Docket #3028 Date Filed: 2/6/2026

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	Chapter 11
ALDRICH PUMP LLC, *et al.*,[1]	Case No. 20-30608 (LMJ)
Debtors.	(Jointly Administered)

DEBTORS' OBJECTION TO THE MOTION BY THE ESTATE OF ROBERT SEMIAN AND 46 OTHER CLAIMS REPRESENTED BY MAUNE RAICHLE HARTLEY FRENCH & MUDD, LLC TO ALLOW THEIR PARTICIPATION IN ALL PROCEEDINGS

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), hereby object to the *Motion by the Estate of Robert Semian and 46 Other Claimants Represented by Maune Raichle Hartley French & Mudd, LLC To Allow Their Participation in All Proceedings* [Dkt. 3012] (the "Motion"). In support of this Objection, the Debtors respectfully state as follows:

PRELIMINARY STATEMENT

The Motion's vague, overbroad, and untimely request that the Court "clarify" Robert Semian and 46 other claimants (the "MRHFM Claimants") represented by the Maune Raichle Hartley French & Mudd, LLC law firm ("MRHFM") are "entitled and permitted to participate in" the Estimation Proceeding (and every other proceeding in these cases) should be denied.

In case management and related orders entered over the last more than three years, the Court has clearly defined that the "Parties" to the Estimation Proceeding shall be the Debtors, the Official Committee of Asbestos Personal Injury Claimants (the "Committee"), the Future

[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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Claimants Representative (the "FCR"), Trane U.S. Inc., and Trane Technologies LLC. MRHFM, which has represented a member of the Committee since the inception of these cases, has been well aware of this and has never objected to that delineation of the Parties.[2]

At best, the MRHFM Claimants are "parties in interest" to the chapter 11 cases under 11 U.S.C. § 1109(b) with a right to "appear and be heard." Under Bankruptcy Rule 2018(a), the MRHFM Claimants could — "for good cause shown" — seek to intervene and actually become Parties to the Estimation Proceeding, but any such intervention would require the Court to assess various factors the Motion does not address. For example, the interests of MRHFM Claimants in the Estimation Proceeding are already represented by the Committee; indeed, uniquely so in that one of those claimants is an actual member of the Committee. Further, the MRHFM Claimants' request to "participate" comes far too late in the carefully-calibrated process, and would only cause complication, duplication, and prejudice to the actual Parties to the Estimation Proceeding.

A party in interest's right to be heard under section 1109(b) of the Bankruptcy Code is materially different than the rights of a Party to a contested matter or adversary proceeding. The MRHFM Claimants' right to be heard permits it to object to the relief sought, but does ***not*** permit them the rights to conduct independent discovery, present fact or expert evidence, or cross-examine witnesses. See infra at 9-10 (discussing pertinent authorities). MRHFM has already unsuccessfully objected to estimation multiple times. Beyond repeating arguments that estimation is waste of time, it is unclear what MRHFM or the MRHFM Claimants would contribute to the Estimation Proceeding. The Court has made clear the evidence in the Phase I Estimation Proceeding will be limited to disclosed expert testimony. As non-Parties, the

[2] See Dkt. 147 (order appointing initial Committee members, including MRHFM client Joseph Hamlin); Dkt. 2885 (order appointing seven new members of Committee, including MRHFM client Carol Gard, Executrix of the Estate of William Dixon Gard).

MRHFM Claimants have no right to present expert testimony (nor have they disclosed any pursuant to the Court's clear deadlines) and no right to cross-examine witnesses at depositions or the hearing. There is no role for the MRHFM Claimants or MRHFM and no need for their involvement in the Estimation Proceeding, particularly since their interests are already being represented by the Committee and its retained counsel and experts.

The Motion should be denied.

BACKGROUND

A. Existing Estimation Orders Have Established the Parties to the Estimation Proceeding and Set Various Deadlines and Discovery Rules

1. On September 24, 2021, the Debtors filed the *Motion of the Debtors for Estimation of Prepetition Asbestos Claims* [Dkt. 833] ("Estimation Motion"). MRHFM received timely notice of the Estimation Motion. See Dkt. 838 (MRHFM listed on service list for Estimation Motion). On April 18, 2022, the Court granted the Estimation Motion [Dkt. 1127].

2. On August 2, 2022, the Court entered the *Case Management Order for Estimation of Asbestos Claims* [Dkt. 1302] ("Initial Estimation CMO"). Under Paragraph 1 of the Initial Estimation CMO, the Debtors, the Committee, the FCR, Trane U.S. Inc., and Trane Technologies LLC are defined as the "Parties" to the Estimation Proceeding.[3]

3. The Initial Estimation CMO, and subsequent amendments, set forth various disclosure obligations and deadlines applicable to the Parties, as well as various discovery rules. For example, the Initial Estimation CMO included provisions for initial disclosures of

[3] Subsequent case management orders and other orders applicable to the Estimation Proceeding have likewise defined the "Parties" to the Estimation Proceeding to be the Debtors, the Committee, the FCR, Trane U.S. Inc., and Trane Technologies LLC. See Dkt. 1804, at 2 (*First Amended Case Management Order for Estimation of Asbestos Claims*); Dkt. 2048, at 2 (*Agreed Order With Respect to Resolved Claims Sampling for Purposes of Estimation Discovery*); Dkt. 2229, at 2 (*Order Suspending the Deadlines Established by the Agreed Case Management Order for Estimation of the Debtors' Current and Future Mesothelioma Claims*).

custodians, non-custodial data sources, and shared repositories and drives (¶ 3); preliminary and supplemental disclosures of fact witnesses the Parties plan to call in their case-in-chief (¶ 4); expert disclosures (¶ 5); and various rules relating to interrogatories, document requests, and requests for admission, as well as non-party discovery (¶¶ 6-13).

4. On March 27, 2025, the Court held a hearing on the Debtors' *Motion to Amend CMO for Estimation of Asbestos Claims* [Dkt. 2562]. On April 17, 2025, the Court entered the *Second Amended Case Management Order for Estimation of Asbestos Claims* [Dkt. 2656] ("Seconded Amended Estimation CMO"). Again, the only entities identified in the Second Amended Estimation CMO are the Debtors, the Committee, the FCR, and the Non-Debtor Affiliates. It provided that the Debtors and the ACC shall exchange "Initial Expert Reports" by September 15, 2025. Id. at ¶ 3. It also stated that FCR, Trane U.S. Inc., and Trane Technologies, LLC may also exchange an Initial Expert Report by September 15, 2025. Id. However, to the extent those Parties do not provide Initial Expert Reports, "they shall be foreclosed from presenting expert evidence on the Debtors' estimated liability for current and future mesothelioma and non-mesothelioma claims as part of their case-in-chief." Id.

B. MRHFM Opposes Any Kind of Estimation But Now Claims a Vague Right To "Participate" in the Proceeding

5. On October 24, 2024, the Court held its initial hearing in these bankruptcy cases after the retirement of Judge Whitley. At that hearing, MRHFM partner Clay Thompson contended that "estimation is a path to nowhere" and "would not advance the case." Oct. 24, 2024 Hr'g Tr. at 90:3-18. MRHFM has made similar comments in numerous filings with this Court up to the present time. See Dkt. 2596 (filed Mar. 20, 2025), at ¶¶ 3-5 (arguing estimation is "a wasteful boondoggle" that will "provide no useful information to the stakeholders"); Dkt. 2970 (filed Dec. 10, 2025), at 3 (arguing estimation "will do nothing to advance this case

towards resolution"); Dkt. 2978 (filed Dec. 12, 2025), at 2-3 (arguing, in connection with the FCR's Phase 1 motion, that "[e]stimation in any form accomplishes nothing, other than delay").

6. On January 20, 2026, Debtors' counsel circulated a draft scheduling order for Phase I of the Estimation Proceeding. On January 21, 2026, MRHFM partner Clay Thompson responded to Debtors' draft, stating: "One change—please add 'the Estate of Robert Semian and other MRHFM claimants' as being parties to the motion and the estimation deadlines." See January 20, 2026 email thread (attached hereto as **Exhibit 1**). Debtors' counsel responded that it did not agree with the proposed change, noting at the Initial Estimation Order delineated the Parties to the Estimation Proceeding and the MRHFM Claimants were not among them. In response, Mr. Thompson stated: "If Mr. Semian and my clients are not included as parties in the order, we will be filing a motion. There is no basis to exclude them." Id.

7. On January 23, 2026, the Court entered the *Order Commencing Phase I of the Estimation Trial With Hearings Based on the Tort System Extrapolation Method and the Parties' Expert Reports* [Dkt. 3011] ("Phase I Estimation Order"). It provides that the scope of the evidence in Phase I of estimation shall be limited to the opinions, and support thereof, asserted in the Initial Expert Reports prepared by the Debtors, the Committee, and the FCR relevant to the tort system extrapolation method, and any rebuttal expert reports. Id. at ¶ 4. Moreover, it provides that no fact discovery will be permitted in Phase I. Id. at ¶¶ 4-5.

8. That same day, the MRHFM Claimants filed the Motion, requesting the Court to "formally order that the MRHFM Claimants be allowed to participate in any and all proceedings relating to this matter going forward, including but not limited to, estimation." Dkt. 3012 at 1. The Motion does not elaborate on what kind of "participation" the MRHFM Claimants believe they are entitled to in the Estimation Proceeding. Apart from stating they are "parties-in-

interest" and vaguely pointing to "due process rights," the Motion cites no rules, statutes, or case law interpreting whether and the extent to which an alleged "party in interest" is permitted to "participate" in the Estimation Proceeding.

ARGUMENT

I. THE MRHFM CLAIMANTS WOULD NEED TO FORMALLY SEEK TO INTERVENE TO BECOME "PARTIES" TO THE ESTIMATION PROCEEDING.

9. A "party in interest" may appear and be heard on any issue in a chapter 11 case. 11 U.S.C. § 1109(b). A "party in interest," however, is not a named, capital-P "Party" to every contested matter or adversary proceeding. See Matter of Richman, 104 F.3d 654, 657-58 (4th Cir. 1997). Rather, Parties to contested matters and adversary proceedings are those that file the motion (contested matter) or complaint (adversary proceeding) and, on the opposing side, those persons or entities to which relief is directed.

10. Under Bankruptcy Rule 2018(a), titled "Permissive Intervention," "after hearing on such notice as the court directs ***and for cause shown***, the court ***may*** permit any interested party to intervene generally or with respect to any specified manner." Fed. R. Bankr. P. 2018(a) (emphasis added). Alternatively, the right of an interested party to intervene would be governed by Bankruptcy Rule 7024 and Federal Rule 24. See In re Adilace Holdings, Inc., 548 B.R. 458, 462 (Bankr. W.D. Tex. 2016) ("[E]ven if Rule 2018 was not applicable, according to Rule 9014(c), the Court may direct that Rule 7024 apply in a contested matter."). "The standards for intervention under Rule 2018 and FRCP 24 overlap." Id.

11. In either event, an "interested party" or "party in interest" is not a capital-P Party to a matter unless and until they have successfully moved to intervene as a Party. See, e.g., Karcher v. May, 484 U.S. 72, 77 (1987) ("One who is not an original party to a lawsuit may of course become a party by intervention . . . ."); Matter of Richman, 104 F.3d at 659 (same, citing

Karcher). "In deciding whether to permit intervention under Rule 2018(a), courts look to various factors, including (1) whether the moving party has an economic or similar interest in the matter; (2) whether the interests of the moving party are adequately represented by the existing parties; (3) whether the intervention will cause undue delay to the proceedings; and (4) whether the denial of the movant's request will adversely affect their interest." Pasternak & Fidis, P.C. v. Wilson, 2014 WL 4826109, at *6 (D. Md. Sept. 23, 2014) (citing cases). Requests to intervene in bankruptcy proceedings under Rule 2018(a) or Rule 7024 must also be timely. See In re PM Cross, LLC, 2013 Bankr. LEXIS 4841, at *7-11 (Bankr. D.N.H. Nov. 15, 2013) (denying request to intervene under Rule 2018(a) as untimely); Matter of Richman, 104 F.3d at 658. Applying these standards, it is common for courts to deny intervention in contested matters by parties in interest — including in estimation matters like the Estimation Proceeding.[4]

12. This is also consistent with how the Fourth Circuit treats intervention in adversary proceedings. See Matter of Richman, 104 F.3d at 658 (holding "parties in interest" do not have an automatic right to intervene in adversary proceedings but, instead, must satisfy the rigorous

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[4] See also In re PG&E Corp., 2023 WL 3740315, at *4-5 (N.D. Cal. May 30, 2023) (denying motion of party in interest to intervene in contested matter); In re Adilace Holdings, 548 B.R. at 462 (denying motion of creditor to intervene in contested matter); In re Altman, 265 B.R. 652, 655 (Bankr. D. Conn. 2001) ("While this is not an adversary proceeding, the same rationale supports the conclusion that creditors do not have an automatic right to intervene in contested matters."); In re City of Bridgeport, 128 B.R. 686, 687-88 (Bankr. D. Conn. 1991) ("As unlimited intervention in contested matters could cause unwarranted and prejudicial delays in the resolution of what are essentially disputes between two parties, 'Rule 2018 gives courts the discretion to balance the needs of a potential intervenor against any delay or prejudice which would result from intervention.'") (quoting Metro North State Bank v. Barrick Group, Inc. (In re Barrick Group, Inc.), 98 B.R. 133, 134-35 (Bankr. D. Conn. 1989)); In re Bicoastal Corp., 122 B.R. 771, 774 (Bankr. M.D. Fla. 1990) (denying motion of party in interest to intervene in contested estimation proceeding).

While there is some authority to the general effect that parties in interest "need not seek leave under Rule 2018(a) to intervene ***in a case***," 9 Collier on Bankr. P 2018.02 (emphasis added), as shown above courts have nonetheless required parties in interest to seek leave to intervene in specific contested matters, particularly if they want the same participation rights as the Parties in those contested matters. This is consistent with the text of Bankruptcy Rule 2018(a). See Fed. R. Bankr. P. 2018(a) ("In a case under the Code, after hearing on such notice as the court directs and for cause show, the court ***may*** permit any interested party to intervene generally or with respect to any specified matter.").

requirements of Bankruptcy Rule 7024 and Federal Rule 24). The Fourth Circuit has found that applying these requirements is "necessary as a means to protect the bankruptcy court from being overwhelmed by a flood of 'automatic parties,'" noting the more restrictive approach "permitted the bankruptcy court 'to control the proceeding by restricting intervention to those persons whose interests in the outcome of the proceeding are not already adequately represented by existing parties.'" 104 F.3d at 659 (quoting Fuel Oil Supply and Terminaling v. Gulf Oil Corp., 762 F.2d 1283, 1287 (5th Cir. 1985)).

13. As detailed above, multiple orders from this Court have made clear that for over three years the "Parties" to the Estimation Proceeding are the Debtors, the Committee, the FCR, and the two Non-Debtor Affiliates. See supra ¶ 2. The MRHFM Claimants are not "Parties" to the Estimation Proceedings, something MRHFM has known for this entire period of time. Given the untimely nature of their current request, and the fact that their interests are already represented by the Committee, it is not at all surprising that the MRHFM Claimants have styled their Motion as a request to "participate" rather than to formally intervene in the Estimation Proceeding. See Pasternak & Fidis, 2014 WL 4826109, at *6; Matter of Richman, 104 F.3d at 649. Further, allowing the MRHFM Claimants to become Parties to the Estimation Proceedings could open the floodgates to thousands of similarly situated claimants likewise becoming Parties to the Estimation Proceeding — the very type of case-management concerns the Fourth Circuit highlighted in Matter of Richman.[5]

[5] Should the MRHFM Claimants move to intervene in the Estimation Proceeding, the Debtors will respond to any such motion at that time.

II. EVEN AS ALLEGED "PARTIES IN INTEREST," THE MRHFM CLAIMANTS DO NOT HAVE THE SAME PARTICIPATION RIGHTS AS PARTIES TO THE ESTIMATION PROCEEDINGS.

14. The participation rights of alleged "parties in interest" under 11 U.S.C. § 1109(c) and the Parties to bankruptcy proceeding are not the same. In re Bicoastal Corp., which also involved a contested estimation proceeding, described the differences as follows:

> [I]f intervention is permitted, parties who intervened are treated on par with the litigants already in the lawsuit or in the contested matter with the full right to conduct independent discovery, to present evidence, and to cross-examine witnesses. On the other hand, if the party is merely authorized to be heard, pursuant to § 1109, his involvement in a particular contested matter is limited to the right to present arguments and to submit briefs, but that party has no right to conduct litigation of its own in the orthodox sense as a party litigant.

122 B.R. at 774.

15. Numerous decisions are in accord:

- Steamfitters Loc. Union No. 420 v. United Biosource Corp., 2025 WL 3059867, at *5 (E.D. Pa. Oct. 31, 2025) ("A party in interest exercising his right to be heard pursuant to Section 1109(b) does not have the right to conduct independent discovery, present evidence, or cross-examine witnesses.") (citing In re Bicoastal Corp., 122 B.R. at 774).

- In re Barrick Group, 98 B.R. at 134 ("I conclude that § 1109(b) is not so expansive as to automatically grant full participatory rights such as discovery and that such participation would only be permitted if the objectors sought and were permitted to intervene.… The better view is that § 1109(b) permits every party in interest to object to the relief sought by a motion in a Rule 9014 contested matter, but not to otherwise participate.").

- In re City of Bridgeport, 128 B.R. at 687-88 (finding only entities which have been allowed to intervene are "empowered to participate fully in all matters in the case, including contested matters between other parties in interest," noting "[i]f a peripheral party [in a Rule 9014 contested matter] wishes to file requests for discovery and/or join in the evidentiary hearing, leave to intervene should be sought under Rule 2018(a)....") (quoting In re Barrick Group, 98 B.R. at 134-35).

- In re David X. Manners Co. Inc. , 2018 WL 2325758, at *2 (Bankr. D. Conn. May 22, 2018) ("Even for a motion for relief from stay made in accordance

> with Bankruptcy Rule 9014, it has been held that creditors who are not parties to the motion and who have no right to notice under the rules—so called 'peripheral parties'—have no right to fully participate in a motion for relief from the automatic stay absent an order granting them the right to intervene.") (citing In re Barrick Group, 98 B.R. at 134-35).

16. The Fourth Circuit's opinion in Matter of Richman is consistent with these decisions. As noted above, the court's holding that not every party in interest has an automatic right to intervene in adversary proceedings was based in large part on a concern that the court would be "overwhelmed by a flood of 'automatic parties,'" each potentially exercising the rights of a Party to the proceeding. 104 F.3d at 659 (quoting Fuel Oil Supply, 762 F.2d at 787).

17. The MRHFM Claimants' vague request for the Court to "clarify" that "they are entitled and permitted to participate in estimation," Motion at 2, appears designed to afford it rights of a Party to the Estimation Proceeding. The Court should reject that vague, overbroad, and untimely request. Further, while the MRHFM Claimants could seek intervention, there is nothing unique about them that would warrant such relief. Indeed, by continually objecting to any sort of estimation in these cases, it is not clear what MRHFM or the MRHFM Claimants could contribute to the Estimation Proceeding. As noted, the MRHFM Claimants have already exercised their rights to object to the Estimation Proceeding. Their objection was heard and rejected. In re Barrick Group, 98 B.R. at 134 (noting the "better view is that § 1109(b) permits every party in interest to object to the relief sought by a motion in a Rule 9014 contested matter, but not to otherwise participate.").

18. Rejecting the Motion is especially appropriate here given that, over the past three years, the MRHFM Claimants have not been subject to the various disclosure and other obligations set forth in the case management orders governing the Estimation Proceeding. For example, as noted, the Second Amended Estimation CMO provided that any Party to the Estimation Proceeding that choose not to issue an Initial Expert Report would "be foreclosed

from presenting expert evidence on the Debtors' estimated liability for current and future mesothelioma and non-mesothelioma claims as part of their case-in-chief." Dkt. 2656, at ¶ 3. Thus, allowing the MRHFM Claimants to effectively act as Parties to the Estimation Proceeding, even though they did not issue an Initial Expert Report, would put them in a more favorable position than the actual Parties to the proceeding.

CONCLUSION

For the foregoing reasons, the Court should deny the Motion. If the MRHFM Claimants are to have any rights to "participate" in the Estimation Proceedings, those rights should be limited to the rights of a party in interest under section 1109(b) of the Bankruptcy Court, and any order entered on the Motion should precisely describe those rights.

Dated: February 6, 2026
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.

C. Richard Rayburn, Jr. (NC 6357)
John R. Miller, Jr. (NC 28689)
RAYBURN COOPER & DURHAM, P.A.
227 West Trade Street, Suite 1200
Charlotte, North Carolina 28202
Telephone: (704) 334-0891
Facsimile: (704) 377-1897
E-mail: rrayburn@rcdlaw.net
jmiller@rcdlaw.net

-and-

Brad B. Erens (IL Bar No. 6206864)
Mark A. Cody (IL Bar No. 6236871)
David S. Torborg (DC Bar No. 475598)
Morgan R. Hirst (IL Bar No. 6275128)
JONES DAY
110 North Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 782-3939
Facsimile: (312) 782-8585
E-mail: bberens@jonesday.com
macody@jonesday.com
dstorborg@jonesday.com
mhirst@jonesday.com
(Admitted *pro hac vice*)

ATTORNEYS FOR DEBTORS AND DEBTORS IN POSSESSION

EXHIBIT 1

Johnson, Amanda P.

From: Clay Thompson <CThompson@mrhfmlaw.com>
Sent: Thursday, January 22, 2026 10:38 AM
To: Michael Evert C. Jr.
Cc: Natalie Ramsey; Jonathan P. Guy; Robert A. Cox Jr.; Kevin Mclay; Hirst, Morgan R.; Gregory Mascitti; bsieg@mcguirewoods.com; bkutrow@mcguirewoods.com; Stacy Cordes; jphillips@brookspierce.com; JOLEYNIK@brookspierce.com; Erens, Brad B.; Clare M. Maisano; Johnson, Amanda P.; C. Richard Rayburn Jr.; Matthew Tomsic; Debra L. Felder; jgrier; cwright; Mike Rosenberg; Shelley_Abel@ncwba.uscourts.gov; Todd Phllips; James Wehner; Kevin Davis; Jeanna Rickards Koski; Nathaniel Miller; Wendy Barnett; Davis Wright; Rachel Jaffe Mauceri; Laurie A. Krepto; Andrew DePeau; John L. Cordani Jr.; Annecca H. Smith; Glenn C. Thompson; Carrie Hardman; Christina Calvar; Thomas Waldrep Jr.; Jonathan Ruckdeschel; Jennifer Lyday; Jack Miller
Subject: Re: [External]RE: Court Order requiring prompt meet and confer on Phase I trial schedule - URGENT

Michael-

I appreciate you addressing my position. Given the parties' unwillingness to include my clients in the order at my request, I will ask the Court to do so.

Clay

> On Jan 22, 2026, at 10:32 AM, C. Michael Evert, Jr. <CMEvert@ewhlaw.com> wrote:
>
> Clay:
>
> Thanks for your e-mail. The Debtors understand your position, and we will evaluate any motion filed once we receive the motion.
>
> I am sure you understand, however, that we do not believe it is appropriate to include language in an agreed Order that is inconsistent with another Order already entered in the case. That is effectively what you have proposed. Our view is that any parties to the estimation beyond those already ordered is something Judge James is going to have to sort out with full awareness of the case history. As a result, we think you have it right in your e-mail below that the appropriate course is for you to file a motion as you deem appropriate.
>
> Regards,

Michael

C. Michael Evert, Jr.
Attorney at Law
Evert | Weathersby | Houff
3455 Peachtree Road NE, Suite 1550 | Atlanta | GA | 30326
o: 678.651.1200 | f: 678.651.1201 | d: 678.651.1250
CMEvert@ewhlaw.com | www.ewhlaw.com

From: Clay Thompson <CThompson@mrhfmlaw.com>
Sent: Wednesday, January 21, 2026 7:38 PM
To: C. Michael Evert, Jr. <CMEvert@ewhlaw.com>
Cc: Natalie Ramsey <NRamsey@rc.com>; Jonathan P. Guy <jguy@orrick.com>; Robert A. Cox Jr. <RCox@lawhssm.com>; Kevin Mclay <KMaclay@capdale.com>; Morgan R. Hirst <mhirst@jonesday.com>; Gregory Mascitti <gmascitti@mccarter.com>; bsieg@mcguirewoods.com; bkutrow@mcguirewoods.com; Stacy Cordes <stacy@cordes-law.com>; jphillips@brookspierce.com; JOLEYNIK@brookspierce.com; Brad B. Erens <bberens@jonesday.com>; Clare M. Maisano <cmmaisano@ewhlaw.com>; Amanda P. Johnson <amandajohnson@jonesday.com>; C. Richard Rayburn Jr. <rrayburn@rcdlaw.net>; Matthew Tomsic <mtomsic@rcdlaw.net>; Debra L. Felder <dfelder@orrick.com>; jgrier <jgrier@grierlaw.com>; cwright <cwright@grierlaw.com>; Mike Rosenberg <mrosenberg@orrick.com>; Shelley_Abel@ncwba.uscourts.gov; Todd Phllips <TPhillips@capdale.com>; James Wehner <jwehner@capdale.com>; Kevin Davis <KDavis@capdale.com>; Jeanna Rickards Koski <jrickardskoski@capdale.com>; Nathaniel Miller <NMiller@capdale.com>; Wendy Barnett <wbarnett@capdale.com>; Davis Wright <DWright@rc.com>; Rachel Jaffe Mauceri <rmauceri@rc.com>; Laurie A. Krepto <LKrepto@rc.com>; Andrew DePeau <ADePeau@rc.com>; John L. Cordani Jr. <jcordani@rc.com>; Annecca H. Smith <ASmith@rc.com>; Glenn C. Thompson <gthompson@lawhssm.com>; Carrie Hardman <CHardman@winston.com>; Christina Calvar <ccalvar@winston.com>; Thomas Waldrep Jr. <twaldrep@waldrepwall.com>; Jonathan Ruckdeschel <ruck@rucklawfirm.com>; Jennifer Lyday <jlyday@waldrepwall.com>; Jack Miller <jmiller@rcdlaw.net>
Subject: Re: [External]RE: Court Order requiring prompt meet and confer on Phase I trial schedule - URGENT

If Mr Semian and my clients are not included as parties in the order, we will be filing a motion. There is no basis to exclude them.

> On Jan 21, 2026, at 6:16 PM, C. Michael Evert, Jr. <CMEvert@ewhlaw.com> wrote:
>
> Thanks, Natalie.
>
> Given that the Motion was “tort system values,” we continue to think that is the term that should be used. However, to try to get us to agreement, since your team likes the Court’s language from Page 80, the Debtors would accept the Page 80 language (cleaned up grammatically) for Paragraph 2(a) as follows:
>
> 1. Phase I - where the Court will make a finding estimating the Debtors' liability for current and future asbestos claims using the tort system extrapolation

<MTomsic@rcdlaw.net>; Felder, Debra L. <dfelder@orrick.com>; jgrier <jgrier@grierlaw.com>; cwright <cwright@grierlaw.com>; Rosenberg, Mike <mrosenberg@orrick.com>; Shelley_Abel@ncwba.uscourts.gov; Todd E. Phillips <tphillips@capdale.com>; James Wehner <jwehner@capdale.com>; Kevin Davis <kdavis@capdale.com>; Jeanna Rickards Koski <jrickardskoski@capdale.com>; Nathaniel Miller <nmiller@capdale.com>; Wendy Barnett <WBarnett@capdale.com>; Wright, Davis L. <DWright@rc.com>; Mauceri, Rachel Jaffe <rmauceri@rc.com>; Krepto, Laurie A. <LKrepto@rc.com>; DePeau, Andrew <ADePeau@rc.com>; Cordani Jr., John L. <JCordani@rc.com>; Smith, Annecca H. <ASmith@rc.com>; Glenn C. Thompson <gthompson@lawhssm.com>; Carrie Hardman <CHardman@winston.com>; Christina Calvar <ccalvar@winston.com>; Clay Thompson <cthompson@mrhfmlaw.com>; Thomas Waldrep Jr. <twaldrep@waldrepwall.com>; Jonathan Ruckdeschel <ruck@rucklawfirm.com>; Jennifer Lyday <jlyday@waldrepwall.com>; Jack Miller <jmiller@rcdlaw.net>

Subject: RE: [External]RE: Court Order requiring prompt meet and confer on Phase I trial schedule - URGENT

CAUTION: **EXTERNAL EMAIL**

Natalie:

We can have a call if we continue to disagree, but we are hoping these transcript cites will persuade you:

1. We are fine with all of your proposed modifications except those in Paragraph 2.
2. Our language in Paragraph 2(a) is taken directly from the transcript. See page 77, line 22, through page 78, line 2, and see page 81, lines 9 through 15.
3. As to your last two sentences of Paragraph 2:
    1. Since, to our knowledge, neither " The Court will not consider evidence solely relevant to Phase II during the Phase I Estimation Hearing," (Debtors language) nor "the Phase I estimation hearing will not consider any issues extraneous to tort system values" (ACC language) was sanctioned by the Court at the hearing, and we apparently don't

agree with each other's suggested language, we propose deletion.

2. However, "evidence concerning the Debtors' legal liability will not be considered in Phase I" is taken directly from the transcript (see page 78, lines 5 through 6, and see page 81, lines 9 through 15). As a result, we would propose your last two sentences of Paragraph 2, and our last sentence of Paragraph 2, be replaced with "Evidence concerning the Debtors' legal liability will not be considered in Phase I."

4. As to Clay Thompson's suggested change, we do not agree. In fact, the proposed language is inconsistent with another Order already entered in the case. The Estimation Order, entered long ago, delineates the parties to the estimation: "Each of the Debtors, the ACC, the Future Claimants Representative (the "FCR"); Trane U.S. Inc, and Trane Technologies Company LLC (and, together with the Debtors, the Committee, the FCR, and Trane U.S. Inc., the "Parties," or each individually a "Party") shall be the parties to the Estimation Proceeding" Dkt 1302.

In our view, we have fought over this Order long enough, the Court ruled at the hearing, and we suggest we not waste any more time fighting over wordsmithing. We have language from the transcript, so let's use it.

Once you have a chance to digest, please let us know your thoughts.

Thanks.

Michael

<image001.png>

C. Michael Evert, Jr.
Attorney at Law
Evert | Weathersby | Houff
3455 Peachtree Road NE, Suite 1550 | Atlanta | GA | 30326
o: 678.651.1200 | f: 678.651.1201 | d: 678.651.1250
<image002.png>CMEvert@ewhlaw.com|<image003.png>www.ewhl

Johnson, Amanda P.

From: Clay Thompson <CThompson@mrhfmlaw.com>
Sent: Wednesday, January 21, 2026 1:11 PM
To: Natalie Ramsey
Cc: C. Michael Evert, Jr.; Robert A. Cox, Jr.; Guy, Jonathan P.; Hirst, Morgan R.; Gregory Mascitti; bsieg@mcguirewoods.com; bkutrow@mcguirewoods.com; Stacy Cordes; jphillips@brookspierce.com; JOLEYNIK@brookspierce.com; Erens, Brad B.; Kevin Mclay; Clare M. Maisano; Johnson, Amanda P.; C. Richard Rayburn, Jr.; Matthew Tomsic; Felder, Debra L.; jgrier; cwright; Rosenberg, Mike; Shelley_Abel@ncwba.uscourts.gov; Todd Phllips; James Wehner; Kevin Davis; Jeanna Rickards Koski; Nathaniel Miller; Wendy Barnett; Davis Wright; Mauceri, Rachel Jaffe; Krepto, Laurie A.; Andrew DePeau; Cordani Jr., John L.; Smith, Annecca H.; Glenn C. Thompson; Carrie Hardman; Christina Calvar; Thomas Waldrep, Jr.; Jonathan Ruckdeschel; Jennifer Lyday; Jack Miller
Subject: Re: [External]RE: Court Order requiring prompt meet and confer on Phase I trial schedule - URGENT

One change—please add "the Estate of Robert Semian and other MRHFM claimants" as being parties to the motion and the estimation deadlines.

On Jan 21, 2026, at 11:30 AM, Ramsey, Natalie D. <NRamsey@rc.com> wrote:

Thank you, Michael, for circulating the Debtors' proposed scheduling order for the Phase I estimation hearing. I attach the Committee's suggested further revisions in clean and redline. If the Debtors team or the FCR team have any questions or concerns about the proposed changes, we are available for a meet and confer this afternoon from 1:30-4 or after 6. Please let us know.

Best regards, Natalie

Natalie D. Ramsey
Robinson & Cole LLP
1201 North Market Street
Suite 1406
Wilmington, DE 19801
Direct 302.516.1702 | Fax 302.516.1699
nramsey@rc.com | Bio | V-Card

Robinson+Cole