 176
N/A	4/22/2021	ACC Exhibit 179
N/A	4/22/2021	ACC Exhibit 180
N/A	4/22/2021	ACC Exhibit 182
N/A	4/22/2021	ACC Exhibit 183
N/A	4/22/2021	ACC Exhibit 184
N/A	4/22/2021	ACC Exhibit 185
N/A	4/22/2021	ACC Exhibit 186
N/A	4/22/2021	ACC Exhibit 188
N/A	4/22/2021	ACC Exhibit 189
N/A	4/22/2021	ACC Exhibit 190
N/A	4/22/2021	ACC Exhibit 191
N/A	4/22/2021	ACC Exhibit 192
N/A	4/22/2021	ACC Exhibit 193
N/A	4/22/2021	ACC Exhibit 198
N/A	4/22/2021	ACC Exhibit 199
N/A	4/22/2021	ACC Exhibit 200
N/A	4/22/2021	ACC Exhibit 202
N/A	4/22/2021	ACC Exhibit 204
N/A	4/22/2021	ACC Exhibit 206
N/A	4/22/2021	ACC Exhibit 208
N/A	4/22/2021	ACC Exhibit 209
N/A	4/22/2021	ACC Exhibit 211
N/A	4/22/2021	ACC Exhibit 214
N/A	4/22/2021	ACC Exhibit 216
N/A	4/22/2021	ACC Exhibit 218

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 219
N/A	4/22/2021	ACC Exhibit 220
N/A	4/22/2021	ACC Exhibit 221
N/A	4/22/2021	ACC Exhibit 222
N/A	4/22/2021	ACC Exhibit 223
N/A	4/22/2021	ACC Exhibit 224
N/A	4/22/2021	ACC Exhibit 227
N/A	4/22/2021	ACC Exhibit 228
N/A	4/22/2021	ACC Exhibit 229
N/A	4/22/2021	ACC Exhibit 230
N/A	4/22/2021	ACC Exhibit 231
N/A	4/22/2021	ACC Exhibit 233
N/A	4/22/2021	ACC Exhibit 234
N/A	4/22/2021	ACC Exhibit 236
N/A	4/22/2021	ACC Exhibit 237
N/A	4/22/2021	ACC Exhibit 238
N/A	4/22/2021	ACC Exhibit 239
N/A	4/22/2021	ACC Exhibit 240
N/A	4/22/2021	ACC Exhibit 241
N/A	4/22/2021	ACC Exhibit 242
N/A	4/22/2021	ACC Exhibit 243
N/A	4/22/2021	ACC Exhibit 244
N/A	4/22/2021	ACC Exhibit 245
N/A	4/22/2021	ACC Exhibit 246
N/A	4/22/2021	ACC Exhibit 247
N/A	4/22/2021	ACC Exhibit 248
N/A	4/22/2021	ACC Exhibit 249
N/A	4/22/2021	ACC Exhibit 251
N/A	4/22/2021	ACC Exhibit 252
N/A	4/22/2021	ACC Exhibit 253
N/A	4/22/2021	ACC Exhibit 255
N/A	4/22/2021	ACC Exhibit 256
N/A	4/22/2021	ACC Exhibit 257
N/A	4/22/2021	ACC Exhibit 259
N/A	4/22/2021	ACC Exhibit 260
N/A	4/22/2021	ACC Exhibit 271
N/A	4/22/2021	ACC Exhibit 272
N/A	4/22/2021	ACC Exhibit 275
N/A	4/22/2021	ACC Exhibit 276
N/A	4/22/2021	ACC Exhibit 278
N/A	4/22/2021	ACC Exhibit 279
N/A	4/22/2021	ACC Exhibit 280

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 281
N/A	4/22/2021	ACC Exhibit 282
N/A	4/22/2021	ACC Exhibit 283
N/A	4/22/2021	ACC Exhibit 284
N/A	4/22/2021	ACC Exhibit 285
N/A	4/22/2021	ACC Exhibit 286
N/A	4/22/2021	ACC Exhibit 287
N/A	4/22/2021	ACC Exhibit 288
N/A	4/22/2021	ACC Exhibit 289
N/A	4/22/2021	ACC Exhibit 290
N/A	4/22/2021	ACC Exhibit 291
N/A	4/22/2021	ACC Exhibit 292
N/A	4/22/2021	ACC Exhibit 293
N/A	4/22/2021	ACC Exhibit 294
N/A	4/22/2021	ACC Exhibit 295
N/A	4/22/2021	ACC Exhibit 296
N/A	4/22/2021	ACC Exhibit 297
N/A	4/22/2021	ACC Exhibit 298
N/A	4/22/2021	ACC Exhibit 301
N/A	4/22/2021	ACC Exhibit 302
N/A	4/22/2021	ACC Exhibit 303
N/A	4/22/2021	ACC Exhibit 304
N/A	4/22/2021	ACC Exhibit 305
N/A	4/22/2021	ACC Exhibit 306
N/A	4/22/2021	ACC Exhibit 307
N/A	4/22/2021	ACC Exhibit 308
N/A	4/22/2021	ACC Exhibit 309
N/A	4/22/2021	ACC Exhibit 310
N/A	4/22/2021	ACC Exhibit 311
N/A	4/22/2021	ACC Exhibit 312
N/A	4/22/2021	ACC Exhibit 313
N/A	4/22/2021	ACC Exhibit 316
N/A	4/22/2021	ACC Exhibit 317
N/A	4/22/2021	ACC Exhibit 318
N/A	4/22/2021	ACC Exhibit 319
N/A	4/22/2021	ACC Exhibit 321
N/A	4/22/2021	ACC Exhibit 322
N/A	4/22/2021	ACC Exhibit 324
N/A	4/22/2021	ACC Exhibit 325
N/A	4/22/2021	ACC Exhibit 326
N/A	4/22/2021	ACC Exhibit 327
N/A	4/22/2021	ACC Exhibit 328

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	4/22/2021	ACC Exhibit 329
N/A	4/22/2021	ACC Exhibit 330
N/A	4/22/2021	ACC Exhibit 331
N/A	4/22/2021	ACC Exhibit 332
N/A	4/29/2021	ACC Exhibit 341
N/A	4/29/2021	ACC Exhibit 342
N/A	4/29/2021	ACC Exhibit 343
N/A	4/29/2021	ACC Exhibit 344
N/A	4/29/2021	ACC Exhibit 345
N/A	4/29/2021	ACC Exhibit 346
N/A	4/29/2021	ACC Exhibit 347
N/A	4/29/2021	ACC Exhibit 348
209 (3:20-ap-03041)	4/29/2021	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Documents Under Seal
210 (3:20-ap-03041)	4/29/2021	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Documents Under Seal
228 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 10:32:46 AM]
229 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 10:52:41 AM]
230 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 12:04:56 AM]
231 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 1:01:03 PM]
232 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 3:02:03 PM]
233 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 3:31:59 PM]
234 (3:20-ap-03041)	5/6/2021	Courtroom Recording. Court Date & Time [05/05/2021 3:57:29 PM]
N/A	5/6/2021	PowerPoint Presentation - Direct Testimony of Matthew Diaz, Aldrich Pump LLC & Murray Boiler LLC Preliminary Injunction Hearing
237 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 9:42:41 AM]
238 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 9:45:19 AM]
239 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 9:56:30 AM]
240 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 10:09:13 AM]

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
241 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 10:51:06 AM]
242 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 11:38:53 AM]
243 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 11:57:19 AM]
244 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 1:59:58 PM]
245 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 2:38:02 PM]
246 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 3:50:10 PM]
247 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 4:50:10 PM]
248 (3:20-ap-03041)	5/7/2021	Courtroom Recording. Court Date & Time [05/06/2021 5:42:47 PM]
249 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 10:30:39 AM]
250 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 11:06:18 AM]
251 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 12:18:16 AM]
252 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 12:59:40 AM]
253 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 2:45:30 PM]
254 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 3:27:39 PM]
255 (3:20-ap-03041)	5/8/2021	Courtroom Recording. Court Date & Time [05/07/2021 4:19:30 PM]
257 (3:20-ap-03041)	5/10/2021	Exhibit List from hearing held on May 5, 2021 through May 7, 2021
258 (3:20-ap-03041)	5/18/2021	Transcript for Hearing/Trial held on 5/5/2021
259 (3:20-ap-03041)	5/18/2021	Transcript for Hearing/Trial held on 5/6/2021
260 (3:20-ap-03041)	5/18/2021	Transcript for Hearing/Trial held on 5/7/2021
273 (3:20-ap-03041)	5/26/2021	Motion to File Confidential Information Under Seal
278 (3:20-ap-03041)	6/4/2021	Debtors' Unopposed Motion to File Confidential Documents Under Seal
281 (3:20-ap-03041)	6/4/2021	Non-Debtor Affiliates' Motion to File Confidential Documents Under Seal
283 (3:20-ap-03041)	6/10/2021	Stipulation Regarding Evidentiary Matters in Connection with the May 5-7 Hearing

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
290 (3:20-ap-03041)	6/25/2021	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Documents Under Seal
292 (3:20-ap-03041)	6/25/2021	Order Authorizing the Filing Under Seal of Certain Confidential Documents and Excerpted Testimony Provided Pursuant to the Agreed Protective Order
294 (3:20-ap-03041)	6/25/2021	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Information Under Seal
299 (3:20-ap-03041)	6/29/2021	Order Authorizing the Filing Under Seal of Certain Confidential Documents and Excerpted Testimony Provided Pursuant to the Protective Order
308 (3:20-ap-03041)	8/23/2021	Findings of Fact and Conclusions of Law Regarding Order: (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors, (II) Preliminarily Enjoining Such Actions, and (III) Granting in Part Denying in Part the Motion to Compel
831	9/24/2021	Joint Plan of Reorganization of Aldrich Pump LLC and Murray Boiler LLC
832	9/24/2021	Notice of Filing of Plan Support Agreement
833	9/24/2021	Motion of the Debtors for Estimation of Prepetition Asbestos Claims
834	9/24/2021	Motion of the Debtors for an Order Authorizing Establishment of a Qualified Settlement Fund for Payment of Asbestos Claims
848	10/18/2021	Motion of the Official Committee of Asbestos Personal Injury Claimants for Entry of an Order Granting Leave, Standing, and Authority to Investigate, Commence, Prosecute, and to Settle Certain Causes of Action
4 (3:21-ap-03029)	10/19/2021	Motion to File Confidential Information Under Seal
994	2/15/2022	Order Authorizing the Debtors to Establish a Qualified Settlement Fund for Payment of Asbestos Claims
1022	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 10:30:42 AM]
1023	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 11:02:09 AM]
1024	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 12:15:50 AM]

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
1025	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 12:29:06 AM]
1026	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 2:29:02 PM]
1027	3/4/2022	Courtroom Recording. Court Date & Time [3/3/2022 2:57:47 PM]
1049	3/16/2022	Transcript for Hearing/Trial Held on 3/3/2022
56 (3:21-ap-03029)	3/28/2022	Order Granting in Part Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Documents Under Seal
1088	4/1/2022	Courtroom Recording. Court Date & Time [3/31/2022 10:31:09 AM]
1089	4/1/2022	Courtroom Recording. Court Date & Time [3/31/2022 10:59:51 AM]
1090	4/1/2022	Courtroom Recording. Court Date & Time [3/31/2022 12:14:46 AM]
1091	4/1/2022	Courtroom Recording. Court Date & Time [3/31/2022 2:51:16 PM]
1112	4/8/2022	Transcript for Hearing/Trial held on 3/31/2022
1121	4/14/2022	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants for Entry of an Order Granting Leave, Standing, and Authority to Investigate, Commence, Prosecute, and to Settle Certain Causes of Action
1 (3:22-ap-03028)	6/18/2022	Complaint in Fraudulent Transfer Adversary Proceeding
11 (3:22-ap-03028)	9/9/2022	Defendants' Answer and Affirmative Defenses
1449	12/6/2022	Order Directing Parties to Mediation and Scheduling Further Status Conference
1712	4/6/2023	Motion to Dismiss on Behalf of Robert Semian and Other Clients of MRHFM
1716	4/13/2023	Joinder to Motion to Dismiss of Claimants Robert Semian and Other Clients of MRHFM
1746	5/9/2023	Joinder to Motion to Dismiss of Claimants Robert Semian and Other Clients of MRHFM
1758	5/16/2023	Motion to File Confidential Information Under Seal by the Official Committee of Asbestos Personal Injury Claimants
1778	5/31/2023	Joinder to Motion to Dismiss of Claimants and Other Clients of Galiher DeRobertis & Waxman LLP

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
1779	6/1/2023	The Future Asbestos Claimants' Representative's Opposition to the Motion to Dismiss on Behalf of Robert Semian and Other Clients of MRHFM
1781	6/1/2023	Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases
1782	6/1/2023	Declaration of Allan Tananbaum in Support of Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases
1784	6/1/2023	Joinder of the Non-Debtor Affiliates to the Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases
1783 through 1783-2	6/1/2023	Declaration of Brad B. Erens in Support of Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases
1804	6/12/2023	First Amended Case Management Order for Estimation of Asbestos Claims
1809	6/15/2023	The Future Asbestos Claimants' Representative's Opposition to the Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases
1810	6/15/2023	Joinder by Amy L. Boone, Executrix of the Estate of Dana W. Hazelwood, and Charlotte Hazelwood to (Dkt. 1712) Motion to Dismiss of Claimants Robert Semian and Forty-Six Other MRHFM Plaintiffs
1811 through 1811-3	6/15/2023	Robert Semian's Reply to the Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases
1812	6/15/2023	Semian's Reply to the Future Asbestos Claimants' Representative's Opposition to the Motion to Dismiss on Behalf of Robert Semian and Other Clients of MRHFM
1813	6/15/2023	Debtors' Objection to Motion of Official Committee of Asbestos Personal Injury Claimants to Dismiss Debtors' Chapter 11 Cases
1814	6/15/2023	Debtors' Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants
1815	6/15/2023	Joinder of the Non-Debtor Affiliates to Debtors' Objection to Motion of Official Committee of Asbestos Personal Injury Claimants to Dismiss Debtors' Chapter 11 Cases

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
1816	6/15/2023	Joinder of the Non-Debtor Entity Defendants to the Debtors' Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants
1817	6/15/2023	Joinder of the Fiduciary Duty Proceeding Individual Defendants to the Debtors' Objection to Motion of Official Committee of Asbestos Personal Injury Claimants to Dismiss Debtors' Chapter 11 Cases
N/A	7/6/2023	Deposition Transcript of Allan Tananbaum
1847	7/7/2023	Reply in Support of Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases
N/A	7/14/2023	PowerPoint Presentation - The Official Committee of Asbestos Personal Injury Claimants' Motion to Dismiss the Debtors' Chapter 11 Cases, July 14, 2023 Hearing
1876	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 10:30:55 AM]
1877	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 11:22:24 AM]
1878	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 12:28:17 AM]
1879	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 2:16:46 PM]
1880	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 2:46:40 PM]
1881	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 4:00:03 PM]
1882	7/15/2023	Courtroom Recording. Court Date & Time [7/14/2023 4:32:45 PM]
1885 through 1885-2	7/18/2023	Debtors' Opposition to the ACC's Motion <i>In Limine</i> to Exclude from Evidence the Declaration and Certain Anticipated Testimony of Allan Tananbaum and Its Exhibits
1886	7/21/2023	Objection of the Official Committee of Asbestos Personal Injury Claimants to the Debtors' Motion to Withdraw Derivative Standing and Related Joinder
1888	7/24/2023	Transcript for Hearing/Trial held on 7/14/2023
1909 through 1909-3	8/3/2023	Notice of Filing of Designations and Counterdesignations of July 6, 2023 Deposition of Allan Tananbaum and Its Exhibits

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
1911 through 1911-2	8/3/2023	Notice of Filing Unredacted Motion In Limine to Exclude from Evidence the Declaration, and Certain Anticipated Testimony, of Allan Tananbaum and Its Exhibits
1912	8/4/2023	Debtors' Reply in Support of Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants
1921	8/10/2023	Courtroom Recording. Court Date & Time [8/9/2023 10:30:05 AM]
1923	8/11/2023	Transcript for Hearing/Trial held on 8/9/2023
1924	8/11/2023	Supplement to Motion to Dismiss on Behalf of Robert Semian and Other Clients of MRHFM
1928	8/16/2023	Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants to File Confidential Documents Under Seal
2006	11/10/2023	Notice of Supplemental Authority filed by the Debtors
2046	12/28/2023	Order Denying Debtor's Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants
2047	12/28/2023	Order Denying Motions to Dismiss
2050	12/29/2023	Courtroom Recording. Court Date & Time [12/28/2023 09:59:48 AM]
2058	1/11/2024	Notice of Appeal by Robert Semian and Other Clients of MRHFM
2059	1/11/2024	Motion for Leave to Appeal by Robert Semian and Other Clients of MRHFM
2060	1/11/2024	Memorandum of Law in Support of Motion for Leave to Appeal by Robert Semian and Other Clients of MRHFM
2061	1/11/2024	Request for Certification of Direct Appeal by Robert Semian and Other Clients of MRHFM
2063	1/11/2024	Notice of Appeal by the Official Committee of Asbestos Personal Injury Claimants
2064	1/11/2024	Motion for Leave to Appeal by the Official Committee of Asbestos Personal Injury Claimants
2065	1/11/2024	Memorandum of Law in Support of Motion for Leave to Appeal by the Official Committee of Asbestos Personal Injury Claimants
2068	1/12/2024	Notice of Docketing Record on Appeal to District Court of Appeal filed by the Official Committee of Asbestos Personal Injury Claimants

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
2070	1/12/2024	Notice of Docketing Record on Appeal to District Court of Appeal filed by Robert Semian and Other Clients of MRHFM
2073	1/12/2024	Attachment to Notice of Appeal by the Official Committee of Asbestos Personal Injury Claimants
2074 through 2074-3	1/17/2024	Request of the Official Committee of Asbestos Personal Injury Claimants for Certification of Direct Appeal to the Court of Appeals of Order Denying Committee's Motion to Dismiss and Its Exhibits

The Committee hereby designates the following items to be included in the record on appeal that were placed under seal by the Bankruptcy Court.

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
N/A	2/26/2021	Deposition Transcript of Heather Howlett
N/A	3/1/2021	Deposition Transcript of Manlio Valdes
N/A	3/5/2021	Deposition Transcript of Cathleen Bowen
N/A	3/9/2021	Deposition Transcript of Richard Daudelin
N/A	3/12/2021	Deposition Transcript of David Regnery
N/A	3/16/2021	Deposition Transcript of Amy Roeder
N/A	3/17/2021	Deposition Transcript of Ray Pittard
N/A	3/18/2021	Deposition Transcript of Mark Majocha in his personal capacity and Rule 30(b)(6) deposition of Trane Technologies Company LLC and Trane U.S. Inc. by their corporate representative Mark Majocha
N/A	3/19/2021	Deposition Transcript of Chris Kuehn
N/A	3/22/2021	Deposition Transcript of Allan Tananbaum
N/A	4/1/2021	Deposition Transcript of Sara Brown in her individual capacity and Rule 30(b)(6) Deposition Transcript of Trane Technologies Company LLC and Trane U.S. Inc. by their corporate representative Sara Brown
151 (3:20-ap-03041)	4/2/2021	Opposition of the Official Committee of Asbestos Personal Injury Claimants to the Debtors' Motion for Preliminary Injunction or Declaratory Relief

Docket No. (If Applicable and in Bankruptcy Case Unless Otherwise Noted)	Date	Description
152 through 152-11 (3:20-ap-03041)	4/2/2021	Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Motion for Partial Summary Judgment That All Actions Against the Protected Parties to Recover Aldrich/Murray Asbestos Claims Are Automatically Stayed by Section 362 of the Bankruptcy Code and Its Exhibits
153 through 153-42 (3:20-ap-03041)	4/3/2021	Notice of Filing and Its Exhibits
N/A	4/5/2021	Deposition Transcript of Evan Turtz in his individual capacity and Rule 30(b)(6) Deposition Transcript of Trane Technologies Company LLC and Trane U.S. Inc. by their corporate representative Evan Turtz
N/A	4/9/2021	Rule 30(b)(6) Deposition Transcript of Trane Technologies Company LLC and Trane U.S. Inc. by their corporate representative Chris Kuehn
N/A	4/12/2021	Rule 30(b)(6) Deposition Transcript of Aldrich Pump LLC and Murray Boiler LLC by their corporate representative Allan Tananbaum
179 through 179-15 (3:20-ap-03041)	4/19/2021	Supplemental Memorandum of the Official Committee of Asbestos Personal Injury Claimants in Opposition to Debtors' Motion for Preliminary Injunction or Declaratory Relief and Its Exhibits
N/A	4/22/2021	ACC Exhibit 16
N/A	4/22/2021	ACC Exhibit 72
N/A	4/22/2021	ACC Exhibit 174
N/A	4/22/2021	ACC Exhibit 177
N/A	4/22/2021	ACC Exhibit 212
272 (3:20-ap-03041)	5/26/2021	Notice of Filing of Proposed Findings of Fact and Conclusions of Law Denying the Debtors' Motion for Preliminary Injunction or Declaratory Injunction and Exhibits
2 through 2-6 (3:21-ap-03029)	10/18/2021	Motion of the Official Committee of Asbestos Personal Injury Claimants for Substantive Consolidation of Debtors' Estates with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors' Asbestos Liabilities to Those Affiliates
1756 through 1756-22	5/15/2023	Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases

In the chart above and in accordance with Rule 8009(f) of the Federal Rules of Bankruptcy Procedure, the Committee has identified certain documents that remain partially or fully under seal without revealing confidential or secret information. Also in accordance with Rule 8009(f) of the Federal Rules of Bankruptcy Procedure, the Committee is filing a motion contemporaneously herewith in the District Court asking the District Court to accept the applicable documents under seal.

Respectfully submitted,

**HAMILTON STEPHENS STEELE
+ MARTIN, PLLC**

/s/ Glenn C. Thompson

Glenn C. Thompson (Bar No. 37221)
Robert A. Cox, Jr. (Bar No. 21998)
525 North Tryon Street, Suite 1400
Charlotte, North Carolina 28202
Telephone: (704) 344-1117
Facsimile: (704) 344-1483
gthompson@lawhssm.com
rcox@lawhssm.com

CAPLIN & DRYSDALE, CHARTERED

Kevin C. MacLay (admitted *pro hac vice*)
Todd E. Phillips (admitted *pro hac vice*)
Jeffrey A. Liesemer (admitted *pro hac vice*)
One Thomas Circle NW, Suite 1100
Washington, DC 20005
Telephone: (202) 862-5000
Facsimile: (202) 429-3301
kmacLay@capdale.com
tphillips@capdale.com
jliesemer@capdale.com

ROBINSON & COLE LLP

Natalie D. Ramsey (admitted *pro hac vice*)
Davis Lee Wright (admitted *pro hac vice*)
Thomas J. Donlon
1201 North Market Street, Suite 1406
Wilmington, Delaware 19801
Telephone: (302) 516-1700
Facsimile: (302) 516-1699
nramsey@rc.com
dwright@rc.com
tdonlon@rc.com

Co-Counsel for the Official Committee of Asbestos Personal Injury Claimants

Dated: January 25, 2024