

**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> ¹)	
)	Case No. 24-90377 (MI)
Debtors.)	
)	(Jointly Administered)
)	

**DEBTORS' AGENDA OF MATTERS SET FOR HEARING ON
NOVEMBER 18, 2024 AT 9:00 A.M. (PREVAILING CENTRAL TIME)**

The above-captioned debtors and debtors in possession (collectively, the "Debtors") file this agenda of matters set for hearing on November 18, 2024 at 9:00 a.m. (prevailing Central Time):

FLNG Liquefaction, LLC, et al. v. Zachry Industrial, Inc., et al. [Adv. Pro. No. 24-03189] and Allianz Global Risks US Insurance Co., et al. v. Zachry Industrial, Inc., et al. [Adv. Pro. No. 24-03190]

- I. **Zachry Industrial's Motions to Dismiss.** Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss and Joinder to (1) CB&I LLC's Rule 12(b)(6) Motion to Dismiss, and (2) Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 33; Adv. Pro. No. 24-03190, Docket No. 29]

A. Related Documents:

1. [Proposed] Order Granting Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 34; Adv. Pro. No. 24-03190, Docket No. 30]
2. Notice of Hearing Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 37; Adv. Pro. No. 24-03190, Docket No. 31]
3. Zachry's Reply in Support of Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 51; Adv. Pro. No. 24-03190, Docket No. 47]

¹ 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' claims and noticing agent at 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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4. Plaintiffs' Motion for Entry of an Order Authorizing Plaintiffs to File Confidential Documents Under Seal [Adv. Pro. No. 24-03189, Docket No. 40; Adv. Pro. No. 24-03190, Docket No. 36]
5. Order Authorizing Plaintiffs to File Confidential Documents Under Seal [Adv. Pro. No. 24-03189, Docket No. 56; Adv. Pro. No. 24-03190, Docket No. 52]
6. Agreed Motion to Extend Time for Replies in Support of, and Sur-Replies in Opposition to, Zachry's Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 43; Adv. Pro. No. 24-03190, Docket No. 39]
7. Order Granting Agreed Motion to Extend Time for Replies in Support of, and Sur-Replies in Opposition to, Zachry's Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 44; Adv. Pro. No. 24-03190, Docket No. 40]

B. Responses:

1. Plaintiffs' Response to Defendant Zachry Industrial Inc.'s Rule 12(b)(6) Motion to Dismiss and Incorporation of Response to CB&I LLC's 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 38; Adv. Pro. No. 24-03190, Docket No. 35]
2. [Sealed] Exhibit 2 to Plaintiffs' Response to Defendant Zachry Industrial Inc.'s Rule 12(b)(6) Motion to Dismiss and Incorporation of Response to CB&I LLC's 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 41; Adv. Pro. No. 24-03190, Docket No. 37]
3. [Sealed] Exhibit 3 to Plaintiffs' Response to Defendant Zachry Industrial Inc.'s Rule 12(b)(6) Motion to Dismiss and Incorporation of Response to CB&I LLC's 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 42; Adv. Pro. No. 24-03190, Docket No. 38]
4. Plaintiffs' Sur-Reply to Defendant Zachry Industrial, Inc.'s Rule 12(B)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 54; Adv. Pro. No. 24-03190, Docket No. 50]

Status: Going forward.

II. **CB&I's Motions to Dismiss.** CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 13; Adv. Pro. No. 24-03190, Docket No. 13]

A. Related Documents:

1. CB&I LLC's Motion to Seal [Adv. Pro. No. 24-03189, Docket No. 14; Adv. Pro. No. 24-03190, Docket No. 14]

2. CB&I LLC's Notice of Filing Exhibit A to Rule 12(b)(6) Motion to Dismiss Under Seal [Adv. Pro. No. 24-03189, Docket No. 15; Adv. Pro. No. 24-03190, Docket No. 15]
3. [Proposed] Order Granting CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 16; Adv. Pro. No. 24-03190, Docket No. 16]
4. Reply in Support of CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 20; Adv. Pro. No. 24-03190, Docket No. 22]
5. CB&I LLC's Motion to Seal [Adv. Pro. No. 24-03189, Docket No. 21; Adv. Pro. No. 24-03190, Docket No. 23]
6. CB&I LLC's Notice of Filing Exhibit 1 to Its Reply in Support of Its Rule 12(b)(6) Motion to Dismiss Under Seal [Adv. Pro. No. 24-03189, Docket No. 22; Adv. Pro. No. 24-03190, Docket No. 24]
7. Agreed Motion to Extend Time to Answer or Otherwise Respond to Plaintiffs' Original Petition [Adv. Pro. No. 24-03189, Docket No. 25]
8. Order Granting Agreed Motion to Extend Time to Answer or Otherwise Respond to Plaintiffs' Original Petition [Adv. Pro. No. 24-03189, Docket No. 26]
9. Joint Notice of Hearing on CB&I LLC's Rule 12(b)(6) Motion to Dismiss, and Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 36; Adv. Pro. No. 24-03190, Docket No. 33]

B. Responses:

1. Plaintiffs' Response to Defendant CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 19; Adv. Pro. No. 24-03190, Docket No. 20]

Status: Going forward.

III. **Chiyoda's Motions to Dismiss.** Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 31; Adv. Pro. No. 24-03190, Docket No. 27]

A. Related Documents:

1. Joint Notice of Hearing on CB&I LLC's Rule 12(b)(6) Motion to Dismiss, and Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss

and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 36; Adv. Pro. No. 24-03190, Docket No. 33]

2. Chiyoda International Corporation's Reply in Support of its Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 50; Adv. Pro. No. 24-03190, Docket No. 46]
3. Stipulation and [Proposed] Agreed Order Regarding Scheduling [Adv. Pro. No. 24-03189, Docket No. 45; Adv. Pro. No. 24-03190, Docket No. 41]
4. Stipulation and Agreed Order Regarding Scheduling [Adv. Pro. No. 24-03189, Docket No. 46; Adv. Pro. No. 24-03190, Docket No. 42]
5. [Proposed] Order Granting Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 57; Adv. Pro. No. 24-03190, Docket No. 53]

B. Responses:

1. Plaintiffs' Response to Defendant Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss and Incorporation of Response to CB&I LLC's 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 39; Adv. Pro. No. 24-03190, Docket No. 34]
2. Plaintiffs' Sur-Reply to Chiyoda International Corporation's Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03189, Docket No. 55; Adv. Pro. No. 24-03190, Docket No. 51]

Status: Going forward.

FLNG Liquefaction, LLC, et al. v. CB&I Inc., et al. [Adv. Pro. No. 24-03195]

- IV. **Zachry Industrial's Partial Motions to Dismiss.** Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss Plaintiffs' Claim for Consequential Damages [Adv. Pro. No. 24-03195, Docket No. 39]

A. Related Documents:

1. Notice of Hearing Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03195, Docket No. 41]
2. Zachry Industrial, Inc.'s Reply in Support of Rule 12(b)(6) Motion to Dismiss Plaintiffs' Claim for Consequential Damages [Adv. Pro. No. 24-03195, Docket No. 44]

B. Responses:

1. Plaintiffs' Response to Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss [Adv. Pro. No. 24-03195, Docket No. 42]

Status: Going forward.

Main Case [Case No. 24-90377]

- V. **Debtors' Objection to the Subrogation Litigation Claims.** Debtors' Objection to the Subrogation Litigation Claims Filed By FLNG Individually and By and Through Its Subrogated Insurers [Claim Nos. 1562, 1564, and 1579] [Docket No. 1188]

A. Related Documents:

1. Joinder of the Statutory Unsecured Claimholders' Committee of Zachry Holdings, Inc., *et al.* to the Debtors' Objection to the Subrogation Litigation Claims Filed By FLNG Individually and By and Through Its Subrogated Insurers [Claim Nos. 1562, 1564, and 1579] [Docket No. 1412].
2. Certificate of Service [Docket No. 1364]
3. Chiyoda's and CB&I LLC's Joinder to Debtors' Objections to the (I) FLNG Contract Claims [Claim Nos. 1443, 1499, 1500, 1501, 1502, and 1523] and (II) Subrogation Litigation Claims Filed by FLNG Individually and By and Through Its Subrogated Insurers [Claim Nos. 1562, 1564, and 1579] [Docket No. 1428]

B. Responses:

1. None. Responses are due on or before November 18, 2024.

Status: Going forward as a non-evidentiary scheduling conference.

- VI. **Debtors' Objection to the FLNG Contract Claims.** Debtors' Objection to the FLNG Contract Claims [Claim Nos. 1443, 1499, 1500, 1501, 1502, and 1523] [Docket No. 1187]

A. Related Documents:

1. Supplemental Declaration of Ralph Biediger in Support of Debtors' Objection to FLNG Contract Claims [Claim Nos. 1443, 1499, 1500, 1501, 1502, and 1523] [Docket No. 1379]
2. Joinder of the Statutory Unsecured Claimholders' Committee of Zachry Holdings, Inc., *et al.* to the Debtors' Objection to the FLNG Contract Claims [Claim Nos. 1443, 1499, 1500, 1501, 1502, and 1523] [Docket No. 1411]
3. Certificate of Service [Docket No. 1364]

4. Chiyoda's and CB&I LLC's Joinder to Debtors' Objections to the (I) FLNG Contract Claims [Claim Nos. 1443, 1499, 1500, 1501, 1502, and 1523] and (II) Subrogation Litigation Claims Filed by FLNG Individually and By and Through Its Subrogated Insurers [Claim Nos. 1562, 1564, and 1579] [Docket No. 1428]

B. Responses (due on or before November 18, 2024):

1. Response to Debtors' Objection to the FLNG Contract Claims [Docket No. 1418]

Status: Going forward as a non-evidentiary scheduling conference.

Dated: November 16, 2024
Houston, Texas

/s/ Charles R. Koster

WHITE & CASE LLP

Charles R. Koster (Texas Bar No. 24128278)
609 Main Street, Suite 2900
Houston, Texas 77002
Telephone: (713) 496-9700
Facsimile: (713) 496-9701
Email: charles.koster@whitecase.com

Bojan Guzina (admitted *pro hac vice*)
Andrew F. O'Neill (admitted *pro hac vice*)
Michael Andolina (admitted *pro hac vice*)
William Guerrieri (admitted *pro hac vice*)
Fan B. He (admitted *pro hac vice*)
Adam T. Swingle (admitted *pro hac vice*)
Barrett Lingle (admitted *pro hac vice*)
111 South Wacker Drive, Suite 5100
Chicago, Illinois 60606
Telephone: (312) 881-5400
Email: bojan.guzina@whitecase.com
aoneill@whitecase.com
mandolina@whitecase.com
william.guerrieri@whitecase.com
fhe@whitecase.com
adam.swingle@whitecase.com
barrett.lingle@whitecase.com

*Counsel to the Debtors and
Debtors in Possession*

Certificate of Service

I certify that on November 16, 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