Case 20-30608 Doc 2601 Filed 03/24/25 Entered 03/24/25 15:47:35 Desc Main Docket #2601 Date Filed: 3/24/2025

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

In re:

Chapter 11

ALDRICH PUMP LLC, et al.,1

Case No. 20-30608 (LMJ)

Debtor.

(Jointly Administered)

SUPPLEMENT TO MAUNE RAICHLE HARTLEY FRENCH & MUDD LLC'S OBJECTION TO THE DEBTORS' MOTION TO AMEND CASE MANAGEMENT ORDER FOR ESTIMATION OF ASBESTOS CLAIMS

All mesothelioma claimants represented by Maune Raichle Hartley French & Mudd LLC ("MRHFM"), through its undersigned counsel, hereby supplement Maune Raichle Hartley French & Mudd LLC's Objection To The Debtors' Motion To Amend Case Management Order For Estimation Of Asbestos Claims [Dkt. 2596] with the Declaration of Robert Semian, attached as Exhibit A.

Dated: March 24, 2025. Respectfully submitted,

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Aldrich Pump LLC (2290) and Murray Boiler LLC (0679). The Debtors' address is 800-E Beaty Street, Davidson, North Carolina 28036.

WALDREP WALL BABCOCK & BAILEY PLLC

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC State Bar No. 39871)

370 Knollwood Street, Suite 600

Winston-Salem, NC 27103

Telephone: 336-717-1280 Telefax: 336-717-1340

Email: notice@waldrepwall.com

-and-

THE RUCKDESCHEL LAW FIRM, LLC

/s/ Jonathan Ruckdeschel

Jonathan Ruckdeschel (Maryland, CPF: 9712180133)

8357 Main Street

Ellicott City, Maryland 21043

Telephone: (410) 750-7825 Facsimile: (443) 583-0430

Email: ruck@rucklawfirm.com

Admitted Pro Hac Vice

-and-

MAUNE RAICHLE HARTLEY FRENCH & MUDD, LLC

/s/ Clayton L. Thompson

Clayton L. Thompson (NY Bar No. 5628490)

John Louis Steffan IV (Missouri Bar No. 64180)

150 W. 30th Street, Suite 201

New York, NY 10001

Telephone: (800) 358-5922

Email: <u>CThompson@mrhfmlaw.com</u>

Admitted Pro Hac Vice

Counsel to Various Claimants Holding Mesothelioma

Claims

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am, and at all times hereafter mentioned was, more than 18 years of age and that on this day I caused a copy of the foregoing SUPPLEMENT TO MAUNE RAICHLE HARTLEY FRENCH & MUDD LLC'S OBJECTION TO THE DEBTORS' MOTION TO AMEND CASE MANAGEMENT ORDER FOR ESTIMATION OF ASBESTOS CLAIMS to be served via this Court's CM/ECF system on those parties registered to receive electronic notices for this case.

Dated: March 24, 2025.

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep Jr. (NC State Bar No. 11135)

WALDREP WALL BABCOCK & BAILEY PLLC 370 Knollwood Street, Suite 600 Winston-Salem, NC 27103 Telephone: 336-717-1280

Telefax: 336-717-1340

Email: <u>notice@waldrepwall.com</u>

Counsel to Various Claimants Holding Mesothelioma Claims Case 20-30608 Doc 2601 Filed 03/24/25 Entered 03/24/25 15:47:35 Desc Main Document Page 4 of 6

Exhibit A

DECLARATION OF ROBERT SEMIAN

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF LACKAWANNA)

- 1. My name is Robert Semian.
- 2. My date of birth is September 30, 1939.
- 3. My current address is 512 Wintermantle Avenue, Scranton, PA 18505.
- 4. I was diagnosed with mesothelioma on April 27, 2022.
- 5. I was employed by Trane US, Inc. ("Trane") in Dunmore, PA from approximately 1966 through 1992. I worked in various roles including as a Laborer, Group Leader, and in the Maintenance and Electrical Departments. During approximately 1967 through 1981, I was exposed to asbestos on a regular basis at the Dunmore plant. I testified in detail to my work history at a deposition in my case, No. 220801903, which was filed in the Philadelphia Court of Common Pleas. My attorneys notified Trane, as well as Aldrich Pump, LLC and Murray Boiler, LLC (collectively "the Debtors") of my deposition but they chose not to attend.
- 6. I have several claims against Trane and the Debtors as my former employer pursuant to <u>Tooey v. AK Steel Corp.</u>, 623 Pa. 60, 81 A.3d 851 (Pa. 2013). I have been deprived of a trial against them before a jury. My trial date in Philadelphia was scheduled for May 2024. All defendants and asbestos trusts—except Trane and the Debtors—have resolved my claims.
- 7. In March 2023, I asked the United States Bankruptcy Court for the Western District of North Carolina (Case No. 20-30608) for relief from stay, so that I could add Trane and the Debtors as defendants to my then-pending lawsuit in Pennsylvania. This request was denied. Given that my request for relief from stay has been denied, and that Trane and the Debtors object to my ability to pursue all state law damages in Pennsylvania state court against them, my rights are impaired.
- 8. In the Summer of 2023, I asked the Bankruptcy Court to dismiss the Debtors' petitions because they were filed in bad faith.

- 9. I object to this bankruptcy. I object to the Debtors' proposed plan, which does not permit me to pursue all state law damages available to me against Trane and the Debtors before a jury.
- 10. I do not agree to compromise my constitutional right to have a jury trial and to collect my full, jury determined damages. I do not agree to negotiate while my rights are stranded in the bankruptcy court by the automatic stay, which has been wrongfully invoked by these wealthy, profitable and non-distressed companies.
- 11. Estimation will have no impact on my decision to try my case before a jury or settle with Trane and the Debtors because they can pay all claims—including mine—in full outside of bankruptcy.
- 12. I object to anyone else, including the Official Committee of Asbestos Claimants, mediating my claims against Trane and the Debtors on my behalf. I will only negotiate my claims individually with Trane and the Debtors.

I declare under penalty of perjury that the foregoing is true and correct.

Robert Semion
Robert Semion
March-19-2025

Dated