

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)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS,
Plaintiff,

v.

Adv. No. 21-03029 (LMJ)

ALDRICH PUMP LLC, MURRAY
BOILER LLC, TRANE TECHNOLOGIES
COMPANY LLC, and TRANE U.S. INC.,
Defendants.

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, on
behalf of the estates of Aldrich Pump LLC
and Murray Boiler LLC,
Plaintiff,

v.

Adv. No. 22-03028 (LMJ)

INGERSOLL-RAND GLOBAL HOLDING
COMPANY LIMITED, TRANE
TECHNOLOGIES HOLDCO INC.,
TRANE TECHNOLOGIES COMPANY
LLC, TRANE INC., TUI HOLDINGS
INC., TRANE U.S. INC., and MURRAY
BOILER HOLDINGS LLC,
Defendants.

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.



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OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, on
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COMPANY LIMITED, TRANE
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LLC, TRANE INC., TUI HOLDINGS
INC., TRANE U.S. INC., MURRAY
BOILER HOLDINGS LLC, SARA
BROWN, RICHARD DAUDELIN, MARC
DUFOUR, HEATHER HOWLETT,
CHRISTOPHER KUEHN, MICHAEL
LAMACH, RAY PITTARD, DAVID
REGNERY, AMY ROEDER, ALLAN
TANANBAUM, EVAN TURTZ, MANLIO
VALDES, and ROBERT ZAFARI,
Defendants.

**DEFENDANTS' OBJECTION TO THE OFFICIAL COMMITTEE
OF ASBESTOS PERSONAL INJURY CLAIMANTS'
MOTION TO AMEND CASE MANAGEMENT ORDER**

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), the debtors and debtors in possession in the above-captioned chapter 11 cases (the "Debtors"), and Trane Technologies plc, Trane Global Holding Company Limited f/k/a Ingersoll-Rand Global Holding Company Limited, Trane Technologies HoldCo Inc., Trane Technologies Company LLC, Trane Inc., TUI Holdings Inc., Trane U.S. Inc., and Murray Boiler Holdings LLC (collectively, the "Trane Defendants" and together with the Debtors, the "Defendants") file this Objection to the motion to amend the current case management order in the adversary proceedings [Adv. No. 21-03029, Adv. Dkt. 168; Adv. No. 22-03028, Adv. Dkt. 97; Adv. No. 22-03029, Adv. Dkt. 80]

(collectively, the "Adversary Proceedings" and the motion, "Motion to Amend"), filed by the Official Committee of Asbestos Personal Injury Claimants (the "ACC").

In early August, after years of no meaningful activity in the Adversary Proceedings, the ACC sent Defendants a proposed amendment to the case management order governing these proceedings. That proposed amendment sought to fast track these Adversary Proceedings culminating in a trial in the summer of 2026. While the ACC since has made minor adjustments in the proposed case management order attached to the Motion to Amend (the "ACC's Proposed CMO"), the ACC still seeks to set wholly unrealistic deadlines for the Adversary Proceedings, including a trial as early as October 2026. In doing so, the ACC proposes to have the long dormant Adversary Proceedings advance well in front of the Court-ordered estimation proceeding (the "Estimation Proceeding"). The ACC makes this demand despite the fact that: (1) key questions governing the Adversary Proceedings depend on rulings in the Estimation Proceeding (where a trial has yet to be scheduled), (2) other key issues underlying the Adversary Proceedings are the subject of the ACC's appeals currently pending in the District Court, and (3) progress in the Adversary Proceedings has lagged far behind the Estimation Proceeding for the entire history of these cases.

The ACC's Proposed CMO should be denied because (1) until the Debtors' asbestos liabilities are estimated, the ACC's claims in the Adversary Proceedings are not ripe, and may never be ripe, for adjudication, and (2) the ACC fails to explain how expediting a trial of the Adversary Proceedings will help progress these cases or benefit the estates in any way. For the reasons set forth in Defendants' Motion to Stay Adversary Proceedings, the Court should stay discovery in Adversary Proceedings pending the outcome of the Estimation Proceeding. In the event the Court declines to stay the Adversary Proceedings, Defendants respectfully request the

Court enter the proposed Case Management Order attached as Exhibit A to this Opposition ("Defendants' Proposed Adversary Proceedings CMO") to align the timeframes in the Adversary Proceedings with the timeframes in the Estimation Proceeding

I. The Court Should Grant Defendants' Motion to Stay the Adversary Proceedings.

For the reasons articulated in the Motion to Stay, the Adversary Proceedings should be stayed pending a resolution in the Estimation Proceeding. As a result of actions the ACC has taken since the filing of the Adversary Proceedings, most specifically the unsuccessful prosecution and current appeal of the ACC's Motion to Dismiss these bankruptcies, the Court is now divested of jurisdiction over the fundamental issues underlying the Adversary Proceedings. In addition, for the reasons set forth in the Motion to Stay, the Adversary Proceedings are not ripe for adjudication at this time. Prosecuting the claims in the Adversary Proceedings, before knowing whether any need exists to prosecute such claims, defies logic and common sense. The Defendants fully incorporate the arguments from their Motion to Stay in opposing the ACC's Motion to Amend. As explained below, many of those same arguments also support rejection of the ACC's Proposed CMO even if the Court declines to grant a stay.

II. Even if the Adversary Proceedings Are Not Stayed, They Should Not Be On A Schedule That Puts Them In Front of the Estimation Proceeding.

Even if the Court does not stay the Adversary Proceedings, the Proposed CMO advanced by the ACC should nevertheless be denied because it proposes a wholly unworkable timeline.

The ACC's Proposed CMO places the proverbial cart (the Adversary Proceedings) before the horse (the Estimation Proceeding). The ACC proposes a trial of the Adversary Proceedings as early as October 2026, less than a year from now. That timeline would undoubtedly result in trial of the Adversary Proceedings before trial of the Estimation Proceeding on its current course, where written fact discovery is not scheduled to close until June 26, 2026 at the earliest and trial

is not yet set (and, under the current schedule, would not commence until at least 2027).² This is improper for a variety of reasons.

First, resolution of the Adversary Proceedings relies, in part, on a determination of the Debtors' estimated asbestos liabilities, to be made by this Court at the trial of the Estimation Proceeding. A central contention of the ACC's underlying all of the Adversary Proceedings is that divisional merger left the Debtors unable to pay their asbestos liabilities.³ To determine whether the Debtors are unable to satisfy their asbestos liabilities, the Court will be required to estimate the amount of those asbestos liabilities. And that, of course, is the primary issue in the Estimation Proceeding. The ACC knows this. Indeed, they have refused to respond to discovery requests in the Adversary Proceedings as to the amount of the asbestos liabilities until such time as that issue is determined in the Estimation Proceeding.⁴ To now propose a case management order in the Adversary Proceedings which would schedule a trial in these proceedings far in advance of the trial of the Estimation Proceeding is illogical. If the Debtors' assets and financial resources are sufficient to pay the Debtors' estimated asbestos liabilities in full (as the ACC has more recently admitted in their motion to dismiss papers⁵), then the claims set forth in the Adversary Proceedings would remain unripe and their further prosecution would benefit no one.

² See generally *Second Amended Case Management Order for Estimation of Asbestos Claims* [Dkt. 2656] ("Estimation CMO").

³ See *Complaint*, Adv. No. 21-03029 [Adv. Dkt. 1], ¶¶ 2-5, 5-54; *Complaint*, Adv. No. 22-03028 [Adv. Dkt. 1], ¶¶ 4-10; *Complaint*, Adv. No. 22-03029 [Adv. Dkt. 1], ¶¶ 3-10.

⁴ See Aug. 7, 2025 Letter from Committee Counsel, attached as Exhibit B, at 3-4 (declining to provide documents to interrogatory responses relating to the ACC's view on the Debtors' aggregate asbestos liabilities, instead stating that the ACC will share estimates in accordance with the "deadlines set for in the [Estimation CMO]" and objecting that "Defendants request for the [ACC's] estimation-related work before those deadlines have passed . . . is premature.").

⁵ See *Motion of the Official Committee of Asbestos Personal Injury Claimants to Dismiss the Debtors' Chapter 11 Cases* [Dkt. 1756] (the "Dismissal Motion"), at 3 ("The Debtors are not financially distressed; through 'uncapped' support from 'new' Trane and 'new' Trane Technologies, the Debtors have access to sufficient funds to fully and timely pay all of their creditors now and in the future").

Second, this Court has rightfully said that the focus of these bankruptcy cases should be the Estimation Proceeding. While noting the ACC had "appeals going forward" concerning the propriety of the corporate restructuring and the bankruptcies as a whole, the Court stated that estimation would be "the focus of what we're doing here in this courtroom."⁶ Reflective of that focus, extensive work has gone forward in the Estimation Proceeding over the past six months. The Debtors have produced 520,000 pages of documents in the Estimation Proceeding. The Parties agreed to a Claims File Protocol and to the amended Estimation CMO, which the Court entered in April.⁷ The Debtors, FCR, and ACC exchanged Initial Expert Reports on September 15, 2025 in the Estimation Proceeding providing their initial estimates of the Debtors' current and future asbestos liabilities. All of this work is reflective of the Court's direction that the focus of these cases is to be on the Estimation Proceeding.

In contrast, until very recently, the ACC largely ignored prosecuting the Adversary Proceedings, going months at a time without any movement whatsoever. The level of inactivity in the Adversary Proceedings reached a point where the Clerk's Office issued Notices of Intent to Dismiss the Adversary Proceedings in August 2024, noting that "[n]o activity has occurred in this proceeding in more than four months."⁸ Even after the ACC succeeded in avoiding those dismissals, little changed. After the October 2024 hearing (Your Honor's first hearing presiding over these cases), Defendants heard nothing from the ACC in the Adversary Proceedings until March 2025. That month, the parties held a meet and confer on open issues concerning the

⁶ See Mar. 27, 2025 Hr'g Tr. [Dkt. 2622] at 8:10-12; see also id. at 41:19-25 ("So this [estimation] is where we are and this is what we're doing here in this court."); id. at 43:21-25 (acknowledging Committee's arguments that "[t]he debtor should never be here," but stating "that is not what, what we're doing here now").

⁷ See Estimation CMO [Dkt. 2656].

⁸ See Adv. No. 21-03029 [Adv. Dkt. 146]; Adv. No. 22-03028 [Adv. Dkt. 75]; Adv. No. 22-03029 [Adv. Dkt. 60].

discovery responses of both sides, the Parties exchanged letters in March and April concerning those same open discovery issues, and the Debtors supplemented certain interrogatory responses in April 2025. After that, there was again absolutely no contact between the parties until August 2025, at which time counsel for the ACC responded to the Defendants' March correspondence and proposed modifying the Adversary Proceedings CMO and scheduling a trial for the summer of 2026, later modifying that to October 2026. Given the scant movement that has been made in the Adversary Proceedings, the ACC's proposal of trial by October 2026 would undoubtedly significantly distract the parties from, and complicate the path to, trial in the Estimation Proceeding.

Third, even ignoring the pendency of and the focus on the Estimation Proceeding, the ACC's Proposed CMO proposes timelines that are not realistic. As a threshold matter, the ACC and Defendants have not yet agreed on document custodians and search terms necessary to commence document review. Notwithstanding the substantial amount of discovery relevant to the Adversary Proceedings that the ACC obtained in the preliminary injunction proceeding, the ACC has insisted on the collection of documents and electronically stored information ("ESI") from more than three dozen different custodians over a multi-year period, some of whom are attorneys for whom a privilege review will be detailed and difficult. In addition, notwithstanding the 22 depositions the ACC took on many of the same factual issues in the preliminary injunction proceeding, the ACC may take an additional 20 fact depositions in these Adversary Proceedings, none of which have occurred.⁹ That would be followed by expert discovery and motion practice before any trial. Nevertheless the ACC proposes all of this take place and be completed over the

⁹ See *Order Establishing Joint Discovery Plan and Report (ESI Protocol)*, Adv. No. 21-03029 [Dkt. 142], ¶ 6(c).

next 12 months, with all fact discovery to be completed by May 15, 2026.¹⁰ It is simply not remotely a realistic schedule.

III. Circumstances Have Changed Considerably Since Judge Whitley Granted the ACC Derivative Standing and Denied Defendants' Request to Stay the Adversary Proceedings.

In their Motion to Amend the Adversary CMO, the ACC notes that in April 2022, more than three and a half years ago, Judge Whitley denied a motion filed by Defendants seeking to stay the SubCon Proceeding, the only one of the three Adversary Proceedings to have been filed at that time. Much has happened in these bankruptcy cases since that time that demonstrates why a stay of the Adversary Proceedings is appropriate now. See, e.g., In re Ross, 162 B.R. 860, 863 (Bankr. D. Idaho 1993) (denying a motion to stay adversary proceeding but noting that if circumstances change, "the Court will consider appropriate motions, including a renewed motion to stay.").

Judge Whitley's denial of the Defendants' request for a stay in April 2022, and his grant of derivative standing to the ACC in January 2022, were made long before the ACC's motion to dismiss was even contemplated, and were based in significant part on his desire to allow the parties to pursue their own desired litigation paths: the Debtors in pursuing the estimation of their asbestos liabilities and the ACC in attacking the validity of the corporate restructuring. See Jan. 27, 2022 Hr'g Tr. [Dkt. 976] at 11:20-24 ("[A]t the end of the day, I think what, what we end up with is that each side has a preferred course to move this case along and they're different things. The ACC wants to litigate [] the corporate restructuring. The debtor wants to estimate. I understand both."); id. at 19:21-25 ("But two things are the major issues in th[ese] case[s]. One is estimation of the liabilities and the other is the propriety of the corporate restructuring and

¹⁰ See Motion to Amend, Ex. A at 8.

divisional merger, and, barring settlement, those questions have to be resolved in some form or fashion."). At the time Judge Whitley made those rulings, the ACC's only path to challenge the propriety of the corporate restructuring and these bankruptcies was through the Adversary Proceedings.

However, one year after Judge Whitley's April 2022 ruling denying Defendants' request for a stay, the ACC opened a second path challenging the propriety of the corporate restructuring and these cases, by filing a motion to dismiss these cases in May 2023.¹¹ As noted in the Defendants' Motion to Stay, by prosecuting, and now appealing, the Dismissal Motion and the issues underlying that motion, the Court has been divested of jurisdiction over deciding issues central to resolution of the Adversary Proceedings—specifically the propriety of the corporate restructuring and subsequent bankruptcies. It appears that the ACC's decision¹² to pursue dismissal of these bankruptcies (a pursuit that did not begin until after Judge Whitley's rulings concerning these Adversary Proceedings) and its admission in those dismissal proceedings that the Debtors' assets and financial resources are sufficient to pay their liabilities in full¹³, are the reason why the ACC has not vigorously prosecuted these Adversary Proceedings. And, as described in the Motion to Stay, the pursuit of these dismissal motions is a central reason why the Adversary Proceedings should be stayed.¹⁴

¹¹ See Dismissal Motion [Dkt. 1756].

¹² Given the recent disclosures regarding the ACC's members, it is unclear whether the initial prosecution of the Adversary Proceedings was authorized by the members of the ACC or whether the continued prosecution of the Adversary Proceedings, in light of the ACC's admission that the Debtors' assets and financial resources are sufficient to pay its liabilities in full, has been authorized by the members of the ACC.

¹³ See, e.g., Dismissal Motion [Dkt. 1756], at 3.

¹⁴ Further, the ACC's suggestion in a footnote that Judge Whitley's 2022 ruling denying Defendants' request for a stay is "law of the case" is incorrect. See, e.g., *Freeman v. Specialty Retailers Inc.*, No. CV H-14-2691, 2015 WL 12804530, at *1 (S.D. Tex. Jan. 20, 2015) (concluding that "the law of the case does not preclude reconsideration of the Magistrate Judge's ruling on the Motion to Stay in light of these

IV. In the Event the Court Declines To Stay the Adversary Proceedings, the Court Should Enter the Defendants' Proposed Adversary Proceedings CMO.

Ultimately, staying the Adversary Proceedings until such time as the Estimation Proceeding has concluded is the appropriate course of action. The ACC fails to offer any explanation as to how an expedited prosecution of the Adversary Proceedings will move these cases forward or is in the best interest of the estates. In contrast, a stay of the Adversary Proceedings will preserve estate resources, keep the focus of these bankruptcies on the Estimation Proceeding as the Court has directed, and ensure this Court is not placed in the untenable position of ruling on issues in the Adversary Proceedings: (1) for which it has been divested of jurisdiction by the ACC's dismissal litigation, and (2) that depend on rulings that are yet to be made in the Estimation Proceeding.

However, in the event the Court declines to stay the Adversary Proceedings, the Court should decline to enter the ACC's Proposed CMO and instead enter the Defendants' Proposed Adversary Proceedings CMO. The Defendants made this proposal to the ACC in advance of the filing of the ACC's Motion to Amend and the Defendants' Motion to Stay and met and conferred with the ACC about it.¹⁵ In their Proposed Adversary Proceedings CMO, the Defendants set forth realistic deadlines for the completion of written fact discovery for the summer of 2026, along with setting interim deadlines to ensure that this deadline can and will be met.¹⁶ Given that the Parties have not yet even agreed to document custodians and search terms in the

substantially changed circumstances" including significant advancements in other proceedings that substantially changed the relevant evidence); see also Columbia Gas Transmission LLC v. RDFS, LLC, 148 F.4th 163, 169 (4th Cir. 2025) (law of the case "doctrine is not an inexorable command" and "courts may revisit their prior decisions when circumstance so require.").

¹⁵ See Correspondence between Morgan Hirst and Carrie Hardman dated September 23-25, 2025, attached as Exhibit C.

¹⁶ See Exhibit A, Defendants' Proposed Adversary Proceedings CMO, ¶ C5.

Adversary Proceeding, the Defendants' Proposed Adversary Proceedings CMO is the only realistic proposed schedule before this Court.

The Defendants' Proposed Adversary Proceedings CMO is also consistent with the timing and format of the Estimation CMO, the deadlines for which all parties agreed and this Court entered in April 2025.¹⁷ As the Court is aware, the Estimation CMO sets a summer 2026 deadline for completion of written fact discovery, and then calls for the Court to set deadlines for the completion of the remaining tasks leading to a trial at that time.¹⁸ As the Debtors suggested to the ACC during meet and confer discussions in the Adversary Proceedings, any amendment to the Adversary Proceedings CMO should align with the timelines governing the Estimation Proceeding because: (1) resolution of the Adversary Proceedings depends on rulings to be made in the Estimation Proceeding, and (2) allowing the Parties to focus their efforts on the Estimation Proceeding, consistent with the directives of this Court, is the best means for moving these cases forward.

CONCLUSION

In light of the foregoing, the Defendants respectfully request that the Court: (a) deny the ACC's Motion to Amend the Adversary CMO; and (b) grant the Defendants' Motion to Stay. In the event that the Court declines to stay the Adversary Proceedings, the Defendants respectfully request that the Court enter Defendants' Proposed Adversary Proceedings CMO, and grant the Defendants such other and further relief as the Court deems appropriate.

¹⁷ See Estimation CMO [Dkt. 2656].

¹⁸ See id. ¶ 10.

Dated: October 16, 2025
Charlotte, North Carolina

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ATTORNEYS FOR DEBTORS AND
DEBTORS IN POSSESSION

Exhibit A

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WESTERN DISTRICT OF NORTH CAROLINA
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Adv. Pro. No. 22-03028

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.

OFFICIAL COMMITTEE OF ASBESTOS
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REGNERY, AMY ROEDER, ALLAN
TANANBAUM, EVAN TURTZ, MANLIO
VALDES, and ROBERT ZAFARI

Defendants.

[PROPOSED] CASE MANAGEMENT ORDER

This matter coming before the Court on the motion filed by the Plaintiff (the “**Plaintiff’s Motion**”)² and defendants’ letters (the “**Defendants’ Letters**”)³ (collectively, the “**Pleadings**”)⁴ in the above-captioned adversary proceedings (collectively, the “**Adversary Proceedings**”) and the above-captioned base case (the “**Bankruptcy Case**”); the Court having reviewed the Pleadings and the other papers filed related thereto and having considered the

² See Adv. Pro. No. 3:21-ap-03029, Dkt. No. 109; Adv. Pro. No. 3:22-ap-03028, Dkt. No. 26; Adv. Pro. No. 3:22-ap-03029, Dkt. No. 22.

³ See Adv. Pro. No. 3:21-ap-03029, Dkt. Nos. 106 & 107; Adv. Pro. No. 3:22-ap-03028, Dkt. Nos. 24 & 25; Adv. Pro. No. 3:22-ap-03029, Dkt. Nos. 20 & 21.

⁴ Capitalized terms used but not otherwise defined herein shall have the meanings given to such terms in the Motion.

statements of counsel related thereto at a hearing before the Court on [_____, 2025] (the “**Hearing**”); the Court finding that (a) the Court has jurisdiction for purposes of entering this Order pursuant to 28 U.S.C. §§ 157 and 1334, (b) venue for purposes of entering this Order is proper in this district pursuant to 28 U.S.C. § 1409, (c) notice of the Pleadings and the Hearing was sufficient under the circumstances, and (d) implementation of the case management procedures described herein in connection with the Adversary Proceedings⁵ is (i) fair and reasonable, (ii) consistent with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Rules, and (iii) appropriate under the circumstances; and the Court having determined that just cause exists for the relief granted herein;

IT IS HEREBY ORDERED THAT:

A. The Plaintiff’s Motion

1. The Plaintiff’s Motion is GRANTED to the extent set forth herein and on the record of the Hearing (which is incorporated herein by reference).
2. Entry of this Case Management Order and agreement to the provisions set forth herein are not intended to be a waiver of any right to timely challenge the jurisdiction of the Bankruptcy Court, including, without limitation, the jurisdiction of the Bankruptcy Court to enter final orders in non-core matters, or the waiver of a right to a jury trial, all of which are expressly reserved. Plaintiff and Defendants further reserve the right to request the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal and reserve all other rights, claims, actions, defenses, setoffs or recoupments to which Defendants are or may be entitled under agreements, in law, in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved. To the extent applicable or not previously waived, the deadline to file a motion pursuant to Local Rule 7007-1(b) will be established in a separate case management order negotiated by the parties and/or ordered by the Court.

⁵ Adv. Pro. No. 3:21-ap-03029, Dkt. No. 1, ¶ 11; Adv. Pro. No. 3:22-ap-03028, Dkt. No. 1, ¶ 11; Adv. Pro. No. 3:22-ap-03029, Dkt. No. 1, ¶ 11.

B. Adversary Proceedings Deadlines

1. *Substantive Consolidation Proceeding*

- i. Defendants in the Substantive Consolidation Proceeding answered the Complaint in that proceeding. The filing of such answers in the Substantive Consolidation Proceeding shall not trigger the entry of any pre-trial orders or deadlines until ordered by the Court.
- ii. Discovery in the Substantive Consolidation Proceeding shall proceed according to the Discovery Protocol set forth in Section C below.
- iii. No notice of the Substantive Consolidation Proceeding shall be served on creditors of New TTC and New Trane at this time, and no list of creditors shall be provided by New TTC and New Trane to the Committee, all of which shall be held in abeyance subject to further order of the Court on a motion by one or more of the parties. The timing and content of any such notice, if needed, shall be agreed upon by the parties and/or ordered by the Court after notice and a hearing.
- iv. Defendants are not precluded from filing timely dispositive motions or motions to stay (other than motions to dismiss in lieu of an answer pursuant to Fed. R. Civ. P. 12(b)(6), made applicable by Fed. R. Bankr. P. 7012). A briefing schedule for any such dispositive motion(s) or motion(s) to stay shall be negotiated by the parties and/or ordered by the Court.

2. *Fraudulent Transfer Proceeding*

- i. All defendants to the Fraudulent Transfer Proceeding have executed consents to acceptance of service and, thus, are deemed duly served.
- ii. Defendants to the Fraudulent Transfer Proceeding filed an answer and affirmative defenses on **September 9, 2022**.
- iii. Discovery in the Fraudulent Transfer Proceeding shall proceed according to the Discovery Protocol set forth in Section C below.
- iv. Plaintiffs and Defendants are not precluded from filing timely dispositive motions or motions to stay (other than motions to dismiss in lieu of an answer pursuant to Fed. R. Civ. P. 12(b)(6), made applicable by Fed. R. Bankr. P. 7012). A briefing schedule for any such dispositive motion(s) or motion(s) to stay shall be negotiated by the parties and/or ordered by the Court.

3. *Fiduciary Duty Proceeding*

- i. All defendants to the Fiduciary Duty Proceeding have executed consents to acceptance of service and, thus, are deemed duly served.

- ii. The Fiduciary Duty Proceeding shall be stayed in its entirety, including with respect to all discovery, pending the entry of final orders resolving the Fraudulent Transfer Proceeding and the Substantive Consolidation Proceeding. “**Final**” means, with respect to any order of court, that such order represents a final and binding determination of all issues within its scope and is not subject to further review on appeal or otherwise. Without limitation, an order becomes “Final” when: (a) no appeal has been filed and the prescribed time for commencing any appeal has expired; or (b) an appeal has been filed and either (i) the appeal has been dismissed and the prescribed time, if any, for commencing any further appeal has expired, or (ii) the order has been affirmed in its entirety and the prescribed time, if any, for commencing any further appeal has expired. For purposes of this Paragraph, an “**appeal**” includes appeals as of right, discretionary appeals, interlocutory appeals, proceedings involving writs of certiorari or mandamus, and any other proceedings seeking review, alteration, amendment or appeal of a court’s order.
- iii. Each defendant to the Fiduciary Duty Proceeding and the Committee covenants and agrees that (a) any of the findings of fact or conclusions of law set forth in any Final order in the Fraudulent Transfer Proceeding or Substantive Consolidation Proceeding shall be binding as to all Parties in the Fiduciary Duty Proceeding, except with respect to any finding of fact as to any individual Fiduciary Duty Defendant with respect to any action or inaction such individual Fiduciary Duty Defendant took or did not take, and that (b) he, she or it shall not challenge such binding finding of fact or conclusion of law on any basis.

C. Discovery Protocol

1. *Applicability of Discovery*

- i. All discovery conducted after the date of this Order as part of the Fraudulent Transfer Proceeding and the Substantive Consolidation Proceeding (collectively, the “**Post-CMO Discovery**”) shall be deemed to have occurred in all Adversary Proceedings, including, without limitation, the Fiduciary Duty Proceeding that has been stayed in its entirety pending the entry of Final orders resolving the Fraudulent Transfer Proceeding and the Substantive Consolidation Proceeding.
- ii. To avoid duplicative discovery, (a) all parties in the Adversary Proceedings shall have the right to participate in the Post-CMO Discovery; (b) each party that elects to participate in the Post-CMO Discovery consents to the jurisdiction of the Court as a party solely for the purpose of Post-CMO Discovery; and (c) except as set forth herein, each party to the Adversary Proceedings reserves all rights, remedies, defenses and objections with respect to any such Post-CMO Discovery, except with respect to those

rights, remedies, defenses and objections that were waived by such party's non-participation in any such Post-CMO Discovery.

2. *Prior Discovery in Preliminary Injunction Proceeding*

- i. All discovery (production of documents and deposition testimony) conducted in the adversary proceeding captioned *ALDRICH PUMP LLC and MURRAY BOILER LLC v. Those Parties Listed on Appendix A to Complaint*, Adv. Pro. No. 20-03041 (JCW) and all other discovery that has occurred in the above-captioned Chapter 11 bankruptcy case (collectively, the "**Prior Discovery**") shall be deemed to have been conducted in connection with the Adversary Proceedings.
- ii. The incorporation of the Prior Discovery into the Adversary Proceedings shall not preclude or prejudice any party's (a) ability to seek further Post-CMO Discovery from parties, entities, or individuals who received discovery requests in connection with the Prior Discovery, or (b) right to object to any such Post-CMO Discovery on any ground. For the avoidance of doubt, each party to the Adversary Proceedings that did not participate in the Prior Discovery reserves all rights with respect to any such Prior Discovery. Notwithstanding the foregoing, the parties shall negotiate a discovery protocol and/or seek relief from the Court, as set forth in Paragraph C.3.i below.

3. *Discovery Protocol*

- i. The parties in the Fraudulent Transfer Proceeding and Substantive Consolidation Proceeding shall conduct an initial meet-and-confer to create a discovery protocol applicable in the Fraudulent Transfer Proceeding and Substantive Consolidation Proceeding, with additional meet and confers as necessary. Should the parties be unable to reach agreement on the terms of a discovery protocol, the parties shall coordinate in providing submissions to the Court and a relevant briefing schedule in advance of filing.
- ii. The following shall be included in any list of not reasonably accessible electronically stored information ("**ESI**") for purposes of search and identification of responsive documents in any discovery protocol for the Fraudulent Transfer Proceeding and Substantive Consolidation Proceeding:
 - a. Mobile devices and ESI or other data stored on mobile devices, including smart phones and tablets,⁶ subject to each custodian certifying (the "**Mobile Telephone Certification**") under penalty of perjury either that (A) they did not use a mobile telephone for

⁶ For the avoidance of doubt, the term "mobile devices" does not include laptop computers.

business purposes⁷ during the relevant date range other than making or receiving calls, or (B) if they use a mobile telephone for such business purposes, that all data and information used for such purposes is otherwise stored in the responding party's systems and will be collected from another source or is *de minimis*.⁸ This Mobile Telephone Certification shall be provided to the requesting party within 30 days of service of written discovery or within 30 days after such later date that the custodian is identified and agreed upon or ordered by the Court. In any case, this subparagraph also is subject to the requesting party's reservation of right to seek such data from individual custodians where discovery indicates that data or information on mobile devices may exist responsive to the information requested and the responding party's reservation of right to object to any such request.

- b. Instant/chat messaging (including, e.g., Slack or WhatsApp), subject to each custodian certifying (the "**Instant Message Certification**") under penalty of perjury that they did not, during the relevant date range, use any instant messaging program, application, or platform for business purposes, other than use that was *de minimis*. This Instant Message Certification shall be provided to the requesting party within 30 days of service of written discovery or within 30 days after such later date that the custodian is identified and agreed upon or ordered by the Court. In any case, this subparagraph also is subject to the requesting party's reservation of right to seek such data and information from individual custodians where discovery indicates that data or information in instant messaging programs, applications, or platforms may exist responsive to the information requested and the responding party's reservation of right to object to any such request.

4. *Privilege Logs*

- i. The Debtors, New Trane, New TTC, and the Committee shall meet and confer on potential revisions to the privilege logs submitted with the Prior Discovery (the "**Privilege Logs**") in advance of any motion practice thereon. If no agreement is reached in connection with such meet and confer, a briefing schedule for presenting the issues to the Court for a ruling shall be established. The parties reserve all rights regarding the privilege assertions contained in the Privilege Logs and otherwise.

⁷ For the avoidance of doubt, business purposes include, without limitation, the taking of notes, creation or editing of documents, and communications thereto, in each case for work-related purposes.

⁸ "*De minimis*," as used in this Paragraph C.3.ii.a and in Paragraph C.3.ii.b below, refers to a use that is negligible and, in any event, unrelated to any substantive work on Project Omega or the Debtors' chapter 11 case.

5. *Additional Discovery*

- i. The parties to the Fraudulent Transfer Proceeding and the Substantive Consolidation Proceeding have conducted a conference pursuant to Fed. R. Civ. P. 26(f) (the “**Rule 26(f) Conference**”).
- ii. All parties in the Fraudulent Transfer Proceeding and the Substantive Consolidation Proceeding made initial disclosures required by Fed. R. Civ. P. 26(a)(1), and will continue to supplement their disclosures as required by the applicable rules.
- iii. Except as set forth in Section B.3.ii and subject to Section C.2.ii, the parties are not foreclosed from proceeding with Post-CMO Discovery, and all parties’ rights to object to any Post-CMO Discovery on any ground are fully preserved.
- iv. Disputes related to the provision of Post-CMO Discovery, including privilege disputes with respect to Post-CMO Discovery, shall be resolved among the parties or pursuant to further order of the Court.
- v. The Parties will agree on search terms and custodian lists for collection and production of Post CMO Discovery on or before October 30, 2025. In the event the Parties are unable to agree on search terms and custodian lists by that date, they will file motions with the Court on that date for hearing at the November 20, 2025 Omnibus Hearing so the Court may rule on appropriate custodians and search terms.
- vi. Defendants shall substantially complete production of documents for Post CMO Discovery on or before six months after the date on which custodians and search terms are determined, either by consent of the parties or court order.
- vii. Any related privilege log must also be produced within 30 days after the substantial completion of document production.
- viii. Any objections to or motions to compel concerning either document production or privilege logs must be filed within 30 days after the completion of privilege logs.
- ix. At the next scheduled omnibus hearing after either: (a) the 30 day period described in Section C.5.viii expires and no objections or motions have been filed or (b) the Court rules on objections to and/or motions to compel described in Section C.5.viii, the Court shall set a deadline for any remaining fact discovery, along with any additional case management deadlines as deemed appropriate by the Court at that time

D. Miscellaneous

1. Notwithstanding anything to the contrary in this Order, the deadlines specified herein may be extended by consent of the parties, except that leave of Court shall be required to alter, adjourn or extend the date of any hearing before the Court. In addition, upon a showing of good cause by any party and after notice and a hearing, the Court may alter or extend any of the deadlines specified herein. The Court may consider whether the parties have complied with the terms of this Order when considering any request for a change in the deadlines.
2. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, interpretation or enforcement of this Order.

Exhibit B

ASBESTOS PERSONAL INJURY CLAIMANTS OF
ALDRICH PUMP LLC AND MURRAY BOILER LLC,
by and through its undersigned counsel

August 7, 2025

VIA EMAIL

Morgan R. Hirst
JONES DAY
77 West Wacker Drive, Suite 3500
Chicago, IL 60601
Telephone: (312) 269-1535
Email: mhirst@jonesday.com
Counsel for the Debtors Aldrich Pump LLC and Murray Boiler LLC (the “Debtors”)

-and-

Gregory Mascitti
McCARTER & ENGLISH, LLP
Worldwide Plaza
825 Eighth Avenue, 31st Floor
New York, NY 10019
Telephone: (212) 609-6810
Email: gmascitti@mccarter.com
Counsel to Trane U.S. Inc. and Trane Technologies Company LLC (the “Non-Debtor Affiliates” and, together with the Debtors, the “Defendants”)

Re: *In re Aldrich Pump LLC, et al.*, Case No. 20-30608 (LMJ); Adv. Pro. No. 21-3029 (LMJ) (the “SubCon Proceeding”); Adv. Pro. No. 22-3028 (LMJ) (the “Fraudulent Transfer Proceeding”); and Adv. Pro. No. 22-3029 (LMJ) (the “Fiduciary Duty Proceeding” and, together with the SubCon Proceeding and the Fraudulent Transfer Proceeding, the “Proceedings”)

Counsel:

On behalf of the Official Committee of Asbestos Personal Injury Claimants (the “Committee”), we write in response to your letter of March 7, 2025 (“Defendants’ Letter”) outlining what you claim to be deficiencies in the Committee’s May 28, 2024 responses and objections (the “Responses”) to the interrogatories (the “Interrogatories”), requests for production (the “RFPs”), and requests for admission (the “RFAs”) served by you in the above-referenced adversary proceedings.

The Committee incorporates by reference its prior letter of October 23, 2024 (the “Prior Letter”), which addresses many of the issues in Defendants’ Letter, and responds here for the limited purpose of clarifying its positions Defendants appear to have misconstrued those positions.

August 7, 2025

Page 2

The Committee is available to meet and confer as necessary on any of the issues discussed in Defendants' Letter or herein.

I. Introduction to Defendants' Letter and General Objections (RFPs – Global)

Defendants' Letter inaccurately claims that the Committee is asserting complete immunity from discovery. Not so. The Prior Letter explained that (a) the “overwhelming majority” of the Committee's documents are “protected by the attorney-client privilege, the work product doctrine, the common interest privilege,” and other privileges and protections, and (b) any remaining non-privileged information “is extremely limited and irrelevant to the issues at hand.” Prior Letter at 3. This is not a claim of total immunity from discovery; it is the basis for the Committee's assertion that it does not have relevant, non-privileged documents to produce.

Moreover, Defendants' reliance on *Adelphia Communications* is puzzling, since that case is both inapposite and unfavorable to Defendants. *In re Adelphia Commc'ns Corp.*, 348 B.R. 99 (S.D.N.Y. 2006). It is inapposite because it involved a dispute over whether a specific protocol establishing a fee committee granted that immunity from discovery or suit. *Id.* at 102, 109. And it is unfavorable to Defendants because the fee committee in *Adelphia* received a protective order, and the court even instructed the propounding party to try obtaining relevant information from *other sources* before seeking it from the Committee. *Id.* at 102, 110.

The Committee also disagrees that it is “inexplicably” refusing to produce press inquiries to which its counsel did not respond. The Committee disputes that these documents are relevant to these adversary proceedings. Nor are they responsive to Defendants' various requests focusing on the bases for the Committee's contentions in the adversary proceedings.¹ And Defendants' argument that “[o]ther responsive documents likely exist” is nothing more than speculation. *See Kinetic Concepts, Inc. v. ConvaTec Inc.*, 268 F.R.D. 226, 252 (M.D.N.C. 2010) (“[E]ven an informed suspicion that additional non-privileged documents exist . . . cannot alone support an order compelling production of documents.”).

In short, Defendants have not identified any factual basis for their assertion that the Committee has responsive, non-privileged documents in its possession, custody, or control. The Committee will be prepared to discuss these issues further during the next meet and confer.

II. General Objections (Interrogatories – Global)

The Committee disagrees that it failed to respond fully to Defendants' Interrogatories but will be prepared to discuss these issues during the next meet and confer. To clarify the Committee's position stated in the Prior Letter, the Committee did not withhold any information from its responses based on its objection that Defendants exceeded the permitted number of Interrogatories. The Committee will be prepared to discuss these issues further during the next meet and confer.

¹ In addition, as previously stated, the Committee's possession, custody, and control is limited to documents in its members' or professionals' possession, custody, or control only *while and to the extent* they are acting in their capacity as Committee members or professionals. Prior Letter at 3.

III. General Objections (RFAs – Global)

Defendants' Letter characterizes as "bizarre[]" the Committee's objections to Defendants' efforts "to use discovery requests to have the Committee ratify or endorse Defendants' factual contentions and legal conclusions." But the law supports the Committee's position. *See, e.g., Watkins v. Lincare, Inc.*, No. 3:22-CV-00109, 2023 WL 5490181, at *7 (S.D.W. Va. Aug. 24, 2023) ("Requests for admission are not a vehicle to establish disputed facts. *Dowdy v. The Coleman Company*, No. 1:11-cv-00045-DAK-EJF, 2012 WL 5450039, at *1 (D. Utah 2012). Moreover, they are not a device 'to have [the answering party] ratify what are, in essence, the legal conclusions that the [moving party] ha[s] attached to the operative facts of the case.' *Roe v. Bishop of Charleston*, No. 2:21-CV-00020-RMG, 2021 WL 4272595, at *5 (D.S.C. Sept. 20, 2021) (quoting *Lakehead Pipe Line Co.*, 177 F.R.D. at 458).") (alterations in original).

Defendants' Letter also accuses the Committee of trying to "evade discovery" and "demand[s] the Committee respond to the RFAs in accordance with Fed. R. Civ. P. 36." But the Committee still provided a "clear and unequivocal response" to every RFA, making its responses sufficient as a matter of law. *Watkins*, 2023 WL 5490181, at *3.

Finally, Defendants' Letter addresses none of the issues the Committee raised concerning the vague, ambiguous, and compound nature of many of the RFAs. As stated in the Prior Letter, the Committee is willing to discuss these issues further during the next meet and confer.

Substantive Consolidation Proceeding

IV. General Objection 26

The Committee is not refusing to produce any documents, declining to provide any interrogatory answers, or denying any request for admission solely based on General Objection 26.

V. Interrogatory Responses

Defendants' discovery to the Committee includes several interrogatories regarding estimation of the Debtors' aggregate asbestos liability, including Interrogatories 5 and 6. The Court has entered the *Second Amended Case Management Order for Estimation of Asbestos Claims* ("Second Amended Estimation CMO")² in the Estimation Proceeding.³ The Committee will fully comply with all deadlines set forth in the Second Amended Estimation CMO and any further deadlines agreed to or ordered by the Court in the Estimation Proceeding. The Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—is premature.

² Case No. 20-30608 (LMJ), Dkt. No. 2656.

³ The "Estimation Proceeding" was commenced by the *Order Authorizing Estimation of Asbestos Claims*, Case No. 20-30608, Dkt. No. 1127.

Defendants also demand responses to several interrogatories that the Committee is unable to respond to until Defendants comply with their own discovery obligations and/or may be the subject of expert testimony that would be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Discovery is ongoing and the Committee reserves its rights to supplement its responses as necessary and appropriate. *See, e.g.*, Sub Con Interrogatories 1, 4, 5, 7.

The Committee believes the remaining issues were already addressed in the Prior Letter, but is prepared to discuss these issues further during the next meet and confer.

VI. RFPs

Defendants' discovery to the Committee includes several RFPs regarding estimation of the Debtors' aggregate asbestos liability, including RFPs 21 and 22. As set forth above, the Committee will fully comply with all deadlines set forth in the Second Amended Estimation CMO and any further deadlines agreed to or ordered by the Court in the Estimation Proceeding. The Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—is premature.

The Committee believes these issues were already addressed in the Prior Letter, but is prepared to discuss these issues further during the next meet and confer.

VII. RFAs

Defendants purport to take issue with the Committee's responses to Sub Con RFAs 9 and 10, asserting that the "Committee's refusal to respond to these RFAs based on the Mediation Order is baseless". Defendants' Letter at 5-6. Defendants then quote Fraudulent Transfer RFAs 9 and 10, presumably in error. *Id.* Sub Con RFAs 9 and 10 deal with estimation and plainly implicate the Mediation Order. The Committee asks that the Defendants clarify their position. The Committee also notes, again, that the Committee will fully comply with all deadlines set forth in the Second Amended Estimation CMO and any further deadlines agreed to or ordered by the Court in the Estimation Proceeding. The Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—is premature. Subject to and without waiving its objections, the Committee admits that, as the Debtors are aware, the Committee is a party to the estimation proceeding. As part of that, the Committee continues to develop an estimate of the aggregate value of the Debtors' Asbestos-Related Liabilities. The Committee otherwise denies Sub Con RFAs 9 and 10.

Defendants also ask that the Committee clarify its response to RFA 11. Discovery is ongoing and the Committee reserves its right to continue to review any materials that Defendants eventually produce to determine whether an asbestos claimant has fixed a judgment lien on any or all of Old IRNJ's or Old Trane's assets. Subject to and without waiving its objections, the Committee admits that it is not currently aware of any instance where an asbestos claimant fixed a judgment lien on any of Old IRNJ's or Old Trane's assets, but will update this response in

accordance with Rule 26(e) of the Federal Rules of Civil Procedure should any additional information come to light. The Committee otherwise denies Sub Con RFA 11.

The Committee believes the remaining issues raised by Defendants were already addressed in the Prior Letter. The Committee will be prepared to discuss these issues further during the next meet and confer.

Fraudulent Transfer Proceeding

VIII. Interrogatory Responses

The Committee believes these issues were already addressed in the Prior Letter. The Committee will be prepared to discuss these issues further during the next meet and confer.

IX. RFAs

The Committee believes these issues were already addressed in the Prior Letter. The Committee will be prepared to discuss these issues further during the next meet and confer.

* * *

August 7, 2025

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Nothing contained herein shall constitute a waiver, either express or implied, of the rights of our clients' rights or remedies, whether at law or in equity, all of which are hereby reserved.

Very truly yours,

HAMILTON STEPHENS STEELE
+ MARTIN, PLLC

/s/ Robert A. Cox, Jr.

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

Exhibit C

From: Hirst, Morgan R.
Sent: Thursday, September 25, 2025 11:32 AM
To: Hardman, Carrie
Subject: RE: Aldrich Adversaries
Attachments: Aldrich Adversaries CMO Redline.pdf; Aldrich - Defendants September 25 Revision to Proposed Amended CMO APs(21186642.5)(5003316420.3).docx

Carrie:
Our side (Debtors/NDAs can do 12 eastern on Monday.

On the CMO issue, attached is a draft (and redline) showing what we had in mind. Let me know if, at least conceptually, this is something worth discussing from your end.

Morgan R. Hirst
Partner
[JONES DAY® - One Firm WorldwideSM](#)
110 North Wacker Drive
Suite 4800
Chicago, Illinois 60606
Office +1.312.269.1535
Mobile +1.773.490.2039
mhirst@jonesday.com

From: Hardman, Carrie <CHardman@winston.com>
Sent: Thursday, September 25, 2025 8:56 AM
To: Hirst, Morgan R. <mhirst@jonesday.com>
Subject: RE: Aldrich Adversaries

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Morgan,

We had a hard time getting Friday to connect on our end. We are available Monday 10-11 ET and at/after 12 pm ET. Please let me know a window that works for Debtors/Defendants.

Thanks,
Carrie



CARRIE HARDMAN
PARTNER

T +1 (212) 294-5391
chardman@winston.com

Admitted to practice in New York

From: Hirst, Morgan R. <mhirst@jonesday.com>
Sent: Wednesday, September 24, 2025 12:23 PM
To: Hardman, Carrie <CHardman@winston.com>
Subject: RE: Aldrich Adversaries

Carrie

Let me know if some time in the 12-130 eastern window Friday might work for your team. If not, probably looking at Monday (and I can gather some new windows on our end)

Morgan R. Hirst

Partner

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Chicago, Illinois 60606

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Mobile +1.773.490.2039

mhirst@jonesday.com

From: Hardman, Carrie <CHardman@winston.com>
Sent: Wednesday, September 24, 2025 6:03 AM
To: Hirst, Morgan R. <mhirst@jonesday.com>
Subject: Re: Aldrich Adversaries

Hi Morgan,

Apologies for the delay in getting back to you, yes Friday or Monday works. Do you have windows that do/don't work on your end? I can corral availability on our side too.

As for your thoughts on the CMO, I will get back to you on that.

Thanks,

Carrie



CARRIE HARDMAN
PARTNER

T +1 (212) 294-5391
chardman@winston.com

Admitted to practice in New York

From: Hirst, Morgan R. <mhirst@jonesday.com>
Sent: Tuesday, September 23, 2025 7:15:01 PM

To: Hardman, Carrie <CHardman@winston.com>

Subject: Aldrich Adversaries

Hi Carrie:

I tried you yesterday by phone but suspect you were already on the road for DBMP. I had wanted to get back to you on both: (1) whether we might be able to engage on the proposed CMO and (2) our offensive discovery today (and your August 7 letter concerning the same), but am still waiting on some folks on my end. I know you guys would like a couple days to review in advance of the meet and confer, so should we move that meeting to either Friday or Monday?

One question we had on the CMO is whether the ACC would agree to setting a schedule for completion of document production for now (much like we have in the Estimation CMO) with additional dates to be set at a later date as that process is completed. That would likely help inform us if we have room to reach agreement on that point. Let me know, if you can on that.

I know you are getting ready for hearing, but I am available to talk any time if you want to discuss by phone. Safe travels to/from Charlotte. Take care.

Morgan R. Hirst

Partner

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