

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
ZACHRY HOLDINGS, INC., <i>et al.</i> <sup>1</sup>	)	
	)	Case No. 24-90377 (MI)
Debtors.	)	
	)	(Jointly Administered)

**DEBTORS' THIRTEENTH OMNIBUS  
OBJECTION TO CERTAIN PROOFS OF CLAIM (SATISFIED CLAIMS)**

This is an objection to your claim. This objection asks the Court to disallow the claim that you filed in this bankruptcy case. If you do not file a response within 30 days after the objection was served on you, your claim may be disallowed without a hearing.

A hearing will be conducted on this matter on December 16, 2024 at 1:30 p.m. prevailing Central Time, in Courtroom 404, 4th floor, 515 Rusk Street, Houston, Texas 77002. Participation at the hearing will only be permitted by an audio and video connection.

Audio communication will be by use of the Court's dial-in facility. You may access the facility at (832) 917-1510. Once connected, you will be asked to enter the conference room number. Judge Isgur's conference room number is 205691. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Isgur's home page. The meeting code is "JudgeIsgur". Click the settings icon in the upper right corner and enter your name under the personal information setting.

Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the "Electronic Appearance" link on Judge Isgur's home page. Select the case name, complete the required fields and click "Submit" to complete your appearance.

You should locate your name and claim on Schedule 1 to the Order attached to this Objection.

The above-captioned debtors and debtors in possession (collectively, the "**Debtors**") represent as follows in support of this omnibus claims objection (this "**Objection**"), and submit

<sup>1</sup> The last four digits of Zachry Holdings, Inc.'s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors' proposed claims and noticing agent at [www.veritaglobal.net/ZHI](http://www.veritaglobal.net/ZHI). The location of the Debtors' service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.



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the *Declaration of William Murphy in Support of the Debtors' Thirteenth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims)* attached hereto as **Exhibit A**:

**Relief Requested**

1. The Debtors seek entry of an order in the form attached to this Objection (the “**Order**”) disallowing each proof of claim identified on Schedule 1 to the Order (collectively, the “**Satisfied Claims**”) because the Debtors believe that each proof of claim either has been satisfied and/or released during these chapter 11 cases or will be satisfied and/or released prior to the response deadline for this Objection.

**Jurisdiction, Venue, and Predicates for Relief**

2. The United States Bankruptcy Court for the Southern District of Texas (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding under 28 U.S.C. § 157(b). The Debtors confirm their consent to the entry of a final order by the Court.

3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The predicates for the relief requested herein are sections 105(a) and 502(b) of title 11 of the United States Code (the “**Bankruptcy Code**”), rule 3007 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and rule 3007-1 of the Bankruptcy Local Rules for the Southern District of Texas (the “**Bankruptcy Local Rules**”).

**Background**

5. On May 21, 2024 (the “**Petition Date**”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code commencing the above-captioned chapter 11 cases. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. These chapter 11 cases are being jointly administered pursuant to Bankruptcy Rule 1015(b). No party has requested the

appointment of a trustee or examiner in these chapter 11 cases. On June 4, 2024, the Office of the United States Trustee for the Southern District of Texas appointed an official committee of unsecured creditors pursuant to section 1102 of the Bankruptcy Code (the “**Committee**”) [Docket No. 176].

6. A detailed description of the Debtors and their businesses, including the facts and circumstances giving rise to these chapter 11 cases, is set forth in the *Declaration of Mohsin Y. Meghji in Support of Debtors’ Petitions and Requests for First Day Relief* [Docket No. 7].

7. On July 16, 2024, the Debtors filed their Schedules of Assets and Liabilities and Statements of Financial Affairs (collectively, the “**Schedules and Statements**”). *See* Docket Nos. 510-531. On August 30, 2024, several of the Debtors filed amendments to their Schedules and Statements. *See* Docket Nos. 855-865.

8. On July 26, 2024, the Court entered the *Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, (IV) Approving Notice of Bar Dates, and (V) Granting Related Relief* [Docket No. 636] (the “**Bar Date Order**”). The Bar Date Order established September 16, 2024, at 5:00 p.m. (prevailing Central Time) as the deadline for all non-governmental entities holding or wishing to assert a “claim” (as defined in section 101(5) of the Bankruptcy Code) against any of the Debtors that arose before the Petition Date to file proof of such claim. The bar date for filing proofs of claim related to the amended Schedules and Statements was October 4, 2024, at 5:00 p.m. (prevailing Central Time). The deadline for all governmental entities holding or wishing to assert a claim against any of the

Debtors that arose prior to the Petition Date to file proof of such claim is November 18, 2024, at 5:00 p.m. (prevailing Central Time).

9. The Debtors are authorized to file omnibus objections to certain claims in accordance with the procedures set forth in the Debtors' omnibus claims objection procedures order [Docket No. 1209] (the "**Objection Procedures**"). To date, approximately 1,680 proofs of claim have been filed against the Debtors. The Debtors have been working diligently to review the proofs of claim, including any supporting documentation.

10. On October 24, 2024, the Debtors filed eight omnibus objections in accordance with the Objection Procedures to certain proofs of claim on the following grounds: (i) claims lack supporting documentation; (ii) amended and superseded claims; (iii) duplicate claims; (iv) wrong debtor claims; (v) claims satisfied by Golden Pass LNG Terminal LLC; (vi) multiple debtor claims; and (vii) satisfied claims. *See* Docket Nos. 1214-1230.

### **Objection**

11. Section 502 of the Bankruptcy Code provides that "[a] claim or interest, proof of which is filed under section 501 of this title is deemed allowed, unless a party in interest . . . objects." 11 U.S.C. § 502(a). Section 502 also provides that "if such objection is made, the court . . . shall determine the amount of such claim . . . and shall allow such claim in such amount, except to the extent that such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law. . ." 11 U.S.C. § 502(b).

12. Bankruptcy Rule 3007 provides certain grounds upon which "objections to more than one claim may be joined in an omnibus objection", which include when claims (1) are duplicative of other claims, (2) have been filed in the wrong case, (3) have been amended and superseded by subsequent claims, (4) are not timely filed, (5) have been satisfied or released during the chapter 11 case, (6) do not comply with the applicable rules and make the debtors unable to

determine the validity of the claim, (7) are interests, rather than claims, and (8) assert priority in an amount exceeding the maximum amount under section 507 of the Bankruptcy Code. Fed. R. Bankr. P. 3007(d).

13. Further, the Objection Procedures provide for additional grounds upon which the Debtors may object to claims, which include claims that (1) fail to specify the asserted claim amount (other than “unliquidated”), (2) have been satisfied by payment by a non-debtor, (3) are incorrectly or improperly classified, and (4) fail to specify a Debtor or are filed against multiple Debtors. Objection Procedures ¶ 1.

14. As set forth in Bankruptcy Rule 3001(f), “[a] proof of claim executed and filed in accordance with these rules shall constitute prima facie evidence of the validity and amount of the claim.” Fed. R. Bankr. P. 3001(f); *see, e.g., In re Jack Kline Co., Inc.*, 440 B.R. 712, 742 (Bankr. S.D. Tex. 2010). A proof of claim loses the presumption of prima facie validity under Bankruptcy Rule 3001(f) if an objecting party refutes at least one of the allegations that are essential to the claim’s legal sufficiency. *See In re Fidelity Holding Co., Ltd.*, 837 F.2d 696, 698 (5th Cir. 1988).

15. Once such an allegation is refuted, the burden reverts to the claimant to prove the validity of its claim by a preponderance of the evidence. *Id.* Despite this shifting burden during the claim objection process, “the ultimate burden of proof always lies with the claimant.” *In re Armstrong*, 347 B.R. 581, 583 (Bankr. N.D. Tex. 2006) (citing *Raleigh v. Ill. Dep’t of Rev.*, 530 U.S. 15 (2000)).

### **Satisfied Claims**

16. The Debtors object to the Satisfied Claims. The Debtors thoroughly reviewed the underlying proofs of claim, any supporting documentation, and the claims register and believe that each of the Satisfied Claims identified on Schedule 1 to the Order either has been satisfied and/or released during these chapter 11 cases or will be satisfied and/or released prior to the response

deadline for this Objection in accordance with the Bankruptcy Code, any applicable rules, and/or pursuant to Court order, including the (i) *Final Order (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) Critical Vendors, (B) Lien Claimants, (C) Foreign Claimants, and (D) 503(b)(9) Claimants, (II) Confirming Administrative Expense Priority of Outstanding Orders and Authorizing the Debtors to Satisfy Such Obligations, and (III) Granting Related Relief* [Docket No. 285], (ii) the *Final Order (I) Approving the Settlement by and Among the Debtors, Golden Pass LNG Terminal LLC, CB&I LLC, Chiyoda International Corporation, and CCZJV (II) Authorizing the Parties to Perform Any and All Obligations Contemplated by the Settlement, and (III) Granting Related Relief* [Docket No. 744], and (iii) through various waivers the Debtors have entered into with certain counterparties. Failure to disallow the Satisfied Claims could result in the applicable claimants receiving unwarranted multiple recoveries against the Debtors.

17. The Debtors request that the Court enter an order disallowing the Satisfied Claims identified on Schedule 1 to the Order.

### **Reservation of Rights**

18. This Objection is limited to the grounds stated herein. It is without prejudice to the rights of the Debtors to object to any claim on any grounds whatsoever. The Debtors expressly reserve all further substantive or procedural objections. The Debtors and Golden Pass reserves all rights under the GPX Settlement. Nothing contained herein or any actions taken pursuant to such relief is intended or should be construed as: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of the Debtors' right to dispute any prepetition claim on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified in this Objection or any order granting the relief requested by this Objection; (e) a request or authorization to assume any prepetition

agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the Debtors' rights under the Bankruptcy Code or any other applicable law.

**Separate Contested Matter**

19. To the extent that a response is filed regarding any Satisfied Claim and the Debtors are unable to resolve any such response, each such Satisfied Claim, and the Objection as it pertains to such Satisfied Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Further, the Debtors request that any order entered by the Court regarding an objection or other reply asserted in response to this Objection be deemed a separate order with respect to each proof of claim.

**Notice**

20. The Debtors will provide notice of this Objection to: (a) the United States Trustee for the Southern District of Texas; (b) counsel for the Committee; (c) the Prepetition Agent; (d) the United States Attorney's Office for the Southern District of Texas; (e) the state attorneys general for the states in which the Debtors operate; (f) the Internal Revenue Service; (g) any party that has requested notice pursuant to Bankruptcy Rule 2002 and Bankruptcy Local Rule 9013-1(d); and (h) the affected claimants (and their counsel, where available). In light of the nature of the relief requested, no other or further notice need be provided.

*[Remainder of Page Intentionally Left Blank]*

The Debtors request that the Court enter the Order granting the relief requested in this Objection and such other and further relief as the Court deems appropriate under the circumstances.

Dated: November 13, 2024  
Houston, Texas

/s/ Charles R. Koster

**WHITE & CASE LLP**

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*Counsel to the Debtors and  
Debtors in Possession*



**Certificate of Service**

I certify that on November 13, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Charles R. Koster  
Charles R. Koster

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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In re:

ZACHRY HOLDINGS, INC., *et al.*<sup>1</sup>

Debtors.

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)  
) Chapter 11  
)  
) Case No. 24-90377 (MI)  
)  
) (Jointly Administered)  
) **Re: Docket No. \_\_\_\_**

**ORDER SUSTAINING DEBTORS' THIRTEENTH  
OMNIBUS OBJECTION TO CERTAIN PROOFS OF CLAIM (SATISFIED CLAIMS)**

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Upon the objection (the “**Objection**”)<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) for entry of an order (this “**Order**”) disallowing the Satisfied Claims, identified on **Schedule 1** attached hereto, all as more fully set forth in the Objection; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Objection is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having found support for this Objection in the Murphy Declaration; and this Court having found that the Debtors’ notice of the Objection and opportunity

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<sup>1</sup> The last four digits of Zachry Holdings, Inc.’s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors’ proposed claims and noticing agent at [www.veritaglobal.net/ZHI](http://www.veritaglobal.net/ZHI). The location of the Debtors’ service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Objection; and this Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. Each Satisfied Claim identified on **Schedule 1** attached to this Order is disallowed in its entirety.

2. Kurtzman Carson Consultants, LLC (doing business as Verita Global), as claims, noticing and solicitation agent, is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.

3. To the extent a response is filed regarding any Satisfied Claim, each such Satisfied Claim, and the Objection as it pertains to such Satisfied Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order will be deemed a separate order with respect to each Satisfied Claim.

4. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order, the Objection, or the Objection Procedures shall be deemed: (a) an admission as to the validity of any prepetition claim against a Debtor entity; (b) a waiver of any right of any Debtor, or any other party in interest to dispute any prepetition claims on any grounds; (c) a promise or requirement to pay any prepetition claim; (d) an implication or admission that any particular claim is of a type specified or defined in the Objection or any order granting the relief requested by the Objection; (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of any right of any Debtor, or any other party in interest under the Bankruptcy Code or any other applicable law.

5. The Debtors are authorized, but not directed, to execute and deliver such documents and to take and perform all actions necessary to implement and effectuate the relief granted in this Order in accordance with the Objection.

6. Notice of the Objection as provided therein shall be deemed good and sufficient notice of such Objection and the requirements of the Bankruptcy Rules and the Bankruptcy Local Rules are satisfied by such notice.

7. This Court retains jurisdiction with respect to all matters arising from or related to the enforcement of this Order.

Dated: \_\_\_\_\_, 2024  
Houston, Texas

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THE HON. MARVIN P. ISGUR  
UNITED STATES BANKRUPTCY JUDGE

**Schedule 1**

**Satisfied Claims**

Debtors' Thirteenth Omnibus Objection to Claims - Satisfied Claims

In re: Zachry Holdings, Inc., et al.  
Case No. 24-90377 (MI)

Schedule 1 Claims to be Disallowed								
Ref #	Name of Claimant	Proof of Claim No.	Asserted Claim Amount	Asserted Secured Claim Amount	Asserted Admin Priority Claim Amount	Asserted Priority Claim Amount	Asserted General Unsecured Claim Amount	Reason(s) for Disallowance
1	American Steel And Supply, Inc.	155	\$54,633.31	—	—	—	\$54,633.31	Released by Critical Vendor agreement
2	Ankura Consulting Group LLC	1330	\$1,225,586.35	—	—	—	\$1,225,586.35	Paid and Satisfied by Golden Pass.
3	B&B Ice, Inc.	395	\$229,254.00	—	—	—	\$229,254.00	Released by Critical Vendor agreement
4	Bishop Lifting Products, Inc.	1577	\$13,919.83	—	\$822.63	—	\$13,097.20	Released by Critical Vendor Agreement
5	Bo-Mac Contractors, Ltd.	1368	\$7,918,029.36	—	—	—	\$7,918,029.36	Paid and Satisfied by Golden Pass.
6	Bo-Mac Contractors, Ltd.	1370	\$10,670,159.78	—	—	—	\$10,670,159.78	Paid and Satisfied by Golden Pass.
7	Central Texas Iron Works	107	\$120,217.81	—	—	—	\$120,217.81	All invoices listed in claim are paid
8	Chaparral Industrial Services, LLC	1205	\$2,264,994.57	—	—	—	\$2,264,994.57	Released by Critical Vendor Agreement & KZJV Waiver - Typo in Claim Amount on POC (should be \$226,494.57 not \$226,4994.57)
9	Code Red Safety And Rental LLC	1183	\$166,911.73	—	—	—	\$166,911.73	Released by Critical Vendor Agreement
10	Code Red Safety And Rentals LLC	971	\$57,258.69	—	—	—	\$57,258.69	Released by Critical Vendor Agreement
11	Consolidated Pipe And Supply Company, Inc., D/B/A High Country Fusion	1478	\$331,391.00	—	—	—	\$331,391.00	Paid and Satisfied by Golden Pass.
12	Countless Supply LLC	1117	\$206,656.31	—	—	—	\$206,656.31	Released by Critical Vendor Agreement & KZJV Waiver
13	Curtiss-Wright Flow Control Corporation, Farris Engineering Division	585	\$493,605.60	—	—	—	\$493,605.60	Paid and Satisfied by Golden Pass.
14	Dooley Tackaberry, Inc.	425	\$855,103.87	—	—	—	\$855,103.87	Paid and Satisfied by Golden Pass.
15	Five Star Food Service, Inc.	245	\$91,035.38	—	\$21,143.38	—	\$69,892.00	Released by PLNG Waiver
16	Groves Equipment Rental Co., Inc.	1358	\$727,823.61	—	—	—	\$727,823.61	All invoices listed in claim are paid
17	Gulf Coast Structural Steel And Fab	1596	\$1,212,676.76	—	\$1,193,662.76	—	\$19,014.00	Paid and Satisfied by Golden Pass.
18	Hartmann Building Specialties, Ltd	62	\$177,493.19	\$177,493.19	—	—	—	Paid and Satisfied by Golden Pass.
19	Hartmann Building Specialties, Ltd	58	\$10,068.72	\$10,068.72	—	—	—	Paid and Satisfied by Golden Pass.
20	Hayden and Company	1407	\$167,739.96	—	\$158,210.76	—	\$9,529.20	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
21	Hitachi Energy USA Inc.	1442	\$25,324,911.62	—	—	—	\$25,324,911.62	Paid and Satisfied by Golden Pass.
22	IMI Critical Engineering LLC	147	\$739,252.68	—	—	—	\$739,252.68	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
23	Industrial Supply, Inc.	205	\$231,073.00	—	—	—	\$231,073.00	Released by PLNG Waiver
24	Intertek Surveying Services USA, LLC	1357	\$930,698.59	—	—	—	\$930,698.59	All invoices listed in claim are paid, remainder is interest
25	Isc Constructors LLC	1557	\$5,533,023.37	—	—	—	\$5,533,023.37	Released by Critical Vendor Agreement & OPPD Waiver

## Debtors' Thirteenth Omnibus Objection to Claims - Satisfied Claims

In re: Zachry Holdings, Inc., et al.  
Case No. 24-90377 (MI)

Schedule 1 Claims to be Disallowed								
Ref #	Name of Claimant	Proof of Claim No.	Asserted Claim Amount	Asserted Secured Claim Amount	Asserted Admin Priority Claim Amount	Asserted Priority Claim Amount	Asserted General Unsecured Claim Amount	Reason(s) for Disallowance
26	Isc Constructors LLC	1556	\$1,472,002.11	—	—	—	\$1,472,002.11	Released by Critical Vendor Agreement & OPPD Waiver
27	L. B. Foster Company	549	\$282,228.34	—	—	—	\$282,228.34	All invoices listed in claim are paid
28	Lonestar Forklift 2017 USA Inc	751	\$128,605.58	—	—	—	\$128,605.58	All invoices listed in claim are paid
29	Mammoet USA Holdings Inc., on Behalf of Itself and Affiliates	1495	\$1,354,208.09	—	—	—	\$1,354,208.09	Paid and Satisfied by Golden Pass.
30	Matheson Tri-Gas, Inc.	1459	\$268,737.95	—	\$22,232.38	—	\$246,505.57	Paid and Satisfied by Golden Pass.
31	Maxim Crane Works, L.P.	1434	\$199,696.66	—	—	—	\$199,696.66	All invoices listed in claim are paid
32	NES Global Limited	831	\$277,395.62	—	—	—	\$277,395.62	Paid and Satisfied by Golden Pass.
33	Nooter/Eriksen, Inc.	1429	\$8,718,466.44	—	—	—	\$8,718,466.44	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
34	North Carolina Department of Revenue	240	\$308.52	—	—	—	\$308.52	The 2023 corporate income tax return for Zachry Constructors North Carolina was filed. This should clear up any estimates for 2023 and prior.
35	Nucor Rebar Fabrication South LLC	1432	\$3,440,554.40	—	—	—	\$3,440,554.40	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
36	Port Arthur Technical Services, LLC	360	\$2,903,003.49	—	—	—	\$2,903,003.49	Paid and Satisfied by Golden Pass.
37	Ricoh-USA Inc.	1625	\$1,491.22	—	—	—	\$1,491.22	Released by Critical Vendor Agreement
38	Secorp Industries Partnership	33	\$141,589.45	—	—	—	\$141,589.45	All invoices listed in claim are paid
39	Siemens Energy, Inc.	1288	\$1,224,196.12	—	—	—	\$1,224,196.12	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
40	STP and I Public Company Limited	1494	\$9,111,622.44	—	—	—	\$9,111,622.44	Claim against CCZJV-GPX, a non-debtor entity. The claim, to the extent valid, will be satisfied by Golden Pass prior to the objection deadline.
41	Superior Heat Exchangers, LLC	633	\$42,249.36	—	—	—	\$42,249.36	Released by Critical Vendor Agreement
42	Superior Heat Exchangers, LLC	641	\$3,006.10	—	—	—	\$3,006.10	Released by Critical Vendor Agreement
43	Superior Plant Rentals, LLC	1074	\$572,550.13	—	—	—	\$572,550.13	Released by Critical Vendor Agreement
44	USA Industries LLC	1458	\$108,452.56	—	—	—	\$108,452.56	All invoices listed in claim are paid
45	Warren Equipment Co dba Warren Cat	480	\$32,097.41	—	—	—	\$32,097.41	Released by Critical Vendor Agreement
46	White Cap (Construction Supply)	1473	\$2,797,555.14	—	—	—	\$2,797,555.14	Released by Critical Vendor Agreement & KZJV Waiver

**Exhibit A**

**Murphy Declaration**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
ZACHRY HOLDINGS, INC., <i>et al.</i> <sup>1</sup>	)	
	)	Case No. 24-90377 (MI)
Debtors.	)	(Jointly Administered)
	)	

**DECLARATION OF WILLIAM B. MURPHY IN SUPPORT OF  
DEBTORS' THIRTEENTH OMNIBUS OBJECTION TO CERTAIN PROOFS  
OF CLAIM (SATISFIED CLAIMS)**

I, William B. Murphy, solely in my capacity as financial advisor to the above-captioned debtors and debtors in possession (the “**Debtors**”), declare as follows pursuant to 28 U.S.C. § 1746:

1. I am a Senior Director at M3 Advisory Partners, LP (“**M3**”). Inclusive of my time at M3, I have over 40 years of experience in corporate restructuring, including advising creditors and debtors on strategic planning, financial projections, claim reconciliation, claim resolution and debt restructuring. In connection with chapter 11 restructurings, I possess considerable familiarity with and experience in, among other things, analyzing and monitoring cash management systems, debt classification and priority, bankruptcy taxation, preference actions, fraudulent conveyance actions, feasibility issues, disclosure statement and plan of reorganization approval procedures and hearings, and negotiations between debtors and their creditors.

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<sup>1</sup> The last four digits of Zachry Holdings, Inc.’s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors’ proposed claims and noticing agent at [www.veritaglobal.net/ZHI](http://www.veritaglobal.net/ZHI). The location of the Debtors’ service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.

2. Contemporaneously with the filing of this Declaration, the Debtors filed the *Thirteenth Omnibus Objection to Certain Proofs of Claim (Satisfied Claims)* (the “**Objection**”).<sup>2</sup>

3. I am generally familiar with the Debtors’ day-to-day operations, financing, arrangements, business affairs, and accounting software that reflects, among other things, the Debtors’ liabilities. I have read the Objection and assisted in the preparation of the related Schedule setting forth the Satisfied Claims subject to objection.

4. The facts set forth in this Declaration are based upon my personal knowledge, personal conversations I have had with the Debtors’ management and financial advisors, or upon my review of records kept in the ordinary course of the Debtors’ business that were, as appropriate, reviewed by me or others under my supervision and direction. Further, I or others under my supervision and direction have reviewed and analyzed, to the extent possible, the proofs of claim filed by claimants. If called and sworn as a witness, I could and would testify competently to the matters set forth herein.

5. To the best of my knowledge, information, and belief, the assertions made in the Objection are accurate. I, or others under my supervision and direction, have reviewed carefully and analyzed in good faith using due diligence by myself and my team, the Debtors’ management, and the Debtors’ other advisors, reviewed the claims register, the relevant proofs of claim, as well as the supporting documentation provided by each claimant, if applicable, and believe that the Debtors’ liability on account of the Satisfied Claims has been satisfied.

#### **Satisfied Claims**

6. I believe that each of the Satisfied Claims on Schedule 1 to the Order was filed on account of a liability that either has been satisfied and/or released during these chapter 11 cases or

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<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

will be satisfied and/or released prior to the response deadline for this Objection in accordance with the Bankruptcy Code, any applicable rules, and/or pursuant to a Court order. I do not believe that the Debtors are liable for the Satisfied Claims. I believe that the failure to disallow the Satisfied Claims could result in the applicable claimant receiving unwarranted multiple recoveries against the Debtors. Accordingly, I believe that the disallowance of the Satisfied Claims as set forth in Schedule 1 is appropriate.

Dated: November 13, 2024

By: /s/ William B. Murphy  
William B. Murphy  
M3 Advisory Partners, LP