

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-30608 (LMJ)

(Jointly Administered)

**DEBTORS' MOTION FOR BANKRUPTCY RULE 2004 EXAMINATION OF
THE OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS**

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), the debtors and debtors in possession in the above-captioned chapter 11 cases (the "Debtors"), hereby move this Court under Bankruptcy Rule 2004 for examination of the Official Committee of Asbestos Claimants (the "ACC") in these chapter 11 cases as set forth below.

PRELIMINARY STATEMENT

The Debtors filed these chapter 11 cases to fairly and finally resolve their current and future asbestos claims through a confirmed chapter 11 plan of reorganization. To that end, the Debtors have sought to meaningfully progress these cases, including by negotiating and proposing in August 2021, now more than four years ago, a plan for a \$545 million asbestos trust, which has the support of the future claimants' representative (the "FCR"). The ACC, alternatively, has pursued an essentially exclusive "dismissal or bust" strategy from the petition date, attempting to dismiss these chapter 11 cases and refusing to participate in plan negotiations, which has delayed progress towards creation of a trust that would fully pay its own constituency.

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.



The Debtors, other parties in interest in these cases, and even the Fourth Circuit have questioned this approach and who is making decisions on behalf of the ACC.²

Against that backdrop, the ACC, in its recently filed *Motion To Substitute Committee Members* [Dkt. 2769] (the "Substitution Motion"), disclosed for the first time that eight of its eleven members passed away years ago. In fact, six of those eight members passed away within the first year of these cases.³ These years-late disclosures indicate that the ACC has been operating for most of these cases without guidance from the majority of its appointed members. More importantly, they further suggest (as noted in the Debtors' reply to the Substitution Motion)⁴ that the ACC has been making decisions on behalf of the class of current claimants without input from its members at all.

The Debtors therefore bring this Motion to properly put these issues before the Court⁵ and obtain information relevant to whether the ACC's decision making to date and presumably, governance going forward absent intervention, is the product of proper committee governance. This discovery will help determine whether various actions or inactions of the ACC to date—for

² See Bestwall LLC v. Off. Comm. of Asbestos Claimants of Bestwall, LLC, 148 F.4th 233, 246 n.2 (4th Cir. 2025) (J. Agee, concurring) (noting that the Committee-imposed delay in Bestwall "begs the question . . . as to whether the delay relates to valid claims or the desire for perceived higher attorneys' fees should the claims be removed and adjudicated outside the bankruptcy"); In re Bestwall LLC, 71 F.4th 168, 184 (4th Cir. 2023) ("It is not clear why Claimant Representatives' counsel have relentlessly attempted to circumvent the bankruptcy proceeding, but we note that aspirational greater fees that could be awarded to the claimants' counsel in the state-court proceedings is not a valid reason to object to the processing of the claims in the bankruptcy proceeding.").

³ Mr. Panagiotopoulos, Mr. Hamlin, Mr. Fowles, Mr. Villanueva, Mr. Shiel, and Mr. Overton passed away within a year of the June 2020 Petition Date. Substitution Mot. ¶¶ 8-13, 18-23. Two of these six members (Mr. Shiel and Mr. Villanueva) passed away within the first two months of their July 2020 appointment. Id.

⁴ See Debtors' Limited Response To Motion Of The Official Committee Of Asbestos Personal Injury Claimants To Substitute Committee Members [Dkt. 2787] (the "Debtors' Limited Response").

⁵ See Aug. 28, 2025 Hr'g Tr. at 36:22-24 ("I agree they're important issues, but I agree that they're not . . . directly before me today.").

instance, but hardly limited to, refusal to engage in settlement discussions or mediation and the ACC's pending adversary proceeding litigation against the Debtors and their affiliates—were taken with the consent of the actual ACC members and therefore properly authorized.

The requested discovery is narrow in scope and imposes a minimal burden on the ACC. The discovery seeks only a small group of documents, to the extent they exist (i.e., committee bylaws, meeting minutes, attendance records) and limited interrogatory answers aimed at determining the extent of ACC member participation to date. These items should be readily available and easy to produce. Further, the Debtors do not seek any materials covered by privilege or that relate to the ACC's strategy in these chapter 11 cases. To the extent such strategy is set forth in any meeting minutes of the ACC, that can easily be redacted, as the Debtors have done for various ACC discovery requests in these cases as to the Debtors' board minutes.

While limited, this information is critical for all parties in interest to determine whether the ACC, which has actively resisted pathways that would lead to case resolution for its constituency, is making decisions in good faith and with the requisite level of communication with, involvement from, and consent of its membership.⁶ For these reasons, the Debtors respectfully submit that the discovery should be ordered under Bankruptcy Rule 2004.

⁶ See Aug. 28 Hr'g Tr. at 48:4-5 ("Committee members owe a fiduciary duty to their constituents."); In re Cyprus Mines Corp., 2021 WL 2105427, at *5 (Bankr. D. Del. May 18, 2021) (reminding mass tort creditors' committee of "first principles" including: committee members must "actively participate" in committee meetings; committee counsel does not "sit 'by proxy,'" and committee counsel must actually communicate with committee members).

JURISDICTION

1. The Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

2. On the Petition Date, the Debtors initiated an adversary proceeding and filed a motion seeking to preliminarily enjoin asbestos-related actions against certain non-debtors. See [Adv. Dkt. 2], Adv. No. 20-03041 (the "PI Motion"). Such a preliminary injunction had been entered routinely in numerous prior asbestos-related chapter 11 cases (see PI Mot. at 22-23, n.12), and already had been entered in the Bestwall case (over the opposition of the ACC in that case).⁷ Nonetheless, the ACC opposed the PI Motion. On August 23, 2021, the Court entered orders approving the PI Motion, including ruling for the Debtors on summary judgment as to certain aspects of such motion. See [Adv. Dkts. 307-08], Adv. No. 20-03041.

3. On September 24, 2021, the Debtors filed a motion seeking approval of a \$270 million qualified settlement fund for the benefit of asbestos claimants. See [Dkt. 834] (the "QSF Motion"). Notwithstanding that the qualified settlement fund was for the benefit of asbestos claimants, the ACC also opposed the QSF Motion. See [Dkt. 891]. On February 15, 2022, the Court entered an order approving the QSF Motion. See [Dkt. 994].

4. On October 18, 2021, the ACC filed a complaint seeking to substantively consolidate the Debtors and certain non-debtor affiliates. See *Complaint* [Adv. Dkt. 1], Adv. No. 21-03029. On June 18, 2022, the ACC initiated adversary proceedings asserting that the Debtors and certain non-debtor affiliates had perpetrated intentional and constructive fraudulent transfers

⁷ In re Bestwall LLC, 606 B.R. 243, 246-47 (Bankr. W.D.N.C. 2019).

via the prepetition corporate transaction that created the Debtors and breached certain fiduciary duties attendant thereto. See Complaint [Adv. Dkt. 1], Adv. No. 22-03028 (the "Fraudulent Transfer Complaint"); Complaint [Adv. Dkt. 1], Adv. No. 22-03029 (the "BOFD Complaint").

This contradicted statements that ACC counsel in the Bestwall case had made that such transactions are "technically" not fraudulent transfers.⁸ In pursuing fraudulent transfer and substantive consolidation actions, the ACC alleged numerous times that the Debtors were insolvent.⁹ As noted below, later in these cases, the ACC took the exact opposite position.

5. On July 7, 2022, the Bankruptcy Administrator filed its *Motion for Order Directing Parties to Mandator Mediation and Establishing Mediation Procedures* [Dkt. 1247] (the "Mediation Motion"). The ACC opposed the Mediation Motion. See [Dkt. 1371]. On December 6, 2022, the Court entered an order approving the Mediation Motion. See [Dkt. 1449].

6. On May 15, 2023, the ACC filed its motion to dismiss these chapter 11 cases [Dkt. 1756] (the "Dismissal Motion"). Contrary to the positions that the ACC had taken in the fraudulent transfer and substantive consolidation litigation, the ACC now alleged not only that

⁸ See [Dkt. 495] at 4, In re Bestwall LLC, No. 17-31795 (Bankr. W.D.N.C. Aug. 15, 2018) (ACC in Bestwall acknowledging that corporate restructuring using the same Texas divisional merger and funding agreement structure did not "technically run[] afoul of fraudulent transfer laws.").

⁹ See, e.g., Fraudulent Transfer Compl. ¶¶ 10, 67, 75, 107, 146, 157, 176, 183 (alleging that the debtors were "rendered insolvent" by the Corporate Restructuring); id. ¶ 101 ("It is indisputable that . . . Aldrich and Murray were rendered insolvent as a result of the Corporate Restructuring."); id. ¶ 138 (alleging that "the Corporate Restructuring resulted in Aldrich and Murray receiving less than reasonably equivalent value in exchange for the asbestos liabilities of Ingersoll-Rand and Old Trane that they were allocated, and also . . . rendered Aldrich and Murray insolvent"); BOFD Compl. ¶¶ 10, 81, 90, 124, 139, 167 (alleging that the debtors were "rendered insolvent" by the Corporate Restructuring); id. ¶¶ 5, 139-140, 148, 159, 161, 168, 170, 175, 177, 184, 200, 202 (arguing that Individual Defendants breached fiduciary duties owed to "an insolvent Aldrich and Murray and/or their creditors."); id. ¶ 118 ("It is indisputable that . . . Aldrich and Murray were rendered insolvent as a result of the Corporate Restructuring.").

the Debtors were not insolvent, but that they even lacked any element of financial distress.¹⁰ The Dismissal Motion was denied by this Court on December 28, 2023 [Dkt. 2047], and the ACC currently is seeking leave to appeal that denial in the district court. See [Dkt. 30] No. 24-00042 (W.D.N.C. Aug. 14, 2025).

7. On August 7, 2025 — over five years after the Petition Date — the ACC filed its Substitution Motion, which informed the various parties in interest in these cases and the Court that eight of the ACC's eleven members had passed away years ago, and further sought the substitution of these members' heirs or personal representatives as the former members' successors.

8. On August 21, 2025, the Debtors filed the Debtors' Limited Response, raising concerns about ACC governance given the facts revealed in the Substitution Motion. The FCR and certain non-debtor affiliates also filed limited responses, which echoed similar concerns. See *The Future Asbestos Claimants' Representative's Response to the ACC's Motion to Substitute Committee Members* [Dkt. 2786] (the "FCR's Limited Response"); *The Non-Debtor Affiliates' Response To The Motion Of The Official Committee Of Asbestos Personal Injury Claimants To Substitute Committee Members* [Dkt. 2788].

9. On August 28, 2025, this Court held a hearing on the Substitution Motion and ruled that the motion would be granted in part and denied in part, and directed the Bankruptcy Administrator to conduct a process to add members to the ACC to ensure current claimants were adequately represented. See *Order Granting in Part and Denying in Part the Official Committee of Asbestos Personal Injury Claimants' Motion to Substitute Committee Members* [Dkt. 2814].

¹⁰ See generally Dismissal Mot. ¶¶ 32-57 (asserting that the Debtors are solvent and capable of paying all creditors in full); id. ¶ 80 & n.171 ("The Debtor in LTL, like the Debtors here, was solvent . . ."); id. ¶¶ 16-17 (arguing that the Debtors "are in no financial distress" pursuant to their access to the "uncapped" Funding Agreements").

At the hearing, the Court also noted that ACC members "must actively participate in committee meetings and make decisions. While they may be assisted by their individual counsel, [ACC] members cannot abdicate their role and their counsel do not sit by proxy. . . . [ACC] counsel must communicate with and receive direction from actual [ACC] members, not their lawyers . . . [ACC] members must be comfortable with communicating directly with Committee counsel." Aug. 28, 2025 Hr'g Tr. at 48:1-14.

RELIEF REQUESTED

10. By this Motion, pursuant to Bankruptcy Rule 2004, the Debtors request responses to interrogatories and production of certain documents aimed at determining the extent to which ACC decision-making to date has involved the participation of actual ACC members. These interrogatories and document requests are attached as Exhibit 1 and Exhibit 2, respectively.

11. The fact that the ACC seems to have had little concern about the passing of its members—along with the various facts noted in the limited responses to the Substitution Motion that the Debtors and other parties in interest have gathered (without the benefit of actual discovery)¹¹—raises significant questions about whether various of the ACC's actions to date, which have cost the estates tens of millions of dollars in professional fees and years of delay, were properly authorized by actual ACC members (or instead only their counsel).

I. BANKRUPTCY RULE 2004 CLEARLY AUTHORIZES THE REQUESTED DISCOVERY.

12. Bankruptcy Rule 2004 is the "basic discovery device used [in] bankruptcy cases, permitting the examination of any party without the requirement of a pending adversary proceeding or contested matter." In re Symington, 209 B.R. 678, 683 (Bankr. D. Md. 1997) (quotation omitted). "Rule 2004 examinations are broad and unfettered" In re Enron Corp.,

¹¹ See ¶¶ 17-19, *infra*.

281 B.R. 836, 840 (Bankr. S.D.N.Y. 2002); see also In re Braxton, 2014 WL 4178207, at *6 (Bankr. E.D.N.C. Aug. 21, 2014).

13. A Rule 2004 examination may relate to, among other topics, "any matter that may affect the administration of the debtor's estate," and may also relate to "any other matter relevant to the case or to formulating a plan." Fed. R. Bankr. P. 2004(b). The governance and decision-making of a key party in these chapter 11 cases — the ACC—undoubtedly impacts the "administration of the debtor[s] estate" and is clearly "relevant to the case or to formulating a plan." Thus, a Rule 2004 examination of the ACC aimed at determining whether the ACC is properly functioning and is complying with its requisite fiduciary duties and responsibilities is squarely contemplated by the plain language of the rule.

14. Further, one major purpose of Rule 2004 is to permit investigation into potential misconduct relevant to administration of the estate. In re Washington Mut., Inc., 408 B.R. 45, 50 (Bankr. D. Del. 2009) (quoting Enron Corp., 281 B.R. at 840); In re Orion Healthcorp., Inc., 596 B.R. 228, 235 (Bankr. E.D.N.Y. 2019). If counsel to the individual members of the ACC have been making all of the ACC's decisions without input or approval from individual members, then Rule 2004 is a proper device to discover this circumstance.

II. THE PROPOSED BANKRUPTCY RULE 2004 EXAMINATION IS RELEVANT AND NECESSARY.

15. In addition to complying with the plain text of Rule 2004, a Rule 2004 examination "must be both relevant and reasonable" and "may not be used to annoy, embarrass or oppress the party being examined." Symington, 209 B.R. at 684-85. But, consistent with the breadth of the rule, courts will authorize the examination if the movant shows it "is reasonably necessary for the protection of its legitimate interests." In re Hammond, 140 B.R. 197, 201 (S.D. Ohio 1992); see also 9 COLLIER ON BANKRUPTCY P 2004.01[6] (16th 2025) (noting that the

"modern trend for courts has been to apply a 'totality of the circumstances' test to determine whether 'good cause' exists" to authorize a Rule 2004 examination against a non-debtor).

16. The discovery requested by this Motion is highly relevant to a determination of whether the ACC has been operating properly and will operate properly going forward, by ensuring current claimants' involvement and decision-making. Here, the Debtors have a variety of reasons to question whether that has occurred or is occurring.

17. For example, Mr. Overton, the original co-chair of the ACC, was entirely unaware of what the ACC was or even that he had been appointed to it when he was deposed in separate state court litigation months after his appointment to the ACC.¹² Furthermore, when the ACC filed their motion seeking to dismiss these chapter 11 cases in May 2023, it noted that four ACC members had passed away. However, based on the information provided in the Substitution Motion, by May 2023 seven ACC members had actually passed away,¹³ raising questions as to whether and to what extent ACC counsel is even in contact with ACC members. Finally, as noted in the replies to the Substitution Motion, counsel to the ACC repeatedly refers to counsel to the ACC members as the actual members of the ACC, even though they are not.¹⁴

¹² See FCR's Limited Response at 8, n.12.

¹³ Compare Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases [Dkt. 1756] ¶ 76 with Substitution Mot. ¶¶ 8-23.

¹⁴ See Mar. 3, 2022 Hr'g Tr. [Dkt. 1049] at 34:19-23 (Counsel to FCR: "You heard [ACC counsel] saying five committee members were on the [meet and confer about the bar date and personal injury questionnaires]. That was a slip of the tongue. There were no committee members on that call. There were five law firms on that call, the same law firms that dominate all these committees."). Even after the passing of both ACC co-chairs in September 2020 and January 2021 (Substitution Mot. ¶¶ 6, 9, 23), ACC counsel reported several meetings with or communications with "committee cochairs." See, e.g., Thirteenth Interim Fee Application of Robinson & Cole LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period June 1, 2024 through September 30, 2024 [Dkt. 2476], Sched. A-1 at 5, 6, 14; Sched. A-3 at 5, 13; Sched. A-4 at 4, 5 (at least eleven time entries indicating communications with ACC co-chair, including 1.3 hour meeting).

18. The potential failure of the ACC to act through actual members is highly relevant to these chapter 11 cases. For instance, the adversary proceedings related to the substantive consolidation and fraudulent transfer claims remain ongoing, costing the Debtors' estates substantial professional fees. But, at this point, it is not clear to the Debtors they ever were properly authorized.

19. In addition, the ACC has repeatedly rebuffed attempts to consensually resolve these chapter 11 cases by refusing to meaningfully participate in plan negotiations and by opposing both estimation [Dkt. 892] (November 2021) and mediation [Dkts. 2376, 1371] (October 2024, October 2022). Resolution of these cases would cause prompt payments to the ACC's constituency and, again, end the expenditure of tens of millions of dollars of professional fees. As a result, all parties in interest should be entitled to understand whether the ACC's actions in this regard are the result of the wishes of the ACC's actual members, or instead only the result of "the desire for perceived higher attorneys' fees" of counsel to ACC members. See In re Bestwall LLC, 71 F. 4th 168, 184 (4th Cir. 2023).

CONCLUSION

20. In light of the foregoing, the Debtors respectfully request that the Court: (a) enter the proposed order in substantially the form attached hereto as Exhibit 3 approving the Bankruptcy Rule 2004 examination of the ACC as set forth herein and (b) grant the Debtors such other and further relief as the Court deems appropriate. The Debtors request that the ACC comply with the requested discovery by November 14, 2025 so that the Debtors can report on this matter at the omnibus hearing on November 20, 2025.

NOTICE

21. Consistent with the *Order Establishing Certain Notice, Case Management, and Administrative Procedures* [Dkt. 123] (the "Case Management Order"), notice of this Motion has been provided to: (a) the Bankruptcy Administrator; (b) counsel to the ACC; (c) counsel to the FCR; (d) counsel to the Debtors' non-debtor affiliates, Trane Technologies Company and Trane U.S. Inc.; and (e) the other parties on the Service List established by the Case Management Order. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be provided.

NO PRIOR REQUEST

22. No prior request for the relief sought herein has been made to this Court or any other court.

Dated: October 2, 2025
Charlotte, North Carolina

Respectfully submitted,

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ATTORNEYS FOR DEBTORS AND
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EXHIBIT 1

Interrogatories

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re:

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

Case No. 20-30608 (LMJ)

Chapter 11

(Jointly Administered)

**DEBTORS' FIRST SET OF INTERROGATORIES
TO THE OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS
PURSUANT TO BANKRUPTCY RULE 2004**

Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), hereby request that the Official Committee of Asbestos Personal Injury Claimants (the "ACC") answer the following Interrogatories in writing under oath, by November 14, 2025 and in accordance with the definitions and instructions below.

DEFINITIONS

1. "You," "Your," and "ACC" shall mean the Official Committee of Asbestos Personal Injury Claimants established by the *Order Appointing the Official Committee of Asbestos Personal Injury Claimants* [Dkt. 147] (the "Appointment Order"), its counsel, representatives, agents, experts, investigators, consultants, and all others acting on its behalf.

2. "ACC Member" shall mean each of the following original individual members of the ACC, as listed in the Appointment Order: (a) Jerry Lynn Fowles; (b) Pete Panagiotopoulos; (c) Ray Hager; (d) Richard J. Shiel, Jr.; (e) Richard and Calvena Sisk; (f) Joseph Hamlin; (g) John

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.

Talmage Gambill; (h) Robert Overton; (i) Richard Villanueva; (j) Barbara Korte; and (k) Steven W. Bomzer.

3. "Communication" is used in the broadest possible sense and means every manner of transmitting or receiving facts, information, opinions, or thoughts, whether orally, or by Documents, writing, e-mail, or any method of audio or video recording.

4. "Document" refers to all items subject to discovery under Civil Rule 34. Document includes, by way of example and not limitation, the complete originals and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, whether written, graphic, pictorial, photographic, mechanical, taped, electronic, computerized, or otherwise, now or formerly in Your possession, custody, or control. In case originals or original non-identical copies are not available, "Document" includes copies of originals or copies of non-identical copies, as the case may be. The term "Document" shall specifically include electronically stored information ("ESI") that is reasonably accessible to You, such as, but not limited to, email, social media posts, tweets, any documents created on a computer, any data residing on a storage medium, including hard drives (desktop, laptop, or external), servers, jump drives, CDs, and DVDs, and any sound or tape recording. ESI shall not include: (1) Data stored in a backup system for the purpose of system recovery or information recovery, including, but not limited to disaster recovery backup tapes and media, continuing of operations systems, and data or system mirrors or shadows; (2) Voicemail records; (3) Instant/chat messages; (4) Mobile devices and ESI or other data stored on mobile devices, including smart phones or tablets; (5) Legacy data (*e.g.*, data stored on floppy discs); (6) Deleted, erased, or overwritten computer files, whether fragmented or whole, which were deleted in the regular course of business; (7) Data stored in Random Access Memory (*i.e.*, RAM), cache memory, or in temporary or cache files, including internet history, web browser

cache, and cookie files, wherever located; (8) Encrypted data or password protected files, where the key or password cannot be ascertained absent extraordinary efforts; (9) Data stored on printers, photocopiers, scanners, and fax machines; and (10) Data stored as server, system, or network logs. The Debtors, as requesting parties, reserve the right to require the ACC, as the producing party, to produce any ESI or documents in native format.

5. "Debtors" shall mean Aldrich Pump LLC and Murray Boiler LLC, the above-captioned debtors in these bankruptcy cases.

6. "Fraudulent Transfer Actions" shall mean the *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* [Dkt. 848] and the complaints initiating adversary proceedings asserting that the Debtors and certain non-debtor affiliates perpetrated certain fraudulent transfers and certain breaches of fiduciary duty related thereto. See *Complaint* [Adv. Dkt. 1], Adv. No. 22-03028; *Complaint* [Adv. Dkt. 1], Adv. No. 22-03029.

7. "Identify" or "state" shall mean:

- a. When used with respect to a natural person, to state that person's full name, current or last-known address and telephone number, and current or last-known employment or business affiliation including full title.
- b. When used with respect to any entity, to state its full name, its address or its principal place of business, the address where its records are kept, and the identity of its agents or employees who are knowledgeable persons concerning the subject matter of the Interrogatory.
- c. When used with respect to a Document or other material or information or a Communication, to state the nature of the Document or Communication (e.g., memorandum, letter, notes, etc.), its author(s), addressee(s), recipient(s), title, subject matter, date, present location, and custodian.
- d. When used with respect to a fact, to specifically state the date, time, place, persons present, and transactions or occurrences which were part of, transpired in, or related to the fact identified.

8. "Person" shall mean any individual (that is, a natural person) and any other type of entity whatsoever, no matter how organized, and includes any director, officer, employee, attorney, representative, manager, investigator, or agent working, acting, or purporting to act on behalf of any such entity.

9. "Relating to" shall mean directly or indirectly constituting, containing, embodying, concerning, evidence, showing, comprising, reflecting, identifying, stating, referring to, dealing with, commenting on, responding to, describing, involving, mentioning, discussing, recording, supporting, negating, or in any way pertinent to the subject.

10. "State the basis" shall mean to provide the complete factual summary of each element of the claim, allegation, or denial. The summary should chronologically describe each and every fact, action, and occurrence that relates to the particular claim, allegation, or denial.

11. "Substantive Consolidation Action" shall mean the *Complaint for Substantive Consolidation of Debtors' Estate with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors' Asbestos Liabilities to Those Affiliates* [Dkt. 850]; see also [Adv. Dkt. 1], Adv. No. 21-03029.

12. All other Defined Terms not otherwise defined herein shall have the meaning ascribed to them by the *Debtors' Motion for Bankruptcy Rule 2004 Examination of Governance Records of the Official Committee of Asbestos Personal Injury Claimants*.

INSTRUCTIONS

1. In answering these Interrogatories, furnish all information that is available to You or subject to Your reasonable inquiry, access, or control, including but not limited to all information in Your possession, custody, or control, as well as information in the possession,

custody, or control of Your counsel, representatives, agents, experts, investigators, consultants, and all others acting on Your behalf.

2. Each Interrogatory shall be answered by You separately and fully, in writing and under oath, by November 14, 2025, unless it is objected to, in which event the reasons for the objection should be stated in a manner which would enable the Court to decide the merits of the objection.

3. If any Interrogatory, definition, or instruction is objected to in whole or in part, specify all grounds on which the objection rests. Respond to all portions of each such Interrogatory to which no objection is asserted. In addition, state whether any responsive information has been omitted from an Interrogatory response or whether, and in what way, the search for responsive information has been delimited or circumscribed on the basis of any such objection.

4. If You contend that an answer to any Interrogatory herein is privileged in whole or in part, or otherwise object to any part of any Interrogatory on the basis of a claim of privilege, work product, or for any other reason, identify: (i) the reason(s) for each objection, claim of privilege or immunity, or ground for exclusion; (ii) each person having knowledge of the factual basis, if any, on which the claim of privilege or immunity or other ground is based; and (iii) in the case of a Document, identify the Document pursuant to Definition 5(c) *supra*.

5. If there is no information responsive to an Interrogatory, so state in writing.

6. If You cannot answer an Interrogatory in whole or in part, answer to the extent possible, specifying: (i) the reason(s) for Your inability to answer the remainder of the Interrogatory; (ii) whatever information or knowledge is in Your possession concerning the unanswered portion; (iii) Your efforts to secure the unknown information; and (iv) the name,

business address, residential address, and occupation of any person consulted by You in an effort to answer the Interrogatory or Request for Admission.

7. If You exercise Your option under Civil Rule 33(d) to produce Documents and/or Communications in lieu of otherwise answering any Interrogatory, You must specify and identify the Documents and/or Communications from which the answer to such Interrogatory may be derived or ascertained.

8. These Interrogatories shall be interpreted to be inclusive rather than exclusive:

- a. The singular form of a noun or pronoun includes the plural form, and the plural form includes the singular form.
- b. The word "including" shall be construed always to introduce a non-exhaustive list whether or not so specified.
- c. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of an Interrogatory all information that might otherwise be construed to be outside its scope.
- d. The scope of an Interrogatory shall not be construed narrowly based on any inferences drawn from the phrasing of any other Interrogatory.

9. For any meeting that is the subject of an Interrogatory below, list the ACC Members who were in attendance and identify any materials sent to ACC members in advance of such meeting. To the extent the ACC asserts that it obtained authorization from ACC Members of the proposed action that is the subject of such Interrogatory, identify the ACC Members involved and the basis for any contention that such ACC Members authorized the proposed action.

10. These Interrogatories are continuing in nature, up to and during the course of any trial. Information sought by these Interrogatories that becomes available after the ACC serves its answers must be disclosed to counsel for the Debtors by supplementary answer or answers no later than ten (10) days after such additional or different information becomes known or available.

INTERROGATORIES

INTERROGATORY NO. 1: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to, including its ultimate objection to, the *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* [Adv. Dkt. 2], Adv. No. 20-03041.

INTERROGATORY NO. 2: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to, including its ultimate objection to, the *Motion of the Debtors for an Order Appointing Joseph W. Grier, III as Legal Representative for Future Asbestos Claimants* [Dkt. 276].

INTERROGATORY NO. 3: Identify the dates on which ACC counsel sent a copy of the *Joint Plan of Reorganization of Aldrich Pump LLC and Murray Boiler LLC* [Dkt. 831] (the "Joint Plan") to the individual ACC Members.

INTERROGATORY NO. 4: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to the Joint Plan.

INTERROGATORY NO. 5: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to, including its ultimate objection to, the *Motion of the Debtors for an Order Authorizing Establishment of a Qualified Settlement Fund for Payment of Asbestos Claims* [Dkt. 834].

INTERROGATORY NO. 6: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to pursuing the Fraudulent Transfer Actions.

INTERROGATORY NO. 7: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to pursuing the Substantive Consolidation Action.

INTERROGATORY NO. 8: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, any proposed action of the ACC with respect to, including its ultimate objection to, the *Motion for Order Directing Parties to Mandatory Mediation and Establishing Mediation Procedures* [Dkt. 1247].

INTERROGATORY NO. 9: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, the estimated asbestos liability valuation contained in the ACC's initial expert report required pursuant to the *Second Amended Case Management Order for Estimation of Asbestos Claims* [Dkt. 2656].

INTERROGATORY NO. 10: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, the *Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases* [Dkt. 1756].

INTERROGATORY NO. 11: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, the *Objection of the Official Committee of Asbestos Personal Injury Claimants to the Motion of the Debtors for Estimation of Prepetition Asbestos Claims* [Dkt. 892].

INTERROGATORY NO. 12: Identify the dates when the ACC held a meeting and discussed with ACC Members, not just counsel to such members, the *Amicus Brief of the Official Committee*

of Asbestos Personal Injury Claimants in In re Aldrich Pump LLC and In re Murray Boiler LLC in Support of Appellant's Petition for Rehearing En Banc [Dkt. 144], Bestwall LLC v The Off. Comm. of Asbestos Claimants of Bestwall LLC, No. 24-1493 (4th Cir. Sept. 22, 2025).

Dated: October __, 2025
Charlotte, North Carolina

Respectfully submitted,

/s/
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(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

CERTIFICATE OF SERVICE

I certify that on October __, 2025, I served the foregoing document on the following counsel via email.

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

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*Counsel to the Official Committee
of Asbestos Personal Injury Claimants*

October __, 2025

Respectfully Submitted,

/s/_____
John R. Miller, Jr.

*Counsel to the Debtors and Debtors in
Possession*

EXHIBIT 2

Document Requests

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re:

ALDRICH PUMP LLC, *et al.*,¹
Debtors.

Case No. 20-30608 (LMJ)

Chapter 11

(Jointly Administered)

**DEBTORS' FIRST SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS TO THE OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS PURSUANT TO BANKRUPTCY RULE 2004**

Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), hereby request that the Official Committee of Asbestos Personal Injury Claimants (the "ACC") produce the documents, electronically stored information, and tangible things specified herein (the "Document Requests") electronically or at the offices of Rayburn, Cooper & Durham, P.A., 227 West Trade Street, Suite 1200, Charlotte, North Carolina 28202 by November 14, 2025 and in accordance with the definitions and instructions below.

DEFINITIONS

1. All Defined Terms shall have the meaning ascribed by *Debtors' First Set of Interrogatories Directed to the Official Committee of Asbestos Personal Injury Claimants Pursuant to Bankruptcy Rule 2004* (the "Interrogatories"), served contemporaneously herewith, or

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.

by the *Debtors' Motion for Bankruptcy Rule 2004 Examination of Governance Records of the Official Committee of Asbestos Personal Injury Claimants*.

INSTRUCTIONS

1. These Document Requests call for production of each requested Document in its entirety, including all attachments presently or previously appended to each Document.

2. These Document Requests require the production of all non-identical copies of each Document, whether different from the original because of notations, or attachments not present in or on the original Document.

3. Any Document Request concerning a given subject matter includes any Document or Communication relating to that subject matter.

4. Reference to the singular shall also include a reference to the plural, and reference to the plural shall include a reference to the singular.

5. In the event you assert any form of objection or privilege as a ground for not producing a Document, please set forth the legal grounds and facts upon which the objection or privilege is based. If the objection relates only to part of the Document, the remainder of the Document shall be produced. With respect to any Document that is withheld on a claim of privilege, provide, at the time responses are due, a statement setting forth as to each such Document the following information:

- a. the name(s) of the sender(s) of the Document;
- b. the name(s) of the author(s) of the Document;
- c. the name(s) of the person(s) to whom the Document or copies were sent;
- d. the date of the Document;
- e. a brief description of the nature and subject matter of the Document; and
- f. the nature of the privilege or the authority that is claimed to give rise to it.

6. If any Document described in these requests for production was, but no longer is, in your possession or subject to your custody or control, or in existence, state whether the Document: (a) is missing or lost; (b) has been destroyed; (c) has been transferred, voluntarily or involuntarily, to others; or (d) has been disposed of otherwise. In each instance, explain the circumstances surrounding such disposition and identify the person(s) directing or authorizing the same, and the date(s) thereof. Identify each Document by listing its author, their address, the type of writing (*e.g.*, letter, e-mail memorandum, telegram, chart, photograph, etc.), date, subject matter, present location(s), and custodian(s).

7. Should you obtain any other Documents or information that would supplement or modify the Documents or information supplied in response to this Request, you are hereby directed, pursuant to Civil Rule 26(e), to give timely notice of such Documents and information and to furnish the additional Documents or information to the Debtors without delay.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1: Produce all Documents and Communications on which You relied or referred to when responding to the Interrogatories served contemporaneously herewith.

REQUEST FOR PRODUCTION NO. 2: Produce all Documents relating to the rules and procedures pursuant to which the ACC operates, including but not limited to: bylaws, rules of conduct, operating agreements, and guidelines.

REQUEST FOR PRODUCTION NO. 3: Produce all Documents indicating the dates on which ACC meetings were held and who was in attendance at these meetings, including meeting minutes, call records, and attendance records.

Dated: October __, 2025
Charlotte, North Carolina

Respectfully submitted,

/s/

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John R. Miller, Jr. (NC 28689)
RAYBURN COOPER & DURHAM, P.A.
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ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

CERTIFICATE OF SERVICE

I certify that on October __, 2025, I served the foregoing document on the following counsel via email.

HAMILTON STEPHENS STEELE
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*Counsel to the Official Committee
of Asbestos Personal Injury Claimants*

Dated: October __, 2025

Respectfully Submitted,

/s/_____
John R. Miller, Jr.

*Counsel to the Debtors and Debtors in
Possession*

EXHIBIT 3

Proposed Order

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re

ALDRICH PUMP LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-30608 (LMJ)

(Jointly Administered)

**ORDER GRANTING THE DEBTORS' MOTION
FOR BANKRUPTCY RULE 2004 EXAMINATION OF
THE OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS**

This matter coming before the Court on the *Debtors' Motion for Bankruptcy Rule 2004 Examination of the Official Committee of Asbestos Personal Injury Claimants* (the "Motion")² filed by the debtors and debtors in possession in the above-captioned debtors and debtors in possession (together, the "Debtors"); the Court having reviewed the Motion and having considered the statements of counsel; the Court finding that (a) the Court has

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.

² Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; (c) this is a core proceeding pursuant to 28 U.S.C. § 157(b); (d) notice of the Motion and the opportunity for a hearing was sufficient under the circumstances; and (e) the information sought in the production of documents and interrogatories is relevant to the administration of the Debtors' cases and reorganization efforts; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. Pursuant to Bankruptcy Rule 2004, the Debtors are authorized to serve discovery, substantially in the form of Exhibit 1 and Exhibit 2 to the Motion, requesting production of documents and responses to certain interrogatories, and the ACC is directed to comply with the request for production and interrogatories.
3. Such documents and responses shall be provided by November 14, 2025.
4. The Debtors are authorized and empowered to take all actions necessary to implement the relief granted in this Order.
5. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, enforcement, or interpretation of this Order.

This Order has been signed electronically.
The Judge's signature and Court's seal appear
at the top of the Order.

United States Bankruptcy Court

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	
	:	Chapter 11
ALDRICH PUMP LLC, <i>et al.</i> ,	:	
	:	No. 20-30608 (LMJ)
Debtors,	:	
	:	(Jointly Administered)
	:	

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that Aldrich Pump LLC., et al., Debtors in the above-captioned cases, have filed the Debtors' and Future Claimants' Representative's Joint Motion for Bankruptcy Rule 2004 Examination of the Official Committee of Asbestos Personal Injury Claimants (the "Motion").

If a copy of the Motion is not included with this Notice, a copy may be viewed at the Court's website, www.ncwb.uscourts.gov under Debtor Aldrich Pump LLC's name and case number, you may obtain a copy of the Motion from the Debtors' claims and noticing agent at www.kccllc.net/aldrich, or you may request in writing a copy from the undersigned counsel to the Debtors.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THESE BANKRUPTCY CASES. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO GRANT THE RELIEF REQUESTED IN THE MOTION, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN ON OR BEFORE THURSDAY, OCTOBER 16, 2025, YOU MUST:

- (1) A. File with the Bankruptcy Court a written objection at:

Clerk, United States Bankruptcy Court
401 W. Trade Street
Charlotte, North Carolina 28202

- B. If you have your attorney file a written objection then the objection should be filed with the Bankruptcy Court by electronic means through the Court's website, www.ncwb.uscourts.gov under the jointly administered

name and case number shown above.

(2) Serve the objection pursuant to the procedures set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures (Docket No. 123).

(3) Attend the hearing scheduled for October 23, 2025, at 9:30 a.m. EDT or as soon thereafter as the matter can be heard in the Bankruptcy Courtroom 2B, 401 West Trade Street, Charlotte, North Carolina. You should attend this hearing if you file an objection.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought and may enter an Order granting the relief requested. No further notice of that hearing will be given.

This the 2nd day of October, 2025.

RAYBURN COOPER & DURHAM, P.A.

s/ John R. Miller, Jr.

John R. Miller, Jr.

N.C. State Bar No. 28689

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Charlotte, North Carolina 28202

Telephone: 704-334-0891

ATTORNEYS FOR DEBTORS