



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

In re)	Chapter 11
)	
Aldrich Pump LLC, et. al., ¹)	Case No. 20-30608
)	
Debtors.)	(Jointly Administered)
)	

ORDER

**CONTINUING HEARING ON MOTION FOR BANKRUPTCY RULE 2004 EXAMINATION
AND REQUESTING APPEARANCE AND ASSISTANCE OF BANKRUPTCY ADMINISTRATOR**

THIS MATTER is before the Court on the Motion for Bankruptcy Rule 2004 Examination of the Official Committee of Asbestos Injury Claimants [Dkt. No. 2824] (the “Motion”) filed by the Debtors. Through the Motion, the Debtors request responses to interrogatories and production of documents aimed at determining the extent to which Committee decisions to date reflect the input and participation of actual Committee members rather than those members’ individual tort counsel. The Future Claimants’ Representative and the non-debtor affiliates, Trane Technologies Company LLC and Trane U.S. Inc. (along with the Debtors, the “Movants”), filed joinders to the Motion [Dkt. Nos. 2839, 2841] while the Committee filed an objection and a motion to quash [Dkt. No. 2840]. A hearing on the Motion was held on October 23, 2025.

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



Prompted by revelations that eight of the original eleven Committee members—including both co-chairs—died over two years ago [Dkt. No. 2769], the Movants question who has been making decisions on behalf of the Committee and seek committee bylaws, meeting minutes, attendance records, and other documents related to Committee operations to date. The Movants believe the discovery sought will assist the Court in determining the scope of any past problems with Committee governance as well as appropriate remedial measures. In opposition, the Committee argues that the Motion is a litigation tactic designed to harass and prejudice while yielding discovery with no probative value [Dkt. No. 2840]. The United States Bankruptcy Administrator took no position and did not appear at the hearing on the Motion.²

Based on the papers and recent statements made on the record by Committee counsel, the Court observes the following:

- Until the Bankruptcy Administrator filed a Notice of Appointment on October 27, 2025, the Committee operated for more than two years with only three members. [Dkt. Nos. 2769, 2870]; Aug. 28, 2025 Hr'g Tr. at 12:14-15. Six committee members died more than four years ago. [Dkt. No. 2769].
- Unlike in *Bestwall* and *DBMP*, the Committee did not file motions to substitute committee members after each passed away, something that Committee counsel stated “slipped through the cracks.” Oct. 23, 2025 Hr'g Tr. at 104:16-22.
- Though tort counsel was present at and participated in meetings over the past few years regarding strategic Committee decisions, Committee members “were not present at the committee meetings where these decisions were made.” Oct. 23, 2025 Hr'g Tr. at 132:1-11.
- Counsel for the Committee is unsure of “the extent [Committee members] were in consultation with their attorneys” regarding the decisions reached at committee meetings. Oct. 23, 2025 Hr'g Tr. at 132:8-11; [Dkt. No. 2840, at 2] (“No discovery is needed to demonstrate a fact all parties knew: prior to the Hearing, the Committee operated through the individual members’ representatives.”).

² The Bankruptcy Administrator has been impacted by the current government shutdown and required halt to certain functions.

- “There were tort lawyers attending committee meetings after their client had passed away.” Oct. 23, 2025 Hr’g Tr. at 136:11-15.

Counsel for the Committee has represented that, for recent filings and going forward, members now take an active role in meetings and decision-making and have ratified the prior actions taken by the Committee. *See* Oct. 23, 2025 Hr’g Tr. at 133:2-12; 136:1-3. And the Bankruptcy Administrator recently appointed seven new members who will be expected to actively participate in future meetings and decisions of the Committee [Dkt. No. 2870].

Nevertheless, based on the information already on the record, the Court finds the Movants raise legitimate questions about prior Committee governance and the roles of individual Committee members, tort counsel, and Committee counsel in making strategic decisions in this case. Such questions include whether Committee counsel was ever in direct contact with the members at critical stages of this case or directly furnished the members with information. The Committee’s suggestion that its past operations are typical in an asbestos case, *see* Oct. 23, 2025 Hr’g Tr. at 133:18 – 134:24, is not currently supported by the record.

The Court, however, has concerns regarding whether a Rule 2004 examination around Committee governance is necessary or appropriate at this juncture and, if so, whether an opposing litigant is the best party to conduct such an examination. The Bankruptcy Administrator, like the United States Trustee, has duties to monitor the activities of creditors’ committees and has unique insight into proper committee function. Given her expertise and neutrality in this context, the Court requests the assistance of the Bankruptcy Administrator in investigating and reporting on this matter. Specifically, the Court asks that the Bankruptcy Administrator provide her views and recommendations regarding:

- the appropriateness and scope of a Rule 2004 examination concerning the Committee’s governance and decision-making processes;
- the proper party to conduct any such Rule 2004 examination; and

- additional oversight measures surrounding Committee governance that will address the concerns described above.

Accordingly, IT IS HEREBY ORDERED that the Debtors' Motion for Bankruptcy Rule 2004 Examination of the Official Committee of Asbestos Injury Claimants [Dkt. No. 2824] is CONTINUED to the next omnibus hearing date on November 20, 2025, at 9:30 a.m. prevailing Eastern Time. The Court requests that the United States Bankruptcy Administrator for the Western District of North Carolina appear at the continued hearing on November 20, 2025, to inform the Court of her recommendations in this matter.³

SO ORDERED.

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

³ The Court is mindful of the limitations imposed on the Bankruptcy Administrator due to the lapse of congressional appropriations funding the judiciary and the requirements of the Antideficiency Act. *See* 31 U.S.C. § 1341 (2025). Nevertheless, addressing concerns related to past Committee governance and decision-making is a time-sensitive matter given the notice of appointment filed on October 27, 2025, by the Bankruptcy Administrator of seven new members, and it touches on core duties of the Bankruptcy Administrator to monitor committees. The Committee represents the Debtors' current asbestos creditors, [Dkt. No. 2769, ¶ 29], and, like other creditors' committees, plays a pivotal role in the structure and functioning of this chapter 11 case. The Committee is one of the primary negotiating bodies for a chapter 11 plan, negotiates with and provides supervision of the Debtor, investigates the Debtor's assets and affairs, and is a party in interest with a right to be heard on any issue in this chapter 11 case. Given the Bankruptcy Administrator's recent appointment of seven new members, ensuring the proper functioning of the Committee—as one that better reflects and responds to the direct input of its members—is essential to progressing this slow-moving case. As such, the Court is of the view that any work the Bankruptcy Administrator performs in compliance with this Order is an activity necessary to the exercise of the judiciary's constitutional functions.