Docket #0245 Date Filed: 5/27/2026

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

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. ALDRICH PUMP LLC, MURRAY BOILER LLC, TRANE TECHNOLOGIES COMPANY LLC, and TRANE U.S. INC., Defendants.	Adv. Pro. No. 21-03029 (LMJ)
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS, on behalf of the estates of Aldrich Pump LLC and Murray Boiler LLC, Plaintiff, v. 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.	Adv. Pro. No. 22-03028 (LMJ)

[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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NOTICE OF FILING OF UNREDACTED DEFENDANTS' MOTION TO COMPEL THE COMMITTEE TO PROVIDE ADEQUATE RESPONSES TO DISCOVERY REQUESTS

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), and Trane Global Holding Company Limited f/k/a Ingersoll-Rand Global Holding Company Limited, Trane Technologies Holdco Inc., Trane Technologies Company LLC ("TTC"), Trane Inc., TUI Holdings Inc., Trane U.S. Inc. ("TUI," and together with TTC, the "NDAs"), and Murray Boiler Holdings LLC (collectively, the "Trane Defendants," and together with the Debtors, "Defendants") hereby file this Notice (the "Notice") of Filing Unredacted *Defendants' Motion to Compel the Committee to Provide Adequate Responses to Discovery Requests* [Adv. Proc. No. 21-03029, Dkt. No. 204; Adv. Proc. No. 22-03028, Dkt. No. 131] (the "Motion to Compel"). In support of the Notice, Defendants respectfully state as follows:

1. On February 5, 2026, the Defendants filed the Motion to Compel. Attached to the Motion to Compel were Exhibits B, C and J, which were filed under seal pursuant to the *Agreed Protective Order Governing Confidential Information* [Base Case 20-30608, Dkt. No. 345]. On February 5, 2026, the Defendants filed *Defendants' Motion to File Documents Under Seal* [Adv. Proc. No. 21-03029, Dkt. No. 205; Adv. Proc. No. 22-03028, Dkt. No. 132] (the "Motion to Seal"), related to the sealed portions of the Motion to Compel, including Exhibits B, C and J.

2. Since the filing of the Motion to Compel, the parties herein have agreed that Exhibits B, C and J to the Motion to Compel can be unsealed in their entirety. Consequently, the Motion to Seal was withdrawn on May 19, 2026 [Adv. Proc. No. 21-03029, Dkt. No. 234; Adv. Proc. No. 22-03028, Dkt. No. 166].

3. Accordingly, attached hereto as Exhibit A is an unsealed version of the Motion to Compel.

Dated: May 27, 2026
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.

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ATTORNEYS FOR DEBTORS AND DEBTORS IN POSSESSION

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
FOR THE 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. ALDRICH PUMP LLC, MURRAY BOILER LLC, TRANE TECHNOLOGIES COMPANY LLC, and TRANE U.S. INC., Defendants.	Adv. Pro. No. 21-03029 (LMJ)
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS, on behalf of the estates of Aldrich Pump LLC and Murray Boiler LLC, Plaintiff, v. 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.	Adv. Pro. No. 22-03028 (LMJ)

DEFENDANTS' MOTION TO COMPEL THE COMMITTEE TO PROVIDE ADEQUATE RESPONSES TO DISCOVERY REQUESTS

[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.

Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), as debtors and debtors in possession (together, the "Debtors"), Trane Global Holding Company Limited f/k/a Ingersoll-Rand Global Holding Company Limited, Trane Technologies Holdco Inc., Trane Technologies Company LLC ("TTC"), Trane Inc., TUI Holdings Inc., Trane U.S. Inc. ("TUI," and together with TTC, the "NDAs"), and Murray Boiler Holdings LLC (collectively, the "Trane Defendants," and together with the Debtors, "Defendants") hereby move this Court for entry of an order compelling the Official Committee of Asbestos Personal Injury Claimants (the "Committee") to provide adequate responses to discovery requests propounded in the above-captioned Adversary Proceedings (as defined below). In support of this motion to compel (the "Motion"), Defendants respectfully state as follows:

PRELIMINARY STATEMENT

Defendants continue to assert that the Adversary Proceedings are baseless, premature, and in any event should be stayed for the reasons set forth in *Defendants' Motion to Stay Adversary Proceedings*, Dkt. 2822 (Oct. 2, 2025) (the "Stay Motion").[2] While the Court continued the Stay Motion at the October 23, 2025 hearing for a six-month period, the Court permitted discovery to continue in the Adversary Proceedings, as had been occurring for a significant period already. See Oct. 23, 2025 Hr'g Tr. at 88:16-89-89:15. As a result,

[2] The baseless nature of these proceedings was underscored just last week in the dismissal of substantially similar allegations and legal theories in *Love v. Red River Talc, LLC, et al.*, Civil Action No. 24-6320 (MAS)(RLS) (D.N.J. Jan. 29, 2026). The district court found claimants had not alleged any cognizable harm—and therefore lacked standing to sue—rejecting plaintiffs' claim that defendants' "Texas Two-Step," "bad-faith Chapter 11 bankruptcy filings" could form the basis of a fraudulent-transfer claim. See Slip Op. at 8-10 (attached as **Exhibit A**). The court noted that "Plaintiffs fail to cite any authority holding that a delay in litigation—whether caused by a bankruptcy stay or otherwise—constitutes a cognizable injury for the purposes of Article III standing." Id. at 8. The court further found that "Plaintiffs' theory of injury is fundamentally incompatible with the structure and purposes of the Bankruptcy Code," reasoning that the Code has a "comprehensive" and "carefully calibrated" framework governing bankruptcy proceedings, including granting relief from litigation stays. Id. at 10.

Defendants have filed the instant motion, seeking to compel basic discovery to which they are entitled.

Since the beginning of the discovery process, the Committee has sought to have discovery in the Adversary Proceedings be a one-way street. The Adversary Proceedings focus on the divisional mergers (known as "Project Omega") and the Debtors' subsequent bankruptcy filings. The Committee received extensive discovery on these topics in 2020-21 during the Preliminary Injunction proceeding (the "PI Proceeding"), where Defendants produced more than 94,000 pages of documents from the files of 10 different corporate executives and employees, followed by 22 depositions of Defendants' employees and executives. That discovery should have been more than sufficient to satisfy the Committee's needs for these Adversary Proceedings.

Despite the extensive discovery it obtained in the PI Proceeding, the Committee has continued its fishing expedition through more than a hundred broad discovery requests, focused again on the divisional mergers and subsequent bankruptcy filings. The Committee has insisted that Defendants (1) re-search the files of all individuals for whom they already produced information on these topics in the PI Proceeding; (2) search the files of numerous other employees with extremely limited roles in Project Omega (none of whom are likely to have any relevant or unique information); and (3) use another set of onerous search terms to collect documents on these same topics. On January 27, 2026, the Committee served another set of overreaching and irrelevant discovery.[3]

[3] The Committee's new discovery requests further demonstrate the wasteful and harassing nature of this litigation. For example, the Committee's new Interrogatory 1 demands that Defendants identify any "transfer of funds or other assets from New TTC or New Trane to any of their Affiliates, including distributions, accounting transfers, upstreaming of cash, the assumption of liabilities, and other transfers of value from May 1, 2020 to the Present." As another example, new Interrogatory 3 demands that Defendants identify "all payments made by New

By contrast, the Committee has refused to meaningfully respond at all to Defendants' more targeted discovery requests in these proceedings. Incredibly, the Committee has not agreed to search for, let alone produce, a single document in response to even one of Defendants' requests for production. As to interrogatories, the Committee has either relied on lengthy form objections to avoid answering at all, or provided answers long on words and irrelevant, non-responsive detail but devoid of substance. Its responses to requests for admissions have been evasive and otherwise simply non-compliant with the applicable discovery rules, deficiencies the Committee has only recently begun to remedy.

For some requests, Defendants will take the Committee's non-responses as a reflection of the unsupported nature of its allegations, and leave it at that. But as to other requests, Defendants are compelled to seek Court intervention.[4] This Motion primarily raises three issues

Trane or New TTC to their shareholders, suppliers, vendors, and other non-asbestos creditors from May 1, 2020 to the Present." The Committee has advanced no credible basis for this burdensome, wind-ranging discovery. As Judge Whitley has previously held: "Undisputably, New TTC and New Trane can fund their obligations under the two Funding Agreements." *Order Denying Motions to Dismiss* [Dkt. 2047], at 13. Defendants will meet and confer with the Committee on its new discovery and seek relief from the Court if necessary.

[4] While this Motion is directed toward the Committee's deficient discovery responses specified herein, the Committee has also failed to adequately respond to certain requests for admission and interrogatories propounded by the Trane Defendants on March 12, 2024 in the Fraudulent Transfer Proceeding (the "FT RFA/INTs"). The Committee responded to the FT RFA/INTs on May 28, 2024, and the Trane Defendants notified the Committee of its deficient responses on July, 18, 2024. On October 23, 2024, the Committee advised the Trane Defendants that it would meet and confer to consider supplementing its discovery responses. On March 7, 2025, the Trane Defendants requested the Committee meet and confer to discuss the FT RFA/INTs. On August 7, 2025, the Committee advised the Trane Defendants that it would be prepared to discuss the FT RFA/INTs at the next meet and confer. On November 5, 2025, the Trane Defendants advised the Committee that, despite multiple meet and confers, it had still failed to address its deficient responses to the FT RFA/INTs. On December, 12, 2025, the parties held a meet and confer that included a discussion of the FT RFA/INTs. On December 19, 2025, the Committee advised the Trane Defendants that it was still "considering whether it is appropriate to amend or otherwise supplement" its responses to the FT RFA/INTs. On January 7, 2026, the Trane Defendants requested that the Committee provide any supplemental responses to the FT RFA/INTs by no later than January 21, 2026. The Committee did not respond, and, on January 31, 2026, the Trane Defendants requested that the Committee provide any supplemental responses to the FT RFA/INTs by no later than February 2, 2026. On February 2, 2026, the Committee advised the Trane Defendants that it would respond "in the next day or so." To date, the Trane Defendants have still not received a response from the Committee. The Trane Defendants reserve their right to seek appropriate relief with respect to the Committee's deficient discovery responses in the Fraudulent Transfer Proceeding, including, without limitation, its deficient responses to the FT RFA/INTs.

upon which the parties, after numerous meet and confers and extensive discovery correspondence, have reached impasse. The first two issues pervade multiple discovery requests.

First, the Committee has refused to search for and include information and documents available from its members or their tort counsel in responding to Defendants' discovery requests. In the Committee's view, such information—at least as it relates to activity outside their work on the Committee—lies outside the "Committee's possession, custody, and control." The Committee's position is incorrect. As to interrogatories, Rule 33 requires the Committee to provide any information "available to" it—not what is allegedly in its "possession, custody, or control"—and there should be no dispute that information possessed by the Committee's members or their counsel is "available to" the Committee for purposes of responding to interrogatories.

As to document requests, the Committee's position ignores that Defendants' requests are targeted toward the ***Committee's*** allegations in this case, and that the Committee ***consists of*** its members. It would be fundamentally unfair to allow the Committee free reign to make allegations yet claim that documents pertinent to those allegations in its own members' possession fall outside the Committee's "possession, custody, or control." The Committee's position also ignores the "practical-ability-to-obtain" standard that prevails across district courts in the Fourth Circuit. There is no basis to suggest the Committee does not have the practical ability to obtain documents from its members or their tort counsel responsive to Defendants' requests. Moreover, the Committee's position seeks to shield the members' tort counsel—who, as recently made clear in Court hearings,[5] for all practical purposes have served as the actual

[5] See Oct. 23, 2025 Hr'g Tr. at 102:21-24 (Committee counsel acknowledging committee members "delegated meeting attendance to their counsel"); 108:10-14 (similar); 132:1-11 (in response to Court's inquiry if members were involved in Committee's decision-making process, Committee counsel stating: "What I know is they

Committee members in these cases—from discovery altogether, ***even as to tort counsel's work on the Committee***.

Second, the Committee has refused to respond to multiple discovery requests seeking the Committee's position on the extent of the Debtors' asbestos liability. This issue, of course, directly informs whether and the extent to which the Debtors are insolvent, an issue highly relevant in the Adversary Proceedings. The Committee initially objected to these discovery requests as premature, indicating they would provide their position through the estimation proceeding. But the Committee, for whatever reason, has now refused to adopt the liability estimate prepared by its expert in the estimation proceeding for purposes of responding to Defendants' discovery requests in these Adversary Proceedings. The Committee has spent millions of dollars investigating and prosecuting these Adversary Proceedings without ever taking a position on a critical element of its claims. The Court should compel meaningful responses.

Third, the Committee has refused to answer an interrogatory (Sub Con Interrogatory 4), which asks the Committee to provide information relevant to its assertion in the motion to dismiss proceedings in the base cases that the Debtors are ***not*** in financial distress. The Committee instead flipped the interrogatory and answered why the Debtors ***are*** in financial distress (in direct contradiction to the Committee's dismissal position). The propriety of the Committee's argument that it may take "alternative positions" on the Debtors' financial condition depending on the litigation posture is tenuous at best. Regardless, it does not excuse the Committee's obligation to answer the interrogatory posed. Defendants are not limited to seeking

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were not present at the committee meetings where these decisions were made. And what I don't know for sure is to what extent they were in consultation with their attorneys."); 136:11-15 (Committee counsel stating "[t]here were tort lawyers attending committee meetings after their client passed away").

discovery that supports the position the Committee wants to advocate in the Adversary Proceedings. Rather, they are entitled to probe the inconsistencies between the Committee's alternative positions.

This one-way discovery must end. As long as the Adversary Proceedings are to continue forward, the Committee must fulfill its discovery obligations like every other party. The Motion should be granted.

BACKGROUND

A. The Adversary Proceedings

1. The Committee has filed three adversary proceedings in these bankruptcy cases: (1) the "Sub Con Proceeding" (Adv. No. 21-03029); (2) the "Fraudulent Transfer Proceeding" (Adv. No. 22-03028); and (3) the "Fiduciary Duty Proceeding" (Adv. No. 22-03029) (collectively, the "Adversary Proceedings").[6] As more fully detailed in the Stay Motion, the Committee premises each proceeding on two underlying contentions, described in the Stay Motion as the "Texas Two-Step Hinder and Delay Contention" and the "Insufficient Assets Contention." See Dkt. 2822 at 1-2. The former alleges the "Texas Two-Step" nature of Debtors' bankruptcy filings constitutes a "stratagem" to trap asbestos claimants into a prolonged bankruptcy proceeding until claimants capitulate to a "bankruptcy discount." Id. at 1-2, 11-13 (citing Committee allegations).

2. The latter contends the 2020 corporate restructuring that created the Debtors (the "Corporate Restructuring") rendered the Debtors "insolvent," "inadequate capitalized," and unable to satisfy their asbestos liabilities. Id. (citing Committee allegations). Outside of the Adversary Proceedings, by contrast, the Committee maintains the Debtors—by virtue of their

[6] The Fiduciary Duty Proceeding is currently stayed. See *Case Management Order* [Adv. Dkt. 39], Adv. No. 22-03028 (the "Adversary Proceedings CMO"), at 5.

funding agreements with the NDAs (the "Funding Agreements")—are, in fact, solvent, suffer no financial distress, and are capable of paying their asbestos liabilities in full. See Stay Motion at 2, 15-16 (citing Committee allegations in dismissal proceedings). The Committee's most recent position on the issue is that it is "not disputed" that the Debtors "can pay all creditors in full, inside or outside of bankruptcy."[7]

3. Since the Court entered initial case management and discovery orders for the Adversary Proceedings on January 10, 2023 and April 24, 2023, respectively, activity in the proceedings has been limited to written discovery requests and periodic meet and confers and related discovery correspondence concerning the responses to such requests. As submitted in the Stay Motion, the Committee's lack of urgency in prosecuting the Adversary Proceedings reflects that (a) there is nothing left to learn about the Corporate Restructuring, which was the subject of extensive discovery in the preliminary injunction proceeding (the "PI Proceeding"), (b) events have not yet transpired to render claims asserted in the Adversary Proceedings ripe for adjudication, and (c) the Committee's challenges to the "Texas Two-Step" and the nature of these bankruptcies have been the subject of (and now been decided in) case dismissal proceedings.

B. Defendants' Discovery Requests

4. On March 12, 2024, now almost two years ago, Defendants served their *First Set of Interrogatories, Requests for Production, and Requests for Admission* on the Committee in the Sub Con Proceeding, consisting of interrogatories, request for production, and requests for admission. That same day, the Trane Defendants served their *First Set of Interrogatories, Requests for Production, and Requests for Admission* on the Committee in the Fraudulent

[7] See *Consolidated Memorandum of Law to Support Motion for Leave to Appeal the Orders Denying Aldrich Committee's, Mr. Robert Semian and Forty-Six Other MRHFM Plaintiffs', and Mr. Wilson Buckingham and Ms. Angelika Weiss's Motions to Dismiss* (filed in consolidated district court dismissal appeal for Bestwall and these cases), Aug. 28, 2025 (attached as Exhibit A to Stay Motion) at 4.

Transfer Proceeding, also consisting of interrogatories, request for production, and requests for admission. Both sets of discovery largely sought to understand the factual and other bases for various contentions the Committee has made in the Adversary Proceedings and, moreover, why the Committee believed the relief sought in the Adversary Proceedings (such as involuntarily making the NDAs debtors in these proceedings) was necessary or warranted.

5. The Committee served its responses to both sets of discovery on May 28, 2024. The Committee lodged lengthy objections to every request. Often, the Committee contended that the requests were "premature" and/or "call[ed] for expert opinion." The Committee repeatedly objected that information and documents responsive to Defendants' requests were outside of the Committee's "possession, custody, or control." In some cases, the Committee also curiously objected that the Defendants were attempting to use discovery requests "to invoke an estoppel or waiver." As to interrogatories, when the Committee did provide any response, it typically only parroted back conclusory allegations made in its underlying complaints, without providing any additional support, and/or included irrelevant information. In some cases, it simply changed the interrogatory so it could offer a response more aligned with its position in the Adversary Proceedings.

6. The Committee's position with respect to document requests has been, essentially, that it is immune from discovery. It considers any documents in the possession of its members (or their counsel, the *de facto* members of the Committee for most of duration of the proceedings) as generally outside its "possession, custody, and control," and any documents that arguably do fall within its possession, custody, and control to be presumptively privileged or irrelevant. The Committee has not agreed to search for or produce documents in response ***to a single document request*** in the two years since such requests have been pending.

7. Presumably the Committee had to have some factual bases for its assertions when it filed the Adversary Proceedings, and presumably that information in certain cases would have come from its members or their tort counsel. As an example, in the Sub Con Proceeding, the Committee made various allegations as to asbestos claimants' "reliance" with respect to the resources of different entities within the Trane corporate family.[8] If there was any purported factual basis for such allegations, presumably it came from Committee members or their tort counsel. Defendants are entitled to discovery with respect thereto. The Committee cannot refuse to provide any responsive information on the basis that it is only with the claimants or their tort counsel, and not technically in the possession, custody, or control of the Committee.

8. Finally, the Committee's initial responses to requests for admission were largely evasive. In many cases (Sub Con RFAs 1-7), the Committee answered that it denies this Request "for purposes of this Proceeding." The Committee subsequently indicated in correspondence that it would remove this qualification because it is "redundant"; 14 months later, the Committee served supplemental responses removing the "for purposes of this Proceeding" qualification. In other cases, the Committee claimed it "cannot admit or deny" the request without indicating it had made a reasonable inquiry.

9. Over the last approximately 18 months, the parties have exchanged correspondence and engaged in numerous meet and confers relating to discovery in the Adversary Proceedings, both as to the Committee's affirmative discovery and Defendants' discovery requests. With respect to Defendants' discovery requests, that includes letters from

[8] See, e.g., *Plaintiffs' Opp. to Debtors' Motion to Dismiss*, Adv. No. 21-03029, Dkt. 30, ¶9 ("As such, they were relying on the economic resources of Ingersoll-Rand and Trane to pay the settlement amount."); *Plaintiffs' Opp. to Affiliates' Motion to Dismiss*, Adv. No. 21-03029, Dkt. 31, ¶ 25 ("They were relying on the economic resources of Ingersoll-Rand and 'old' Trane to pay the settlement amounts, but those payments never materialized; only the Corporate Restructuring did.").

Defendants dated July 18, 2024 (**Exhibit D**), March 7, 2025 (**Exhibit E**), and November 5, 2025 (**Exhibit F**) and letters from the Committee dated October 23, 2024 (**Exhibit G**), August 7, 2025 (**Exhibit H**), and December 19, 2025 (**Exhibit I**). The parties have narrowed their disputes to some extent, with the Committee agreeing to modify or supplement their responses in certain respects. For some responses, Defendants will take the Committee's failure to support its allegations as simply a reflection of the fact that its allegations lack any support. In other respects, however, Defendants must seek the Court's assistance to compel adequate responses.

LEGAL STANDARD

10. Federal Rules of Civil Procedure 26, 33, 34, and 37 are applicable to these Adversary Proceedings. See Fed. R. Bankr. P. 7026, 7033, 7034, and 7037. "Discovery under the Federal Rules of Civil Procedure is broad in scope and freely permitted." Carefirst of Maryland, Inc. v. Carefirst Pregnancy Centers, Inc., 334 F.3d 390, 402 (4th Cir. 2003).

11. Under Rule 33 governing interrogatories, a party that "is a public or private corporation, a partnership, an association, or a governmental agency … must," through an "officer or agent," "furnish the information available to the party." Fed. R. Civ. P. 33(b)(1)(B).[9]

12. Under Rule 34, a party must, subject to objections, produce responsive documents within the "party's possession, custody, or control." Fed. R. Civ. P. 34(a)(1). District courts in this Circuit have generally held that control is defined as a party's "right, authority or practical ability to obtain the documents from a non-party to the action." See Goodman v. Praxair Servs.,

[9] See also Nat'l Fire Ins. Co. of Hartford v. Jose Trucking Corp., 264 F.R.D. 233, 238-39 (W.D.N.C. 2010) ("If an appropriate interrogatory is propounded, the answering party will be required to give the information available to him, if any, through his attorney, investigators employed by him or on his behalf or other agents or representatives, whether personally known to the answering party or not."); § 2174 Objections to Interrogatories—Grounds for Objections, 8B Fed. Prac. & Proc. Civ. § 2174 (3d ed.) ("As a general rule a party in answering interrogatories must furnish information that is available to it and that can be given without undue labor and expense.").

Inc., 632 F. Supp. 2d 494, 515 (D. Md. 2009) (citation omitted); see also *The Sedona Conference Commentary on Rule 34 and 45 "Possession, Custody, or Control*" (The Sedona Conference Journal (Vol. 25 2024) (noting district courts in the Fourth Circuit have applied the "practical ability" standard, citing cases).[10] Moreover, "documents owned or possessed by agents, attorneys, hired consultants and other third parties hired by a party that the party can reasonably obtain upon request fall within that party's custody or control." Goodyear Tire & Rubber Co. v. CEVA Logistics Singapore, Ltd., 348 F.R.D. 54, 67–68 (E.D. La. 2024), review denied sub nom. Goodyear Tire & Rubber Co. v. CEVA Logistics Singapore Pte Ltd, 2024 WL 5086077 (E.D. La. Dec. 12, 2024).

13. Under Rule 37, a party may move for an order compelling another party to answer interrogatories or produce documents. See Fed. R. Civ. P. 37(a)(3)(B)(iii)-(iv). Incomplete or evasive disclosures, answers, or responses to discovery "must be treated as a failure to disclose, answer, or respond." Fed. R. Civ. P. 37(a)(4).

ARGUMENT

I. THE COMMITTEE SHOULD BE COMPELLED TO SEARCH FOR AND PROVIDE RESPONSIVE INFORMATION AND DOCUMENTS FROM ITS MEMBERS AND THEIR COUNSEL.

14. The Committee served general objections to all of Defendants' discovery requests "to the extent [they] seek[] documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel," contending the Committee "does not represent individual claimants and does not have possession, custody, or control over documents or information belonging to individual claimants or their respective

[10] Across the North Carolina district courts, the Middle District has applied the "practical-ability" standard while the Eastern District of North Carolina has employed the "legal-right-to-obtain" standard. See Ultra-Mek, Inc. v. Man Wah (USA), Inc., 318 F.R.D. 309, 312-13 (M.D.N.C. 2016) (noting district courts in the Fourth Circuit, apart from the Eastern District of North Carolina, have employed the "practical-ability-to-obtain test").

counsel." Committee Sub Con Responses, Gen. Obj. 19 (attached as **Exhibit B**), Committee FT Responses, Gen. Obj. 20 (attached as **Exhibit C**). In addition to this general objection, the Committee specifically objected to four of Defendants' interrogatories (Sub Con Interrogs. 1-3 & 13), seven document requests (Sub Con RFPs 27-29; FT RFPs 6-7, 10-11), and one request for admission (Sub Con RFA 11) on this basis.

A. Interrogatories

15. While parties and courts often cite by analogy Rule 34's "possession, custody, or control" language in discussing a party's obligation to respond to interrogatories, Rule 33's requirement, directly applicable, that a party furnish information "available to the party" in response to an interrogatory is different, and broader. See, e.g., Sines v. Kessler, 2020 U.S. Dist. LEXIS 102390, *21 n.5 (W.D. Va. June 11, 2020) (stating "[t]here is no such limitation [that documents be in the party's possession, custody, or control] on a party's obligation to answer interrogatories"); Bonumose Biochem, LLC v. Yi-Heng Percival Zhang, 2018 U.S. Dist. LEXIS 231073, *22 (W.D. Va. Oct. 31, 2018) ("Second, while the language regarding 'possession, custody, or control' of documents and electronically stored information is a prerequisite to requiring production under Rule 34, no such condition exists with regard to interrogatory responses under Rule 33."); Thomas v. Cate, 715 F. Supp. 2d 1012, 1032 (E.D. Cal. 2010), order clarified, 2010 WL 797019 (E.D. Cal. Mar. 5, 2010) (finding "Governor's 'custody, possession, or control'" objection was "not a valid basis for an objection to an interrogatory request," noting "Rule 33 imposes a duty on the responding party to secure all information *available* to it").

16. When, as here, interrogatories are served on an unincorporated organization, the responding party "cannot avoid answering proper interrogatories served upon it by the defendant by saying the [unincorporated organization] doesn't know the answer, when it can obtain the information sought from it from its members or other sources under its control." Int'l Ass'n of

Machinists, Dist. 169 v. Amana Refrigeration, Inc., 90 F.R.D. 1, 2 (E.D. Tenn. 1978). Instead, "the answering agent must consult with other members of the organization who are in possession of the information sought to be discovered and then answer." Id. (citing United States v. 58.16 Acres of Land, more or less in Clinton Cnty., State of Ill., 66 F.R.D. 570, 572 (E.D. Ill. 1975)).

17. As to both interrogatories and document requests, Defendants have taken issue with the Committee's refusal to search for and include information available to it from its members and their counsel. See, e.g., July 18, 2024 Defendants letter at 2 (**Exhibit D**); Nov. 5, 2025 Defendants letter at 2-3 (**Exhibit F**). This refusal has inhibited Defendants from understanding and testing certain factual contentions the Committee has advanced in these Adversary Proceedings.

18. For example, Defendants' first three interrogatories in the Sub Con Proceeding seek to test the basis for the Committee's allegations that certain, unidentified asbestos claimants (a) "dealt with" the Debtors and NDAs as "one legal entity" subsequent to the Corporate Restructuring (Interrogatory 1); (b) "relied on" the "economic resources" of the pre-Corporate Restructuring entities in entering into settlements and that there is now some risk such settlements cannot be paid (Interrogatory 2); and (c) "extended credit" to pre-Corporate Restructuring entities or the Debtors (Interrogatory 3).[11] Given the prevalence of these allegations in the Committee's motion for substantive consolidation (see Sub Con Proceeding, Dkt. 2, at 21-23), these are important inquiries.

19. The Committee has not meaningfully responded. Instead, after objecting to providing any information "in the possession, custody, or control of individual members of the

[11] The full text of Defendants' discovery requests, and the Committee's objections and responses, can be seen in **Exhibit B** (Sub Con) and **Exhibit C** (Fraudulent Transfer). As noted, the Committee's failure to search for information and documents from its members or their tort counsel runs across all of the Committee's responses.

Committee's constituency or their respective tort counsel," the Committee made the following bald assertions:

- When asbestos claimants reached settlements with Ingersoll-Rand and/or Old Trane, they were relying on these entities to make good on their promise and promptly pay the agreed-upon value of the claim.

- As such, [asbestos claimants] were relying on the economic resources of Ingersoll-Rand and Old Trane to pay the settlement amounts and thus were extending credit to Ingersoll-Rand and Old Trane in those amounts. Those asbestos claimants detrimentally relied on Ingersoll-Rand and/or Old Trane's creditworthiness to settle in principle, but neither the Debtors nor their affiliates have paid them.

Committee Sub Con Responses, at 13, 37-39.

20. The Committee's refusal to provide information from its members leaves a hole in the Committee's contentions that must be explored. As noted earlier, it is simply not clear if the Committee's allegations regarding asbestos claimants' reliance are based on actual facts or instead mere supposition. If the Committee's members or their tort counsel have information responsive to these requests—which seems possible since they concern the Committee's contentions regarding the interactions of asbestos claimants—that information should be provided to Defendants. The Committee, of course, ***consists of*** its members. To say those members' own information is not "available to" the Committee is untenable. See Nat'l Fire Insurance, 264 F.R.D. at 238-39; Int'l Ass'n of Machinists, 90 F.R.D. at 2.

21. The Committee's responses to Sub Con Interrogatories 1-3 are inadequate for at least two more reasons. First, the Committee did not identify any claimant who allegedly so "relied" or the factual circumstances (including dates) of any such reliance, information squarely requested. The Committee instead identified more than a hundred Defendant entities, employees of the NDAs or the Debtors, outside counsel for the Debtors and NDAs, and even the Debtors' financial advisors as "Persons who have knowledge of the above facts," with no explanation of

how these entities or individual have any knowledge regarding how ***claimants*** "dealt with" or "relied" upon the wherewithal of NDAs or their predecessor entities.[12]

22. Second, the Committee ignored what was requested in Interrogatory 1 altogether. That Interrogatory asked for evidence that asbestos claimants dealt with the Debtors and NDAs as one legal entity ***subsequent*** to the Corporate Restructuring. The Committee instead responded that claimants dealt with the Debtors and NDAs as one legal entity ***before*** the restructuring because they "actually were one legal entity" (Ingersoll-Rand and Old Trane). Committee Sub Con Responses, at 12.[13] But that is simply non-responsive to what Interrogatory 1 requests.

23. Finally, the Committee's refusal to search for and include information in the possession of its members or their tort counsel may have led to incomplete responses to various other interrogatories, including those directed to estimates of the Debtors' aggregate asbestos liability (Sub Con Interrog. 5; FT Interrogs. 1 and 9); the Committee's allegation that substantive consolidation is necessary to negotiate a fair resolution of this case (Sub Con Interrogs. 13 & 14); the Committee's allegation that the Corporate Restructuring and subsequent bankruptcy filings constitute a strategy or scheme to "hinder and delay" claimants (Sub Con Interrog. RFP 15); the Committee's allegations that the Debtors did not receive "reasonably equivalent value," were left with "unreasonably small capital," and intended to incur debts beyond their ability to pay (FT Interrogs. 2, 3, and 4); and potentially others.

24. The Court should overrule the Committee's objection that information in the possession, custody, or control of its members or their tort counsel is not "available to" the

[12] See Committee Sub Con Responses, at 44 (incorporating responses to Interrogatory 1, at pages 16-36).

[13] Thus, under the Committee's view of substantive consolidation law, any entity involved in a divisional merger should be substantively consolidated if one or more of the entities resulting from the divisional merger files for bankruptcy.

Committee and order the Committee to supplement its responses to Defendants' interrogatories accordingly.

B. Requests for Production

25. Defendants likewise disagree with the Committee's position that it has no obligation to search for and produce documents in the possession of individual Committee members or their tort counsel. After serving its objections, the Committee slightly altered its position, agreeing that "documents in the Committee members' possession, custody, and control ***while and to the extent*** they are acting as Committee members," as well as "documents in Committee professionals' possession, custody, or control ***while and to the extent*** they are acting as representatives of the Committee," would fall within the Committee's possession, custody, and control. See Oct. 23, 2024 Committer letter at 3 (attached hereto as **Exhibit G**); see also Aug. 7, 2025 Committee letter at 2 (attached hereto as **Exhibit H**); Dec. 19, 2025 Committee letter at 2 (attached hereto as **Exhibit I**). Nonetheless, the Committee has refused to search any individual member's or any member legal representative's files for responsive information—regardless of whether they were acting in their capacities as Committee members or their representatives—on the basis that any responsive information would "overwhelmingly consist[] of information" protected by various privileges. See Oct. 23, 2024 Committee letter at 3 (**Exhibit G**); see also Aug. 7, 2025 Committee letter at 2 (**Exhibit H**).

26. The Committee's refusal to search for responsive documents from its members or their tort counsel is not justified. The Committee ***consists of*** the individual members, who were chosen by the Bankruptcy Administrator because they are representatives of the creditor class as a whole, and there should be no dispute that their tort counsel may have responsive information given their lead roles on the Committee. It may be that documents in the possession of an individual Committee member or their counsel—such as discovery pertinent to the members'

individual claims against the Debtors—are simply irrelevant to these Adversary Proceedings. To the extent Defendants seek irrelevant information, that would be a proper objection. But vague limitations on what is in an individual member's or their representative's possession, custody, or control—based on whether they were allegedly acting in a Committee capacity—is not.

27. Nor is the Committee's position consistent with the general rule applied in the Fourth Circuit that an entity like the Committee's has "possession, custody, or control" over any documents it has the "practical ability" to obtain. See supra at 11. To date, the Committee has not provided any reason to believe it does not have the practical ability to obtain documents responsive to Defendants' document requests. Because Defendants' document requests are targeted to the Committee's contentions pertinent to these Adversary Proceedings, there should be no limitations on the Committee's ability to obtain any responsive documents from its members or their tort counsel.

28. The Committee is also incorrect that documents in the Committee members' or their tort counsel's possession, custody, or control would necessarily be protected by privilege or other protection—an assumption the Committee has seemingly employed to avoid any search of its members' or any professionals' files for responsive information (at the same time, it has insisted Defendants search the files of 24 custodians using no less than 196 search terms). Again, this is particularly true as it relates to document requests that seek to understand and test the factual and other bases for allegations the Committee has made in the Adversary Proceedings.

29. In correspondence with Defendants, the Committee has relied on two decisions and two hearing transcripts to justify its narrow interpretation of what is in its possession, custody, or control. The Committee's case law is irrelevant, and its hearing transcripts, in

addition to being merely that, did not squarely decide any relevant issue and in any event are distinguishable. In re Circle K Corp., 199 B.R. 92, 100 (Bankr. S.D.N.Y. 1996), aff'd, 1997 WL 31197 (S.D.N.Y. Jan. 28, 1997), stands for the unremarkable proposition that committee counsel do not serve as lawyers for individual members of a creditors' committee, and has nothing to do with what information or documents are in a bankruptcy committee's possession, custody, or control.[14] In re Synder, 51 B.R. 432 (Bankr. D. Utah 1985), is even further afield. There, the Court held that, under professional responsibility rules, a debtor cannot communicate with members of a creditors' committee without the prior consent of the committee's attorney, the individual creditors' attorney, or through an order of the Court. Id. at 438-39. Neither Circle K nor Snyder decision "makes clear that the Committee does not have possession, custody, or control of the documents of individual claims," as the Committee has maintained. Oct. 23, 2024 Committee letter at 2 (**Exhibit G**).

30. The transcripts the Committee has cited from G-I Holdings and Garlock at least comment (without reaching any definitive conclusion) on what is fairly considered to be in a creditors' committee's possession, custody, or control. But the court's findings in those cases are distinguishable from the circumstances here. Unlike here, the discovery in G-I Holdings and Garlock did not seek documents directly relevant to factual contentions made by the Committee itself, and for which the Committee members or their counsel may have responsive information (and indeed may have been the source of factual contentions).

31. The Court should overrule the Committee's objection that information in the possession, custody, or control of its members or their tort counsel is not in the possession,

[14] The issue there was whether disclosure to one member of the creditors' committee (Krim) waived any privilege that might exist over attorney work product prepared by the committee's lawyers. Although Krim was not committee counsel's client, the court found that disclosure to him was not likely to lead to additional disclosure; thus, the court found no waiver. See 199 B.R. at 100.

custody, or control of the Committee and order the Committee to supplement its responses to Defendants' requests for production accordingly.

II. THE COMMITTEE SHOULD BE COMPELLED TO PROVIDE MEANINGFUL RESPONSES TO DISCOVERY REGARDING THE EXTENT OF DEBTORS' ASBESTOS LIABILITY.

32. Defendants have served various discovery requests seeking information on the Committee's position regarding the extent of the Debtors' aggregate asbestos liability. See Sub Con Interrogs./RFPs 5, 7 & 21; Sub Con RFAs 9-10; FT Interrogs. 1-4, 9; FT RFP 21.[15] The Committee objected to the requests on multiple grounds—including as "premature" and calling for "expert opinion"—and declined to provide substantive responses. See Committee Sub Con Reponses, at 49-51, 53-55, 133-35; Committee FT Responses, at 37, 41, 45, 48, 53-56. In subsequent correspondence, the Committee stated it "has not refused to respond" to these requests but, rather, indicated that "[a]n estimate of aggregate asbestos liability is set to occur in a related but separate proceeding" (i.e., the estimation proceeding). Oct. 23, 2024 Committee letter at 7 (**Exhibit G**). The Committee further stated that the Court has "set a specific schedule for that proceeding, including deadlines for expert discovery" and that the "Committee is following that schedule." Id.; see also Aug. 7, 2025 Committee letter at 3-4 ("The Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—is premature.") (**Exhibit H**). In sum, the Committee told Defendants it would provide the Committee's substantive responses to discovery requests directed to the Debtors' aggregate asbestos liability in connection with the estimation proceeding.

[15] For example, Sub Con Interrogatory 5 asks the Committee to state its estimate of the dollar value of Debtors' aggregate asbestos liability, as of the Corporate Restructuring, the Petition Date, and the date of its Interrogatory response. Sub Con Interrogatory 7 asks the Committee to state all facts and reasons why substantive consolidation is necessary to avoid some harm or realize some benefit and, moreover, to identify the amount of trust funding necessary to fairly compensate asbestos claimants. Sub Con RFAs 9 and 10 ask the Committee to admit that it has (RFA 9) or has not (RFP 10) developed an estimate of Debtors' aggregate asbestos liability.

33. On April 17, 2025, the Court entered the *Second Amended Case Management Order for Estimation of Asbestos Claims* which, among other things, required an exchange of Initial Expert Reports on September 15, 2025. The Committee served the Initial Expert Report of Andrew J. Sacket, J.D., Ph.D, titled "Initial Liability Estimate" (the "Sackett Report").

34. On November 5, 2025, Defendants again pressed the Committee to provide adequate responses to discovery requests relating to the Committee's position on Debtors' aggregate asbestos liability. Defendants stated: "If the Sackett Report reflects the Committee's information responsive to these discovery requests, please update your responses to the pertinent requests to reflect as much. If not, please provide the information that is responsive to these requests." Defendants Nov. 5, 2025 letter at 5 (**Exhibit F**).

35. The Committee responded on December 19, 2025, again refusing to provide substantive responses. Although the Committee had previously indicated that information responsive to these discovery requests would be provided through the estimation proceeding, the Committee now maintained the Sackett Report was provided "for reasons particular to the estimation proceeding in the main case, not in the Adversary Proceedings." Dec. 19, 2025 Committee letter at 5 (**Exhibit I**). The Committee then noted that the case management order for the Adversary Proceedings "only sets forth discovery deadlines, not expert discovery deadlines, which will follow." Id. at 6. The Committee stated that it "stands on its objections, and reserves the right to modify and/or supplement its responses to these Interrogatories, RFPs, and RFAs in the future." Id.

36. Most recently, on January 23, 2026, the Committee supplemented its responses to Sub Con RFAs 9 and 10, which request the Committee to admit they have (RFA 9) or have not (RFA 10) "developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related

Liabilities." The supplemental response to both RFAs noted "the Committee's estimation expert prepared a preliminary expert report regarding the Debtors' or the Debtors' predecessors' potential tort-system liability," but stated that "the Committee continues to develop and refine an estimate of the aggregate value of the Debtors' Asbestos-Related Liabilities." See Committee Supplemental Sub Con Responses, at 14-17 (**Exhibit J**). The Committee further stated that it "disputes the relevance of the estimation of tort-system liability to this Proceeding" Id.

37. As it stands, the Committee has spent millions of dollars of estate resources investigating and prosecuting these Adversary Proceedings without so much as making any *prima facie* showing in these proceedings that the Debtors do not already have financial resources sufficient to pay all of their asbestos liability. The Committee has had years to come up with an initial estimation of the Debtors' asbestos liability sufficient for answering Defendants' discovery requests. It has spent considerable estate resources doing so. Similar to a party's initial disclosure of damages, the possibility that a party's estimate might be refined by later expert analysis provides no basis for the party's refusal to respond to discovery requests.[16]

38. For the foregoing reasons, the Court should compel the Committee to provide meaningful, substantive responses to Sub Con Interrogatories 5 and 7 and FT Interrogatories 1-4 and 9; search for and produce documents responsive to Sub Con RFPs 5, 7, and 21 and FT RFPs 1-4, 9, and 21; and squarely admit or deny Sub Con RFAs 9 and 10.

[16] See, e.g., In re Oakwood Homes Corp., 340 B.R. 510, 541 (Bankr. D. Del. 2006) ("If estimates are made which might be subject to revision with expert opinion, that it is entirely permissible, but the requirements of Fed. R. Civ. P. 26(a)(1)(C) cannot be avoided if the opposing party insists on compliance.") (quoting Dixon v. Bankhead, 2000 WL 33175440, *1 (N.D. Fla. Dec. 20, 2000)); Olaya v. Wal-Mart Stores, Inc., 2012 WL 3262875, *2 (D. Nev. Aug. 7, 2012) ("[F]uture expert analysis does not relieve the Plaintiffs of the obligation to provide [damages] information reasonably available.").

III. THE COMMITTEE CANNOT REFUSE TO ANSWER INTERROGATORY 4 SIMPLY BECAUSE AN ANSWER COULD UNDERMINE ITS ALLEGATIONS IN THE ADVERSARY PROCEEDINGS.

39. Defendants' Interrogatory 4 in the Sub Con Proceeding asked the Committee to "[s]tate all facts and reasons you contend support the assertion that '[t]he Debtors are not in financial distress: they can fully pay all their creditors in the ordinary course of business, and their economic viability is not threatened by their liabilities,'" as the Committee had alleged in its motion to dismiss this case (and continues to make in this bankruptcy), and to "[i]dentify any Persons whom you contend have knowledge of any of those facts." After lodging various objections, the Committee responded with a narrative response on why, allegedly, the "Debtors ***are*** in financial distress." Committee Sub Con Responses, at 46-48 (emphasis added).

40. The Committee does not contest it has alleged in these bankruptcy proceedings that the Debtors are ***not*** in financial distress, or that Interrogatory 4 in any way takes those allegations out of context. Rather, the Committee argues, first, that it is permitted to take "alternative positions" regarding the Debtors' financial position. See id. at 48 ("The Court has recognized that, given the myriad unknowns regarding the Funding Agreements, alternative positions regarding the Debtors' financial position are permissible."); Oct. 23, 2024 Committee letter at 6 ("The Committee has the right to plead and pursue alternative claims ….") (**Exhibit G**); Dec. 19, 2025 Committee letter at 4 (**Exhibit I**).[17] The Committee then attempts to justify its refusal to answer by arguing the Debtors' solvency is somehow "irrelevant" to the Sub Con proceeding. Oct. 23, 2024 Committee letter at 6 (**Exhibit G**); Dec. 19, 2025 Committee letter at 4 (**Exhibit I**).

[17] As explained in Stay Motion, the Committee's alternative positions on the Debtors' solvency demonstrate that its contentions in these Adversary Proceedings are unripe because they depend on future contingencies, including the extent of the Debtors' asbestos liability and the Committee's unsupported speculation that the NDAs will not honor their obligations under the Funding Agreements. See Dkt. 2822 at 5-6, 31-34.

41. The Committee's objections to Interrogatory 4 are meritless. The Committee's pursuit of "alternative" theories on the Debtors' financial position, even if permitted, does not excuse answering an interrogatory that seeks to understand the basis and parameters of the Committee's alternative positions. Defendants are not limited to seeking discovery that supports whatever position the Committee wants to take in these Adversary Proceedings. Indeed, the basis for the Committee's alternative theory that the Debtors are ***not*** in financial distress (its position in these bankruptcy cases outside the instant Adversary Proceedings) undoubtedly would bear on the Committee's position in the Adversary Proceedings that the Debtors ***are*** in financial distress. Defendants are entitled to probe the inconsistencies and parameters of the Committee's alternative positions. The fact that the Committee made its assertion that the Debtors are not in financial distress "outside the SubCon Proceeding," Dec. 19, 2025 Committee letter (**Exhibit I**), does not render the basis for that assertion undiscoverable here.

42. Nor is there any basis for the Committee's suggestion that the Debtors' financial condition is "irrelevant" to the Sub Con Proceedings. The Committee has itself acknowledged the relevancy of the Debtors' financial position in the Sub Con Proceedings when it contended, in response to Debtors' motion to dismiss, that the Debtors are "undercapitalized," insolvent, and "cash-starved." *Plaintiff's Opposition to Debtors' Motion to Dismiss*, Adv. Pro. No. 21-03029 (JCW), [Dkt. 30] at ¶¶ 21, 37-38. The Debtors' solvency is also, of course, relevant to whether substantive consolidation is necessary to "avoid some harm or to realize some benefit." Id. at 13 (quoting In re Auto-Train Corp., 810 F.2d 270, 276 (D.C. Cir. 1987)). See also *Reply in Support of Debtors' Motion to Dismiss Adversary Complaint*, Adv. Pro. No. 21-03029 (JCW), [Dkt. 35] at 4 n.3 (explaining why substantive consolidation is inappropriate and unnecessary when debtors have funds sufficient to pay creditors in full).

43. In sum, the Committee has provided no legitimate basis for its wholesale refusal to answer Interrogatory 4. It should be compelled to do so.

CONCLUSION

44. For all of the foregoing reasons, the Court should grant the Motion to Compel Adequate Responses to Discovery.

Dated: February 5, 2026
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.

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ATTORNEYS FOR DEBTORS AND DEBTORS IN POSSESSION

EXHIBIT A

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

REBECCA LOVE, D.D.S., *et al.*, individually and on behalf of a proposed class, Plaintiffs, v. RED RIVER TALC, LLC f/k/a LLT MANAGEMENT LLC f/k/a LTL MANAGEMENT, LLC, *et al.*, Defendants.	Civil Action No. 24-6320 (MAS) (RLS) **MEMORANDUM OPINION**

SHIPP, District Judge

This matter comes before the Court upon Defendants Red River Talc, LLC ("Red River"), Johnson & Johnson ("J&J"), Johnson & Johnson Holdco (NA), LLC, Janssen Pharmaceuticals, Inc. ("Janssen"), and Kenvue Inc.'s (collectively, "Defendants") Motion to Dismiss (the "Motion") (ECF No. 88) Plaintiffs Rebecca Love, D.D.S. ("Love"), Sharon Murphy, William A. Henry, Alishia Gayle Davis, and Brandi Carl's (collectively, "Plaintiffs") Amended Complaint (ECF No. 65). Plaintiffs opposed (ECF No. 90), and Defendants replied (ECF No. 91). After careful consideration of the parties' submissions, the Court decides Defendants' Motion to Dismiss without oral argument pursuant to Local Civil Rule 78.1(b). For the reasons outlined below, Defendants' Motion to Dismiss is granted.

I. BACKGROUND[1]

This action arises out of the long-running multidistrict litigation captioned *In re Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation* (the "Talc Litigation"). (MDL No. 16-2738.) Because the parties are familiar with the underlying MDL, the Court recounts only those facts necessary to resolve the instant motion.

In October 2021, while the Talc Litigation was pending, J&J executed a divisional merger under Texas law (the "Divisive Merger"), pursuant to which its subsidiary, Johnson & Johnson Consumer, Inc. ("Old JJCI"), was split into two new entities: LTL Management, LLC ("LTL") and New JJCI. (Am. Compl. ¶¶ 59-61, ECF No. 65.) In practical effect, the Divisive Merger allowed J&J to assign its liabilities connected to the Talc Litigation to LTL, while all other liabilities and assets were assigned to New JJCI. (*Id.* ¶ 62.) Shortly after the Divisive Merger, LTL filed for Chapter 11 bankruptcy (the "First Bankruptcy Action"),[2] triggering an automatic stay of the Talc Litigation. (*Id.* ¶ 67.)

The Official Committee of Talc Claimants and various other parties (collectively, "Movants") moved to dismiss the First Bankruptcy Action, arguing that it had been filed in bad faith. *See In re LTL Mgmt., LLC*, 64 F.4th 84, 93 (3d Cir. 2023). The Bankruptcy Court for the District Court of New Jersey denied the motion and extended the automatic stay, which Movants appealed. *Id.* While Movants' appeal was pending, J&J transferred its consumer health business

[1] For the purpose of considering the instant motion, the Court accepts all factual allegations in the Amended Complaint as true. *See Phillips v. County of Allegheny*, 515 F.3d 224, 228 (3d Cir. 2008).

[2] The First Bankruptcy Action was filed in the Bankruptcy Court for the Western District of North Carolina, and later transferred to the Bankruptcy Court for the District of New Jersey. *See In re LTL Mgmt., LLC*, 64 F.4th 84, 93 (3d Cir. 2023).

out of New JJCI and into Janssen, a J&J subsidiary that served as New JJCI's corporate parent (the "Janssen Transfer"). (Am Compl. ¶¶ 73-74.)

The Third Circuit ultimately reversed the Bankruptcy Court for the District of New Jersey, holding that the First Bankruptcy Action was not filed in good faith because LTL was not in financial distress. *In re LTL Mgmt.*, 64 F.4th at 110-11. Following that ruling, LTL expressed concerns regarding the viability of a funding agreement it had with J&J (the "2021 Funding Agreement"), and abandoned the agreement, releasing J&J and First HoldCo (a successor to New JJCI) from their guarantees and obligations to satisfy claims against LTL. (Am. Compl. ¶¶ 84-88.) This release allegedly put LTL in financial distress and caused it to refile for bankruptcy (the "Second Bankruptcy Action") less than three hours after the dismissal of the First Bankruptcy Action. (*Id.* ¶¶ 91-92.) LTL subsequently entered a new funding agreement (the "2023 Funding Agreement"), pursuant to which First HoldCo was to cover LTL's liabilities. (*Id.* ¶ 90.) The Second Bankruptcy Action, however, was similarly dismissed "due to LTL's lack of imminent and immediate financial distress." *In re LTL Mgmt. LLC*, 652 B.R. 433, 456 (Bankr. D.N.J. July 28, 2023), *aff'd*, Nos. 23-2971 & 23-2972, 2024 WL 3540467 (3d Cir. July 25, 2024).[3]

In May 2024, J&J announced plans for a third bankruptcy, this time as a prepackaged bankruptcy plan to be filed by a new corporate entity, Red River. (Am. Compl. ¶ 96.) The prepackaged Chapter 11 plan, as amended, proposed to pay approximately $9 billion to resolve all current and future ovarian and other gynecological-cancer claims. *In re Red River Talc LLC*, No. 24-90505, 670 B.R. 251, 257 (Bankr. S.D. Tex. Mar. 31, 2025). Moreover, Defendants stated they would not proceed with the proposed bankruptcy filing unless 75% of claimants voted in favor of the plan. (*See* Am. Compl. ¶ 179.)

[3] In December 2023, LTL was renamed to LLT Management, LLC ("LLT"). (Am. Compl. ¶ 95.)

On May 22, 2024, Plaintiffs filed the instant action and moved for a temporary restraining order and preliminary injunction to prevent Defendants from pursuing a new bankruptcy filing. (*See generally* Compl., ECF No. 1; ECF No. 6.) The Court denied Plaintiffs' motion for lack of standing and found that the claims were not ripe for adjudication. (Order, ECF No. 31.)[4]

In August 2024, J&J executed a series of corporate restructurings (the "2024 Texas Two-Step") to create three new entities: Red River, Pecos River Talc, LLC, and Johnson & Johnson Holdco (NA) LLC.[5] (Am. Compl. ¶ 106.) Red River thereafter filed for bankruptcy (the "Third Bankruptcy Action") in the Bankruptcy Court for the Southern District of Texas, contending that 83% of claimants in the Talc Litigation had voted in favor of the prepackaged plan. *In re Red River Talc LLC*, 670 B.R. at 258. In light of the Third Bankruptcy Action, and pursuant to an order from the Bankruptcy Court for the Southern District of Texas, this action was stayed. (ECF No. 53.)

On March 31, 2025, the Bankruptcy Court for the Southern District of Texas denied the Third Bankruptcy Action, citing "voting and solicitation irregularities," and finding it was in the "best interest" of Red River, its estate, J&J, and creditors to dismiss the case for cause. *In re Red River Talc LLC*, 670 B.R. at 307.

The Court thereafter lifted its stay in this action (ECF No. 54), and Plaintiffs filed an Amended Complaint (ECF No. 65). The Amended Complaint alleges that Defendants' various

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[4] Plaintiffs appealed and sought an emergency injunction pending appeal. (ECF No. 37); *Love v. LLT Mgmt. LLC*, No. 24-2214 (3d Cir. July 5, 2024), Dkt. 5 (Ex. G). The Third Circuit summarily denied the motion for an emergency injunction, and Plaintiffs voluntarily dismissed their appeal. (Order Den. Mot. for Inj., 3d Cir. App., Dkt. 26 (Ex. H); Stip. of Dismissal, 3d Cir. App., Dkt. 36 (Ex. I).)

[5] As part of this restructuring, LLT allocated its ovarian and gynecological cancer liabilities to Red River, and its mesothelioma, governmental, and Canadian claims to Pecos River Talc, LLC. (Am. Compl. ¶¶ 94, 98 n.7.)

corporate restructurings constitute fraudulent transfers, as they were undertaken to "hinder[], delay[], and/or defraud[] tort victims by precluding recovery against J&J and its operating subsidiaries." (Am. Compl. ¶ 21.) Specifically, Plaintiffs allege that Defendants': (1) Divisive Merger; (2) Janssen Transfer; (3) termination of the 2021 Funding Agreement; and (4) 2024 Texas Two-Step, individually and collectively constitute fraudulent transfers, and that Defendants' pursuit of the Third Bankruptcy Action without receiving "the requisite 75% vote in favor" constitutes malicious abuse of process. (*Id.*) Defendants moved to dismiss the Amended Complaint (ECF No. 88). The Motion is now ripe for disposition.

II. LEGAL STANDARD

A. Motion to Dismiss

Federal Rule of Civil Procedure[6] 8(a)(2) "requires only a 'short and plain statement of the claim showing that the pleader is entitled to relief,' in order to 'give the defendant fair notice of what the . . . claim is and the grounds upon which it rests.'" *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).

A district court conducts a three-part analysis when considering a motion to dismiss under Rule 12(b)(6). *See Malleus v. George*, 641 F.3d 560, 563 (3d Cir. 2011). First, the court must identify "the elements a plaintiff must plead to state a claim." *Ashcroft v. Iqbal*, 556 U.S. 662, 675 (2009). Second, the court must identify all of the plaintiff's well-pleaded factual allegations, accept them as true, and "construe the complaint in the light most favorable to the plaintiff." *Fowler v. UPMC Shadyside*, 578 F.3d 203, 210 (3d Cir. 2009) (citation omitted). The court can discard bare legal conclusions or factually unsupported accusations that merely state the defendant unlawfully harmed the plaintiff. *See Iqbal*, 556 U.S. at 678 (citing *Twombly*, 550 U.S. at 555). Third, the court

[6] All references to "Rule" or "Rules" hereafter refer to the Federal Rules of Civil Procedure.

must determine whether "the [well-pleaded] facts alleged in the complaint are sufficient to show that the plaintiff has a 'plausible claim for relief.'" *Fowler*, 578 F.3d at 211 (quoting *Iqbal*, 556 U.S. at 679). A facially plausible claim "allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.* at 210 (quoting *Iqbal*, 556 U.S. at 678). On a Rule 12(b)(6) motion, the "defendant bears the burden of showing that no claim has been presented." *Hedges v. United States*, 404 F.3d 744, 750 (3d Cir. 2005) (citing *Kehr Packages, Inc. v. Fidelcor, Inc.*, 926 F.2d 1406, 1409 (3d Cir. 1991)).

B. Justiciability

Article III of the Constitution limits the federal judiciary's authority to exercise its "judicial Power" to "Cases" and "Controversies" over which the federal judiciary is empowered to decide. *Plains All Am. Pipeline L.P. v. Cook*, 866 F.3d 534, 538 (3d Cir. 2017) (quoting U.S. Const. art. III, § 2). "This case-or-controversy limitation, in turn, is crucial in 'ensuring that the Federal Judiciary respects the proper—and properly limited—role of the courts in a democratic society.'" *Id.* at 539 (quoting *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 341 (2006)). The existence of a case or controversy, therefore, is a necessary "prerequisite to all federal actions." *Phila. Fed'n of Teachers. v. Ridge*, 150 F.3d 319, 322 (3d Cir. 1998) (quoting *Presbytery of N.J. of Orthodox Presbyterian Church v. Florio*, 40 F.3d 1454, 1462 (3d Cir. 1994)).

Federal courts ensure that they are properly enforcing the case-or-controversy limitation through "'several justiciability doctrines that cluster about Article III,' including 'standing, ripeness, mootness, the political-question doctrine, and the prohibition on advisory opinions.'" *Plains*, 866 F.3d at 539 (quoting *Toll Bros., Inc. v. Township of Readington*, 555 F.3d 131, 137 (3d Cir. 2009)). Where a justiciability doctrine, like ripeness or standing, is implicated, "[f]ederal courts lack [subject-matter] jurisdiction to hear" parties' claims, and the claims must be dismissed.

See Battou v. Sec'y U.S. Dep't of State, 811 F. App'x 729, 732 (3d Cir. 2020) (citing *Armstrong World Indus., Inc. ex rel Wolfson v. Adams*, 961 F.2d 405, 410-11 (3d Cir. 1992)).[7]

III. DISCUSSION

Defendants move to dismiss the Amended Complaint under Rule 12(b)(6) for lack of standing and for failure to state a claim. (ECF No. 88) Because standing implicates the Court's subject matter jurisdiction, the Court addresses Article III standing as a threshold issue. *See Blunt v. Lower Merion Sch. Dist.*, 767 F.3d 247, 278 (3d Cir. 2014).

"To establish Article III standing, a plaintiff must show[:] (1) an 'injury in fact[;]' (2) a sufficient 'causal connection between the injury and the conduct complained of[;]' and (3) a 'likel[ihood]' that the injury 'will be redressed by a favorable decision.'" *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 157-58 (2014) (alteration in original) (quoting *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560-61 (1992)). This injury must be an "invasion of a legally protected interest which is[:] (a) concrete and particularized; and (b) actual or imminent, not conjectural or hypothetical." *West v. Health Net of the Ne.*, 217 F.R.D. 163, 173 (D.N.J. 2003) (quoting *Lujan*, 504 U.S. at 560). For an injury to be imminent, as opposed to actual, it must be "certainly impending to constitute [an] injury in fact." *Clapper v. Amnesty Int'l USA*, 568 U.S. 398, 409 (2013) (quoting *Whitmore v. Arkansas*, 495 U.S. 149, 158 (1990)). "[A]llegations of possible future injury" are not "certainly impending," and therefore, are not imminent. *See Clapper*, 568 U.S. at 400 (emphasis omitted) (quoting *Whitmore*, 495 U.S. at 158). As the party invoking federal jurisdiction, the plaintiff bears the burden of establishing these elements. *Lujan*, 504 U.S. at 560.

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[7] "Federal courts are courts of limited jurisdiction and have an obligation to establish subject matter jurisdiction, even if they must decide the issue sua sponte." *Cepulevicius v. Arbella Mut. Ins.*, No. 21-20332, 2022 WL 17131579, at *1 (D.N.J. Nov. 22, 2022) (emphasis omitted) (citing *Liberty Mut. Ins. Co. v. Ward Trucking Co.*, 48 F.3d 742, 750 (3d Cir. 1995)); *see also Council Tree Commc'ns, Inc. v. FCC*, 503 F.3d 284, 292 (3d Cir. 2007).

Plaintiffs contend that they were harmed by Defendants' fraudulent transfers because Defendants' "bad-faith Chapter 11 bankruptcy filings" triggered repeated stays in the Talc Litigation, which resulted in Plaintiffs "los[ing] the time value of any money that could have been paid as a judgment." (Pls.' Opp'n Br. 13, 20-21, ECF No. 90; *see also id.* 20-21 (arguing Plaintiffs have "endured waits [of] up to four years" as a result of Defendants' conduct).) Plaintiffs' asserted injury, however, is insufficient to confer Article III standing.

As an initial matter, Plaintiffs fail to cite any authority holding that a delay in litigation—whether caused by a bankruptcy stay or otherwise—constitutes a cognizable injury for the purposes of Article III standing. (*See* Pls.' Opp'n Br. 11-30.) While Plaintiffs expend much ink citing to treatises and historical records from "the law of the 13th year of the reign of Queen Elizabeth" to the modern era, none of these authorities support the proposition that a litigation delay alone constitutes an injury in fact. (*See id.*) At most, these authorities stand for the unremarkable proposition that a transfer intended to hinder or delay a creditor's collection of an existing debt may constitute a fraudulent transfer. *See Firmani v. Firmani*, 752 A.2d 854, 858 (N.J. Super. Ct. App. Div. 2000) (finding there was a fraudulent conveyance where the defendant transferred an asset to greatly hinder and delay plaintiff's ability to "collect the debt [defendant] owe[d] [plaintiff]"). Here, however, Plaintiffs do not allege that the alleged *transfers* delayed their collection of an existing debt—rather, they allege that the *litigation stays* that were mandated due to Defendants' bankruptcy filings delayed their collection of a potential judgment in the Talc Litigation. (*See* Am. Compl. ¶¶ 115-119 (arguing Plaintiffs were harmed because their cases "were subject to stays imposed as a result of Defendants' . . . wrongful conduct").)

Even assuming protracted litigation due to a bankruptcy stay could constitute a cognizable injury, Plaintiffs' alleged harm is too speculative to confer standing. *Lujan*, 504 US. at 560-61.

Plaintiffs generally allege that "Defendants have shorted Plaintiffs of their ultimate recoveries in order to hoard Defendants' corporate free cash flow" by the time value of money. (Pls.' Opp'n Br. 2, 20-21.) Plaintiffs, however, do not quantify such harm, nor can the Court plausibly infer any actual harm as a result of Defendants' conduct. *Finkelman v. Nat'l Football League*, 810 F.3d 187 (3d Cir. 2016) (holding that a plaintiff must do more than offer conclusory assertions of economic injury in order to establish standing).

Rather, Plaintiffs' allegations make clear that their claimed injury is entirely hypothetical, as it is contingent on Plaintiffs first prevailing in the Talc Litigation. If, for example, Defendants prevail on the cases in the Talc Litigation, Plaintiffs will not be entitled to any recovery and therefore will not suffer any injury from the allegedly fraudulent transfers or by the "time-value of money."[8] (Am. Compl. ¶ 3.) This sort of "tenuous chain of uncertain events" does not suffice to establish the requisite injury. *See Firearms Pol'y Coal., Inc. v. Barr*, 419 F. Supp. 3d 118, 124 (D.D.C. 2019), *aff'd sub nom.*, *Guedes v. Bureau of Alcohol, Tobacco, Firearms & Explosives*, No. 19-5304, 2020 WL 6580046 (D.C. Cir. Oct. 30, 2020); *see also Giordano v. Wachovia Secs., LLC*, No. 06-476, 2006 WL 2177036, at *4 (D.N.J. July 31, 2006) ("The mere possibility of future harm fails to satisfy the standing requirements of the Supreme Court and Third Circuit Court of Appeals."); *Patrick v. Bureau of Alcohol, Tobacco, Firearms & Explosives*, 860 F. App'x 828,

[8] While Plaintiffs repeatedly suggest Defendants presently owe them a debt that they are entitled to collect on, (*see* Am. Compl. ¶ 22 (alleging Defendants engaged in the transfers to reduce the amount Defendants "ultimately *will pay* all present and future talc claimants" (emphasis added)); *id.* ¶ 3 (alleging that Defendants sought to "reduce and limit what Defendants *had* to pay Plaintiffs and other talc victims" (emphasis added))), the Court reminds Plaintiffs that the Talc Litigation remains ongoing, and Defendants do not possess any adjudicated liability on Plaintiffs' claims. While Defendants have attempted to resolve these claims through prior bankruptcy proceedings, those undertakings have no bearing on Defendants' ultimate liability in the Talc Litigation and do not establish that Plaintiffs are presently entitled to judgment or recovery.

834 (4th Cir. 2021) (describing the plaintiff's theory as a "string of hypothetical contingencies" insufficient to establish a real and particularized injury for the purposes of standing).

Finally, the Court notes that Plaintiffs' theory of injury is fundamentally incompatible with the structure and purposes of the Bankruptcy Code. The Bankruptcy Code authorizes bankruptcy courts to grant relief from automatic stays "for cause," and the decision to lift or continue an automatic stay "is committed to the sound discretion of the bankruptcy court." *In re Pacor, Inc.*, 74 B.R. 20, 22 (E.D. Pa. 1987); 11 U.S.C. § 362(d). Accepting Plaintiffs' theory that delays attributable to routine bankruptcy stays constitute an Article III injury would improperly circumvent that framework and undermine the comprehensive and carefully calibrated regulatory scheme governing bankruptcy proceedings. No court has endorsed such a theory, and the Court declines to do so here. *See, e.g.*, *Bednar v. Pierce & Assocs., P.C.*, 220 F. Supp. 3d 860, 863-64 (N.D. Ill. 2016) (holding that state law claims were preempted by the Bankruptcy Code because permitting such claims "would pile on additional state-law deterrent[s] that [are] improper given the comprehensive regulations provided by the bankruptcy system").

Because Plaintiffs fail to plausibly allege even a "trifle of injury" stemming from Defendants' alleged conduct, this Court lacks jurisdiction to reach the merits of Plaintiffs' claims. *See Blunt v. Lower Merion Sch. Dist.*, 767 F.3d 247, 278 (3d Cir. 2014); *Lewis v. Casey*, 518 U.S. 343, 349 (1996) (cautioning that the role of courts is to provide relief to claimants "who have suffered, or will imminently suffer, actual harm").[9]

[9] Because the Court dismisses Plaintiffs' claims for lack of standing, the Court does not reach Defendants' alternative arguments for dismissal. *See Commc'ns Workers of Am. v. Alcatel-Lucent USA Inc.*, No. 15-8143, 2016 WL 7013463, at *9 (D.N.J. Nov. 30, 2016).

IV. CONCLUSION

For the reasons set forth above, Defendants' Motion is granted, and Plaintiffs' claims are dismissed without prejudice.[10] The Court will issue an Order consistent with this Memorandum Opinion.

MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

DATED: January 29, 2026

[10] Ordinarily, dismissals for lack of standing are without prejudice to a plaintiff's right to file an amended complaint. *Goode v. City of Phila.*, 539 F.3d 311, 327 (3d Cir. 2008).

EXHIBIT B

CONFIDENTIAL—SUBJECT TO AGREED PROTECTIVE ORDER GOVERNING CONFIDENTIAL INFORMATION

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	:	Chapter 11
ALDRICH PUMP LLC, *et al.*,[1]	:	No. 20-30608 (JCW)
Debtors.	:	(Jointly Administered)
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS,	:	
Plaintiff,	:	Adv. Pro. No. 21-03029 (JCW)
v.	:	
ALDRICH PUMP LLC, MURRAY BOILER LLC, TRANE TECHNOLOGIES COMPANY LLC, and TRANE U.S. INC.,	:	
Defendants.	:	

PLAINTIFF'S OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION, AND REQUESTS FOR ADMISSION

Pursuant to Rules 7026, 7033, 7034, and 7036 of the Federal Rules of Bankruptcy Procedure ("**Bankruptcy Rules**"), Rules 26, 33, 34, and 36 of the Federal Rules of Civil Procedure ("**Civil Rules**") incorporated therein, and the Local Rules of the United States Bankruptcy Court for the Western District of North Carolina ("**Local Rules**"), Plaintiff, the Official Committee of Asbestos Personal Injury Claimants ("**Committee**"), hereby objects and responds ("**Objections and Responses**") to the *Defendants' First Set of Interrogatories, Requests for Production, and*

[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.

Requests for Admission Directed to the Official Committee of Asbestos Personal Injury Claimants, ("**Interrogatories**," "**Requests for Production**," and "**Requests for Admission**" respectively, and collectively, "**Discovery Requests**"), as propounded by Aldrich Pump LLC ("**Aldrich**") and Murray Boiler LLC ("**Murray**," and together with Aldrich, "**Debtors**"), Trane Technologies LLC ("**TTC**") and Trane U.S. Inc. ("**Trane**," and together with TTC, "**Affiliates**," and together with the Debtors, "**Defendants**"), dated March 12, 2024, as follows:

GENERAL OBJECTIONS AND RESERVATIONS OF RIGHTS

The following General Objections are incorporated into each of the Committee's individual responses to the Discovery Requests as if fully set forth therein and are not necessarily repeated in response to each individual Discovery Request. The Committee intends each specific response to be subject to these General Objections regardless of whether these General Objections are repeated in response to each enumerated Discovery Request. The assertion of the same, similar, or additional Specific Objections in response to a Discovery Request does not waive any of Committee's General Objections to that Discovery Request or to any other Discovery Request.

1. The Committee objects to the Definitions and Instructions set forth in the Discovery Requests to the extent they purport to impose definitions or obligations exceeding those applicable under the Civil Rules, the Bankruptcy Rules, the Local Rules, the Agreed Protective Order Governing Confidential Information [No. 3:20-bk-30608, ECF No. 345] ("**Protective Order**"), the Order Establishing Joint Discovery Plan and Report (ESI Protocol) [ECF No. 142] ("**Discovery Plan**"), or any other case management or other applicable order entered by the Bankruptcy Court in the above-captioned chapter 11 cases, the above-captioned adversary proceeding ("**Proceeding**"), or any other proceedings.

2. The Committee objects to the Definitions and Instructions set forth in the Discovery Requests to the extent they purport to require the Committee to prepare, compile, organize, and/or

produce to the Defendants information and/or documents in any manner and/or format differing from that in which any such information and/or documents are maintained by the Committee in the ordinary and regular course of its business.

3. The Committee objects to the Discovery Requests on the basis that they are overbroad and unduly burdensome. The Committee objects to each Definition, Instruction, Interrogatory, and Request for Production to the extent it purports to require production of "all" documents when a subset of all documents would be sufficient to show the pertinent information, on the ground that such Requests for Production of "all" documents are overbroad and unduly burdensome. The Committee makes no representations as to whether the documents currently in its possession, custody, or control constitute "all" documents that exist, and the Committee does not purport to have knowledge of "all" documents that are the subject of each Interrogatory or Request for Production.

4. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they are vague, ambiguous, unintelligible, fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to the meaning and intent of the Discovery Requests.

5. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they are designed or intended to harass, annoy, oppress, cause unnecessary delay, needlessly increase the cost of litigation, or otherwise create an undue burden and/or expense upon the Committee, or to the extent they would have that effect.

6. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they may be construed to require the Committee to concede the relevance,

materiality, probative value, or admissibility of the facts or matters sought by such Discovery Requests.

7. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they seek information that is neither relevant to any party's claim or defense nor proportionate to the needs of this Proceeding. In all instances, the Committee has interpreted the Definitions, Instructions, and Discovery Requests as seeking only such documents or information that appear to reasonably relate to the claims or defenses asserted in this Proceeding and that may be discoverable consistent with the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan.

8. The Committee objects to the Definitions, Instructions, and Discovery Requests to the extent they purport to require the Committee to produce originals of each Document requested on the grounds that such a requirement is unduly burdensome and unreasonable.

9. The Committee does not waive, and instead expressly reserves, the right to object or oppose on any ground, whether or not asserted herein, any party's efforts to use the responses herein as evidence at any hearing or trial outside of this Proceeding, including, without limitation, the pending estimation proceeding. Specifically, the Committee reserves the right to challenge the relevance, materiality, and admissibility of and to object on any grounds to the use at any currently pending or subsequent proceeding in this or any other action of any information, statement, admission, document, or other materials produced in response to the Discovery Requests.

10. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they seek the production of all information, documents, or communications that exist relating to a given subject. Such a requirement is inconsistent with the

obligations of Civil Rules 33, 34, and 36, made applicable to this Proceeding pursuant to Bankruptcy Rules 7033, 7034, and 7036, and is unduly burdensome, overbroad and harassing.

11. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they call for information protected by any privilege or discovery immunity, including the attorney-client privilege, the work product doctrine, the joint defense doctrine, the common interest doctrine, the mediation privilege, the protections available to communications with experts, or any other applicable privilege, doctrine, immunity, rule, or order. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they seek information that is or may be protected from disclosure under any applicable Federal Rules of Evidence, Civil Rules, or by any Local Rules, including any Local Rule that prohibits divulging information disclosed in the course of mediation. The Committee objects to the extent any Discovery Request, Instruction, and Definition calls for mental impressions, conclusions, opinions, or legal theories of counsel or trial preparation materials. The Committee hereby asserts all applicable privileges, discovery protections, and immunities.

12. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they may seek documents or information, contrary to Civil Rule 26(b)(4), from any third-party consultant retained by the Committee to provide consulting services and advice to the Committee in connection with these chapter 11 cases. The inadvertent production of information or documents as to which a privilege could be asserted shall not constitute a waiver of any claim or privilege that the Committee may have as to any other information or documents, and the Committee reserves its right to recall any such privileged information or documents inadvertently produced in accordance with Section M of the Protective Order.

13. The Committee objects to each Definition, Instruction, Interrogatory, and Request for Production to the extent it calls for the Committee (i) to produce or create Documents that are not currently in the Committee's possession, custody, or control; (ii) to produce Documents on behalf of any person or entity other than the Committee; (iii) to produce Documents that no longer exist or that are not clearly identified; (iv) to re-produce Documents that have been previously produced or are in the process of being produced; and (v) to produce Documents that are subject to non-disclosure agreements, confidentiality agreements, court protective orders, or other confidentiality obligations.

14. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they purport to seek information and/or documents that are, or are contained in, a public record, and/or are in the possession of, and/or that already have been or should be sought or obtained from, any of the Defendants in this Proceeding, or any other persons or entities, on the basis that such information and/or documents are as easily and readily available to and obtainable by the Debtors from the public repository, party, person, or entity in possession of that information and/or documents as from the Committee.

15. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they are unlimited in time, or otherwise are not limited to a time frame relevant to this litigation, and on the grounds that such Discovery Requests seek information and/or documents that are either irrelevant to any party's claim or defense in this litigation, and/or disproportionate to the needs of this Proceeding.

16. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they call for the disclosure of information or identifying of documents that would violate any law, rule, or regulation.

17. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they state assumptions or contentions of law or fact, which the Committee neither admits nor denies. The Committee also objects to each Definition, Instruction, Interrogatory, Request for Production, and Request for Admission to the extent that it contains factual or argumentative allegations or assertions, defines terms, characterizes evidence in this litigation, and/or calls for responses as to legal interpretation and/or legal conclusions. Unless otherwise expressly stated therein, no response to any Discovery Request shall be construed as, or to constitute, admissions to any of the factual or legal assumptions, contentions, allegations, or assertions stated or implied in any of the Discovery Requests.

18. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they call for responses as to legal interpretation and/or legal conclusions. The Committee further objects to the Discovery Requests and their Instructions and Definitions to the extent that they call for legal interpretations or pure legal conclusions.

19. The Committee objects to each Definition, Instruction, and Discovery Request to the extent it seeks documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel. The Committee does not represent individual claimants and does not have possession, custody, or control over documents or information belonging to individual claimants or their respective counsel. *See In re Circle K Corp.*, 199 B.R. 92, 100 (Bankr. S.D.N.Y. 1996) (holding that for purposes of bankruptcy proceedings, creditors' committee constituents are not clients of the committee's attorneys), *aff'd*, No. 96 CIV. 5801 (JFK), 1997 WL 31197 (S.D.N.Y. Jan. 28, 1997). By the same token, the files of individual claimants' lawyers are outside the Committee's possession, custody, and control. *See In re Snyder*, 51 B.R. 432, 438-39 (Bankr. D. Utah 1985) (acknowledging that a committee's attorneys represent

only the committee, and that individual creditors are represented by their respective attorneys); Transcript of Hearing at 15, *In re G-I Holdings, Inc.*, No. 01-30135 (Bankr. D.N.J. Sept. 10, 2003) (stating that the court was unconvinced that the files of individual claimants' lawyers are within the purview of the committee's possession, custody, and control).

20. The Committee reserves the right to review the documents to be produced and to designate any such documents as "confidential" under the Protective Order.

21. The Committee also objects that the Interrogatories are premature because they are contention interrogatories being propounded before substantial discovery has taken place in this Proceeding and because they may call for expert opinion.

22. The Committee's Objections and Responses are based upon the Committee's knowledge, information, and belief since its inception under the Order Appointing the Official Committee of Asbestos Claimants [No. 3:20-bk-30608, ECF No. 147] and are set forth herein without prejudice to the Committee's right to assert additional objections or to amend or supplement these Objections and Responses. The Committee reserves its right to amend or supplement each response set forth below.

23. The Committee also objects to the Interrogatories exceeding the 45-interrogatory limit, including subparts, that the Discovery Plan imposed.

24. The Committee objects to the Requests for Admission to the extent the Defendants attempt to use them to establish disputed facts. Likewise, the Committee objects that the Requests for Admission are not a device to have the Committee ratify what are, in essence, the legal conclusions that Defendants have attached to the operative facts of the case.

25. The Committee has made a reasonable and good faith effort to respond to the Discovery Requests and will conduct a reasonable, good-faith search for information and

documents in its possession, custody, or control that are responsive to the Discovery Requests. However, the Committee has not fully completed its investigation relating to the facts in this Proceeding, has not completed discovery in this Proceeding, and has not completed preparation for trial.

26. The Committee objects to the extent that Defendants are attempting to use these Discovery Requests to invoke an estoppel or waiver. The Court has recognized that, given the myriad unknowns regarding the Funding Agreements,[2] alternative positions regarding the Debtors' financial position are permissible. The Court has held that, because the Committee did not prevail in the contested matter in which it took a position regarding the Debtors' financial distress, judicial estoppel cannot be invoked against the Committee. *See* Order Denying Debtor's Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants at 2-3, No. 3:20-bk-30608, ECF No. 2046 ("**Order Denying Withdrawal**"). The Court also explained: "Regardless of the language in the Committee's Motion to Dismiss, the Debtor [*sic*] is not currently solvent and does not have the wherewithal to pay all claims as against the Estate. Although the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown. Neither scenario is guaranteed at this stage, as the risk remains that creditors' claims will exceed the amount guaranteed within the funding agreement. Consequently, even if the Committee's motion qualifies as a party admission, the Debtor [*sic*] currently remains insolvent." *Id.* at 3; *see also* Fed. R. Civ. P. 8(d).

[2] The "**Funding Agreements**" collectively refer to DEBTORS_00003817 ("**Aldrich Funding Agreement**") and DEBTORS_00004097 ("**Murray Funding Agreement**").

27. The Committee objects to Instruction No. 2 to the extent it seeks documents in the possession, custody or control of individual members of the Committee or any of their respective tort counsel. *See* General Objection No. 19.

28. The Committee objects to Instruction No. 10 to the extent it purports to require the Committee to log all its postpetition privileged or protected communications without meeting and conferring, as required by Paragraph 13(e) of the Discovery Plan.

29. The Committee objects to Instruction No. 15 as overbroad and unduly burdensome to the extent it requires the Committee to produce documents that are already in the Defendants' possession, including documents previously produced by the Defendants or documents publicly filed in the chapter 11 cases and/or in the related adversary proceedings, including this Proceeding. The Committee objects to the Discovery Requests to the extent they seek information about Project Omega or the Corporate Restructuring, about which the Committee possesses virtually no first-hand, direct, personal, or unique knowledge other than information obtained from discovery in the Debtors' chapter 11 cases (including, without limitation, from documents produced by Defendants or other parties to the Committee in discovery), documents that are, or are contained in, public records, and/or documents that are in the possession of, and/or that already have been or should be sought or obtained from, any of the other parties to this Proceeding or relevant third parties. The Committee did not exist at the time of Project Omega or the Corporate Restructuring and was created as a result of the Debtors' chapter 11 cases. Therefore, Defendants' inquiries about Project Omega and the Corporate Restructuring relate to events that preceded the Committee's formation.

30. The Committee objects to Instruction No. 16 regarding "destroyed," "lost," "mislaid," or "otherwise missing" documents as overbroad and unduly burdensome.

Notwithstanding the foregoing objection, the Committee will comply with the Civil Rules and Local Rules to the extent they pertain to such documents.

Reserving the foregoing objections as to all Discovery Requests and their Instructions and Definitions and without waiving, but on the contrary expressly reserving, any questions or objections as to the relevance, competence, materiality, genuineness, admissibility and authenticity of any documents and evidence for any purpose in this Proceeding or in any subsequent proceedings, the Committee specifically responds and objects to the individual Discovery Requests as set forth below.

OBJECTIONS AND RESPONSES

INTERROGATORY NO. 1: *State all facts and reasons you contend support any assertion in paragraphs 46 and 47 of the Motion that, subsequent to the Corporate Restructuring, creditors and/or asbestos claimants "dealt with" TTC and Aldrich Pump as "one legal entity" and Trane and Murray Boiler as "one legal entity." Identify each creditor and/or asbestos claimant who so "dealt with" TTC and Aldrich Pump and TUI and Murray, respectively, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and reasons you contend support" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains three discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee objects to this Interrogatory on the ground it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the

Committee's possession, custody, or control. *See* General Objection No. 19. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

Subject to and without waiving its General and Specific Objections, the Committee responds that before the Corporate Restructuring, TTC and Aldrich Pump not only were "treated" or "dealt with" as one legal entity but actually were one legal entity—Ingersoll-Rand Company ("**Ingersoll-Rand**"). *See* DEBTORS_00002410; DEBTORS_00002145; DEBTORS_00001638; Findings of Fact and Conclusions of Law ¶ 1, No. 3:20-ap-03041, ECF No. 308 ("**Court's Findings and Conclusions**"). Similarly, Trane and Murray were, prior to the Corporate Restructuring, not only "treated" or "dealt with" as one legal entity but were one legal entity—the Old Trane U.S. Inc. as it existed before the Corporate Restructuring ("**Old Trane**"). DEBTORS_00000887; DEBTORS_00000654; Court's Findings and Conclusions ¶ 2. Before the Corporate Restructuring, creditors could not have relied on the separate identity of Aldrich because Aldrich did not exist. *See* DEBTORS_00002410; Court's Findings and Conclusions ¶ 2. Nor could creditors have relied on the separate identity of Murray because Murray did not exist. *See* DEBTORS_00000887; Court's Findings and Conclusions ¶ 2. Asbestos claimants and non-asbestos creditors alike looked to Ingersoll-Rand and Old Trane to satisfy the debts and obligations to them. *See* Court's Findings and Conclusions ¶¶ 31-34; Hr'g Tr. 92:18-94:5, May 5, 2021 (Tananbaum Direct); PI Hr'g, Debtors' Ex. 8 at 1-2 ("**Debtors' Claims Summary Exhibit**"); DEBTORS_00016104 (naming, *inter alia*, Ingersoll-Rand and Old Trane as defendants).

Ingersoll-Rand and Trane faced hundreds of thousands of claims in the tort system for asbestos-induced personal injury and wrongful death. In fact, according to the Debtors, Ingersoll-Rand and Old Trane were the subject of roughly 100,000 asbestos-related lawsuits filed throughout the United States. Debtors' Motion for Order (I) Prelim. Enjoining Certain Actions Against Non-Debtors, (II) Declaring Automatic Stay Applies to Such Actions, (III) Granting TRO Pending Final Hr'g at 18, No. 3:20-ap-03041, ECF No. 2 ("**PI Motion**"). Prior to the Corporate Restructuring, both Ingersoll-Rand and Old Trane often pursued a settlement strategy in lawsuits that could not be dismissed, reaching agreements with asbestos claimants. *See* Court's Findings and Conclusions ¶ 33; Hr'g Tr. 94:11-18, May 5, 2021 (Tananbaum Direct); DEBTORS_00050827; DEBTORS_00051082. According to the Debtors, Ingersoll-Rand and Trane settled "approximately 900 mesothelioma claims each year," as well as thousands of other asbestos-related claims. Informational Brief of Aldrich Pump LLC and Murray Boiler LLC, at 31-32, No. 3:20-bk-30608, ECF No. 5 ("**Debtors' Informational Brief**").

As such, asbestos plaintiffs looked to those entities for compensation in connection with those settlements. *See* Court's Findings and Conclusions ¶¶ 31-34; Hr'g Tr. 92:18-94:5, May 5, 2021 (Tananbaum Direct); Debtors' Claims Summary Exhibit at 1-2; DEBTORS_00016104 (naming, *inter alia*, Ingersoll-Rand and Old Trane as defendants). When asbestos claimants reached settlements with Ingersoll-Rand and/or Old Trane, they were relying on those entities to make good on their promise and promptly pay the agreed-upon value of the claim. Neither entity always paid out settlements promptly. In fact, the Aldrich claims database lists approximately 316 claims totaling approximately $7.50 million from January 1, 2016 to the Corporate Restructuring that appear to be settled but not documented. APL_MBL_extract_20210930.accdb ("**Debtors' Claims Database**"). Similarly, the Murray claims database lists approximately 184 claims

totaling approximately $7.45 million from January 1, 2016 to the Corporate Restructuring that appear to be settled but not documented. *Id.*; *see also* TRANE-DEBTORS_00002718 (Ms. Roeder stating she needed to follow up with Jones Day on how a potential stay would "impact all of the settled but not paid matters"). Therefore, in negotiating those settlements prior to the Corporate Restructuring, those asbestos claimants "did not rely on" the "separate identity" of TTC and Aldrich, or on that of Trane and Murray, instead treating them as a "single economic unit" when they detrimentally relied on those entities' creditworthiness to settle in principle.

All the asbestos claimants who dealt with TTC and Aldrich as one legal entity and Trane and Murray as one legal entity are purportedly listed in the Debtors' Claims Database. The Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify all such asbestos claimants. The Committee is seeking in discovery in this Proceeding the identities of, *inter alia*, Ingersoll-Rand's and Old Trane's ordinary course creditors,[3] and as such, it is premature at this stage of discovery for the Committee to identify those ordinary course creditors. Moreover, the Defendants already know the identity of those ordinary course creditors and third parties.

[3] *See, e.g.*, Plaintiff's Interrogatory No. 1 ("Identify all employees, creditors, and other third parties (including their designations and relationship with each of the Defendants), including suppliers, vendors, lenders, auditors, banks, financial institutions, credit rating agencies, and customers, with whom Defendants or any of their Affiliates communicated regarding the Corporate Restructuring and its anticipated, potential or actual consequences, including regarding the relevant corporate name changes and the Debtors' bankruptcies."); Plaintiff's Request for Production No. 19 ("All Documents and Communications by or on behalf of the Defendants, Ingersoll-Rand, Old Trane, Trane plc, or any of their Affiliates to creditors or other third parties, including auditors, suppliers, vendors, employees, lenders, financial institutions, credit rating organizations, and customers regarding the purpose of the Corporate Restructuring (including the relevant corporate name changes and Debtors' bankruptcies), or whether or how the Corporate Restructuring would affect those creditors or third parties."); and Plaintiff's Request for Production No. 20 ("All Documents reflecting any proposed or actual Communications by, among, or on behalf of Defendants, Ingersoll-Rand, Old Trane, Trane plc, or any of their Affiliates to creditors or third parties, including auditors, suppliers, vendors, employees, lenders, financial institutions, credit rating organizations, and customers regarding the purpose of the Corporate Restructuring (including the relevant corporate name changes, and Debtors' bankruptcies) or whether or how the Corporate Restructuring would affect those creditors or third parties, including scripts, talking points, outlines, or presentations.").

Upon information and belief,[4] the Persons who have knowledge of the above facts are:

- Aldrich: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Murray: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- TTC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Old Trane: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ingersoll-Rand: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- ClimateLabs LLC ("**ClimateLabs**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

[4] The addresses, phone numbers, and positions of each Person are based on the Committee's information and belief.

- 200 Park, Inc. ("**200 Park**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ingersoll-Rand Global Holding Company Limited ("**IRGH**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane Technologies HoldCo Inc.: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- TUI Holdings Inc.: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Murray Boiler Holdings, LLC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane Technologies plc ("**Trane plc**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Any other affiliates of Trane plc enterprise group that have knowledge of Ingersoll-Rand's and Old Trane's production of asbestos-containing products, Ingersoll-Rand's and Old Trane's conduct defending and settling asbestos claims, Aldrich's and

Murray's conduct defending and settling asbestos claims, Project Omega,[5] the Corporate Restructuring, and/or Aldrich and Murray's bankruptcy filing (the "**Other Affiliates**").[6]

- Wayne Agostini: Senior Treasury Manager at Trane plc; Former Senior Treasury Manager, Former Assistant Global Cash Manager, Former Risk Manager, Former Trade Finance Manager, and Former Area Credit Manager at Ingersoll Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Marcia J. Avedon: Former Executive Vice President and Chief Human Resources, Marketing, and Communications Officer at Trane plc; Former Executive Vice President and Chief Human Resources, Marketing, and Communications Officer and Former Senior Vice President, Human Resources, Communications, and Corporate Affairs at Ingersoll-Rand. Current address and telephone number unknown.
- Jason Bingham: Former President, Resident HVAC and Supply, Former Vice President of Energy Services and Controls, Former Vice President of Trane North America, and Former District Manager for Trane plc; Former Vice President – Strategy and Innovation for Ingersoll-Rand. Current address and telephone number unknown.

[5] "**Project Omega**" and the "**Corporate Restructuring**" have the same meaning as in the Motion of the Official Committee of Asbestos Personal Injury Claimants for Substantive Consolidation of Debtors' Estates with Certain Nondebtor Affiliates or, Alternatively, To Reallocate Debtors' Asbestos Liabilities to Those Affiliates, ECF No. 2.

[6] Aldrich, Murray, TTC, Trane, Old Trane, Ingersoll-Rand, ClimateLabs, 200 Park, IRGH, Trane Technologies HoldCo., TUI Holdings Inc., Murray Boiler Holdings, LLC, Trane plc, and the Other Affiliates are collectively referred to as the "**Trane Entities**".

- Cathleen Bowen: Global Legal Controller at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- David Brennan: Columbia Plant Transformation Leader, and Former Vertical Market Growth Director, Former Strategic Growth Program Leader, Former Commercial HVAC Americas, and Former Transformation Program Management Leader at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Sara Walden Brown: Former Assistant Secretary, Vice President, and Deputy General Counsel—Corporate Finance, Securities and Corporate Law at Trane plc, Trane Technologies HoldCo. Inc., TTC, TUI Holdings Inc., Old Trane, Murray Boiler Holdings LLC, 200 Park, and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- David Butow: Vice President and Deputy General Counsel, Compliance and Mergers & Acquisitions at Trane plc; Former Vice President and Deputy General Counsel, Commercial HVAC and Mergers & Acquisitions, Former Vice President and General Counsel, Climate Segment and Mergers & Acquisitions, Former Vice President and General Counsel, Climate Segment, Former Vice President and General Counsel, EMEIA and Deputy General Counsel, M&A, Finance, and Restructuring, Former Deputy General Counsel – M&A, Financing and Restructuring, and Former Assistant

General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Paul Camuti: Executive Vice President and Chief Technology, Strategy, and Sustainability Officer at Trane plc; Former Senior Vice President of Innovation and CTO, Corporate Sustainability at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Roger Cranmer: Tax Director, Global Tax Reporting, Compliance and Indirect Taxes at IRGH, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Richard Daudelin: Former Director and Treasurer at Trane Technologies HoldCo. Inc., TUI Holdings Inc., Old Trane, and Murray Boiler Holdings LLC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Former Director of Trane Holding Limited; Former Treasurer at TTC, 200 Park, and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Former Director of Trane Inc., One Centennial Avenue, Piscataway, New Jersey 08854, (732) 652-7100, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Marc DuFour: President and CEO of Club Car at IRGH; Former President of Americas ITS and Former President of Air Solutions at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon,

Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.

- Elizabeth Elwell: Vice President & Chief Accounting Officer, Former Vice President of Finance, Residential HVAC & Supply, and Former Vice President, Financial Planning & Analysis at Trane plc; Former Vice President of Financial Planning & Analysis, Former Global FP&A Director – Compression Technologies & Services, and Former Global Commercial Controller of Power Tools at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Maria Green: Former Senior Vice President & General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Sandra Hamrick: Executive Assistant to Evan Turtz at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- D. Eric Hankins: Vice President of Finance for Thermo King Americas, Former Finance Leader of Life Science Solutions, Former Director of Credit & Cash Applications, and Former Director of Finance for Commercial HVAC at Trane plc; Former Americas Operations Controller, Former Plant Controller, Former Commercial Controller for Club Car, and Former Manager of Financial Planning & Cost Accounting for Club Car at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6800.

- Martyn Holmes: Former Solution Architect Leader – Finance & OTC and Former Solution Architect – ERP at Trane plc; Former Solution Architect – ERP, Former IT Functional Leader / OTC & Finance, Former IT Manager – Finance RTR, and Former ERP Senior Systems Analyst at Ingersoll-Rand. Current address and telephone number unknown.
- Heather Howlett: Former Vice President and Chief Accounting Officer at Trane plc. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- Robert Katz: Former Senior Vice President and General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown, representation unknown.
- Lisa Knapp: Former Vice President of Human Resources at TTC and Ingersoll-Rand. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Christopher Kuehn: Director at IRGH; Manager, Senior Vice President, and Chief Financial Officer at TTC; Senior Vice President, Chief Financial Officer, and Vice President of Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Lawrence Kurland: Director at Trane, TUI Holdings Inc., Trane Holding Limited, Thermo King Corporation, Trane Technologies HoldCo Inc.; Manager, Murray Boiler Holdings LLC; Vice President at TTC and ClimateLabs; Former Director and Vice President at 200 Park, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Individual works at One Centennial Avenue, Piscataway, New Jersey 08854, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Lamach: Former Director, Chairman, and Chief Executive Officer, Trane plc and TTC; Former Director at IRGH, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- Jonathan Lyons: Vice President of Financial Planning & Analysis, Former Vice President of Audit Services and Former Regional Director R2R & AP EMEA at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Mark Majocha: Vice President of Corporate Development, Trane Commercial HVAC, at TTC; Former Vice President of Compression Technology & Services and Former Vice President of Finance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Phyllis Morey: Former Vice President and Deputy General Counsel at Trane plc and Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Jennifer Neville: SEC External Reporting & Technical Accounting Manager at Trane plc; Former SEC External Reporting & Technical Accounting Manager at Ingersoll-Rand. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- M. Kathleen Padfield: Vice President & General Counsel – Residential HVAC & Supply at Trane plc; Former General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Rolf Paeper: Vice President of Strategic Programs at Trane plc; Former Vice President & General Manager of Product Management & Marketing, Former Vice President of Product Management Excellence, and Former Product Business Leader – Applied Equipment at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ray Pittard: Vice President and Chief Restructuring Officer at Aldrich and Murray; Transformation Office Leader at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Veronika Quintana: Former North America Accounts Payable Manager at Trane plc; Former Senior Accountant at Trane plc and Ingersoll-Rand. Current address and telephone number unknown.
- David Regnery: Chair and Chief Executive Officer, and Former President and Chief Operating Officer, at Trane plc; Former President and Chief Operating Officer of TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Amy Roeder: Manager, Chief Financial Officer, and Treasurer at Aldrich and Murray; Finance Director-Information Technology & Legal at TTC; Director and Chief Financial Officer at 200 Park and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Robert Sands: In-House Attorney (Seconded) at Aldrich and Murray; Associate General Counsel for Product Litigation at Trane plc; Former Associate General Counsel for Litigation at Trane plc and Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Donny Simmons: President, Commercial HVAC Americas, at TTC; Former President and Vice President of Industrial Fluid Management, Material Handling, & Power Tools at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-

4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Keith A. Sultana: Senior Vice President of Global Operations & Integrated Supply Chain and Operational Solutions at Trane plc; Former Senior Vice President of Global Operations & Integrated Supply Chain, Operational Solutions, Global Procurement, and Industrial Technologies at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Allan Tananbaum: Chief Legal Officer and Secretary at Aldrich and Murray; Deputy General Counsel—Product Litigation at TTC; Former Vice President and Deputy General Counsel—Litigation at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Mr. Tananbaum works at One Centennial Avenue, Piscataway, New Jersey 08854, and is represented by Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Evan Turtz: Director, Senior Vice President, General Counsel, and Secretary Assistant Treasurer at TTC; Director, Vice President, and Secretary at Trane, 200 Park, and ClimateLabs; Manager, President, and Secretary at Murray Boiler Holdings LLC; Senior Vice President and General Counsel at Trane plc; Director, Senior Vice President, General Counsel, and Secretary at IRGH; Director, President, and Secretary at Trane Technologies HoldCo. Inc, TUI Holdings Inc., and Trane Holding Limited, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Director, Vice President, and Secretary at Trane Inc., One Centennial Avenue, Piscataway, New

Jersey 08854, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Christopher Uhlich: Former Director, External Reporting and Technical Accounting at Trane plc; Former Manager of Technical Accounting and Financial Reporting & Consolidations and Former Senior Financial Analyst at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Manlio Valdes: Former Vice President of Product Management for the Americas at Trane plc; Former Vice President of Product Management & Marketing and Global Product Management, Former President of Compressed Air Systems & Services, EMEIA Climate Solutions, Air Solutions, and Industrial Solutions at Ingersoll-Rand; Former Business Unit Manager – Aftermarket, Former General Manager, Regional Manager, and Product Specialist at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Mikhael Vitenson: Associate General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Scott R. Williams: Former Account Manager at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Bill Wong: Position(s), current address, and telephone number unknown.

- Robert Zafari: Former Executive Vice President – Industrial Segment, Former Senior Vice President – Industrial Technologies Sector, Former President of Climate Solutions, Security & Safety Solutions, and Compact Vehicles Technologies, and Former Vice President & General Manager of Productivity Solutions at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.[7]
- Any other managers, officers, employees, or agents of the Trane plc enterprise group that have knowledge of Ingersoll-Rand's and Old Trane's production of asbestos-containing products, Ingersoll-Rand's and Old Trane's conduct defending and settling asbestos claims, Aldrich's and Murray's conduct defending and settling asbestos claims, Project Omega, the Corporate Restructuring, and/or Aldrich and Murray's bankruptcy filing (the "**Other In-House Individuals**").
- Charles Mullin: Managing Partner of Bates White, LLC. 2001 K Street NW, North Building, Suite 500, Washington, DC 20006, (202) 408-6110, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.

[7] Wayne Agostini, Marcia J. Avedon, Jason Bingham, Cathleen Bowen, David Brennan, Sara Brown, David Butow, Paul Camuti, Roger Cranmer, Richard Daudelin, Marc Dufour, Elizabeth Elwell, Maria Green, Sandra Hamrick, D. Eric Hankins, Martyn Holmes, Heather Howlett, Robert Katz, Lisa Knapp, Chris Kuehn, Lawrence Kurland, Michael Lamach, Jonathan Lyons, Mark Majocha, Phyllis Morey, Jennifer Neville, M. Kathleen Padfield, Rolf Paeper, Ray Pittard, Veronika Quintana, Dave Regnery, Amy Roeder, Robert Sands, Donny Simmons, Keith A. Sultana, Allan Tananbaum, Evan Turtz, Christopher Uhlrich, Manlio Valdes, Mikhael Vitenson, Scott R. Williams, Bill Wong, Robert Zafari, and the Other In-House Individuals are collectively referred to as the "**In-House Individuals**."

- Bates White, LLC: 2001 K Street NW, North Building, Suite 500, Washington, DC 20006 (202-408-6110), c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Mark A. Cody: Partner at Jones Day. 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 269-4392.
- Bryan E. Davis: Partner at Jones Day. 1221 Peachtree Street, N.E., Suite 400, Atlanta, Georgia 30361, (404) 581-8631.
- Brad B. Erens: Partner at Jones Day. 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 269-4050.
- Greg M. Gordon: Partner at Jones Day. 2727 North Harwood Street, Suite 500, Dallas, Texas 75201, (214) 969-3759.
- Jim Jones: Partner at Jones Day. 250 Vesey Street, New York, New York 10281, (212) 326-7838.
- Troy Lewis: Partner at Jones Day. 2727 North Harwood Street, Suite 500, Dallas, Texas 75201, (214) 969-3721.
- Jones Day: 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 782-3939.
- Gregory Mascitti: Partner at McCarter & English, LLP. Worldwide Plaza, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- McCarter & English, LLP: Worldwide Plaza, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6800.
- Laureen Ryan: Managing Director at Alvarez & Marsal Disputes and Investigations LLC. 600 Madison Avenue, 8th Floor, New York, New York 10022, (212) 763-9568.

- Alvarez & Marsal Disputes and Investigations LLC: 600 Madison Avenue, 8th Floor, New York, New York 10022, (212) 759-4433.[8]
- Any other professionals or firms that have advised or assisted the Trane plc enterprise group to implement Project Omega and/or the Corporate Restructuring, and/or advised or assisted the Trane plc enterprise implement Aldrich's and Murray's bankruptcy filings (the "**Other Professionals**").
- Gideon Alpert: Former Tax Counsel at Trane plc and Ingersoll-Rand. Current address and telephone number unknown.
- Matt Barga: President, Life Science Solutions, Trane plc; Former Ductless HVAC Sales & Marketing Leader, Former Director of Product Management, AC, Furnace, & Coil Portfolio Leader of Residential HVAC, Former Product Portfolio Manager, Light Commercial Unitary, and Former Commodity Director at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Randall L. Berg: Former North America Record to Report Director at Ingersoll-Rand; Former Americas Accounting Center Controller and Former Trane Commercial Distribution Controller at Old Trane. Current address and telephone number unknown.
- Christopher Donohoe: Vice President of Treasury and Former Assistant Group Treasurer, Global Cash Management, FX, & Treasury Operations at Trane plc; Former Assistant Group Treasurer at Ingersoll-Rand, 800-E Beaty Street, Davidson, North

[8] Charles Mullin, Bates White LLC, Mark A. Cody, Bryan E. Davis, Brad B. Erens, Greg M. Gordon, Jim Jones, Troy Lewis, Jones Day, Gregory Mascitti, McCarter & English, LLP, Laureen Ryan, and Alvarez & Marsal Disputes and Investigations LLC and the Other Professionals are collectively referred to as the "**Project Omega and Bankruptcy Professionals**."

Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- W. Glenn Edwards: Chief Intellectual Property Counsel, Vice President, & Deputy General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Goldstein: Director of Global Remediation & Environmental Risk Management at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Terri Hamill: Vice President of Global Real Estate & Facilities at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Kelly Kent: Contract Manager at Trane plc; Former Senior Paralegal – Labor & Employment at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Paul Kumar: Vice President – Tax at Trane plc; Former International Taxation Director – Americas & India at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Sheetal D. Kumar: Former Global Transfer Pricing Leader and Former Assistant Director at Trane plc; Former US Transfer Pricing Leader and Former Assistant Director, Transfer Pricing – Americas, LatAm, & India at Ingersoll-Rand. Current address and telephone number unknown.
- Collette Mattmiller: HR Leader of Life Science Solutions, Former HR Leader of Mergers, Acquisitions, & Strategic Initiatives, and Former Global HR Director of Strategy & Innovation, HR/C, Marketing, & Legal at Trane plc; Former Global HR Director of IT & Legal and of the Compressed Air Business Unit, Former Talent Manager, Latin America, and Former Senior Talent Acquisition Partner at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Melisa Mohn: Corporate Real Estate Leader at Trane plc; Former Corporate Real Estate Leader and Former Vice President of Sales at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Zachary (Zac) Nagle: Vice President of Finance, Investor Relations at Trane plc; Former Vice President of Investor Relations at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Laura Nolen: Associate General Counsel of Employee Benefits & Executive Compensation at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704)

655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Leslie Oaks: Director of Strategic Financial Reporting Systems at Trane plc; Former Senior Director of Finance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Zhao hui Pu (Helen Pu): Assistant Director of International Tax at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Eric Rankin: Former Vice President of Environmental, Health, & Safety at Trane plc and at Ingersoll-Rand. Current address and telephone number unknown.
- Jennifer Regina: Former Global Director of Public Relations, Former Communications Leader, and Former Industrial, HVAC, & Latin America Business Communications Leader of Trane plc. Current address and telephone number unknown.
- Perri Richman: Former Vice President of Communications and Former Director of Trane Technologies Charitable Foundation at Trane plc; Former Vice President of Communications and Former Director of Global Public Relations & Sales Communications at Trane. Current address and telephone number unknown.
- Carrie Ruddy: Senior Vice President and Chief Communications & Marketing Officer and Former Vice President of Communications at Trane plc; Former Director of Employee Communications & Engagement at Ingersoll-Rand, 800-E Beaty Street,

Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- George Schroder: In-House/Corporate Counsel for Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Makila Scruggs: Vice President & Deputy General Counsel of Labor & Employment and Former Associate General Counsel of Labor, Employment, & Immigration at Trane plc; Former Associate General Counsel of Labor, Employment, & Immigration at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Beth Selfe: Senior Paralegal at Trane, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Jay Shulman: Tax Director – State & Local Taxes at Trane plc; Former Assistant Tax Director – State & Local Taxes at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Christina Stalker: Senior Associate General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810
- Michelle Trumpower: Vice President & Deputy General Counsel of Americas Region, Former Vice President & Deputy General Counsel of Global Ethics & Compliance &

Commercial Litigation, Labor, Employment, & Corporate Functions, and Global Commercial Law – Industrial Segment, Former Data Privacy Officer, Former Vice President and General Counsel of Industrial Technologies and Club Car, Inc., and Former Assistant General Counsel of Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Patrick J. Walden: Manager at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Walker: Leader, State Income Tax and Former Assistant Director, State Income Tax at Trane plc; Former Manager, State Income Taxes at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Andrea Weiss: Global Income Tax Compliance Leader and Former Assistant Tax Director at Trane plc; Former Assistant Tax Director of U.S. Compliance & Tax Reporting and International Tax Reporting & Compliance, Former Assistant Director of U.S. Compliance, and Former Tax Manager of U.S. Compliance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.[9]

[9] Gideon Alpert, Matt Barga, Randall L. Berg, Erin Braggs, David Brennan, Cathleen Bowen, David Butow, Roger Cranmer, Rich Daudelin, Christopher Donohoe, Beth Elwell, W. Glenn Edwards, Michael Goldstein, Terri Hamill, Sandra Hamrick, D. Eric Hankins, Martyn Holmes, Heather Howlett, Kelly Kent, Lisa Knapp, Chris Kuehn, Paul Kumar, Sheetal D. Kumar, Larry Kurland, Kevin Lang, Shane Lawrence, Mark Majocha, Collette Mattmiller, Melisa

- Any other Person who testified at a deposition or at trial on behalf of the Trane plc enterprise, including Ingersoll-Rand and Old Trane, in asbestos tort litigation (the "**Trane Tort Litigation Witnesses**").
- Donlin, Recano, & Co.: 6201 15th Avenue, Brooklyn, NY 11219, (212) 481-1411.

REQUEST FOR PRODUCTION NO. 1: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 1 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's response to Interrogatory No. 1 and are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents

Mohn, Phyllis Golden Morey, Zachary (Zac) Nagle, Jennifer Neville, Laura Nolen, Leslie Oaks, Kathy Padfield, Rolf Paeper, Zhao hui Pu (Helen Pu), Veronika Quintana, Eric Rankin, Jennifer Regina, Perri Richman, Amy Roeder, Carrie Ruddy, Robert Sands, George Schroder, Makila Scruggs, Beth Selfe, Jay Shulman, Christina Stalker, Michelle Trumpower, Christopher Uhlich, Mikhael Vitenson, Patrick J. Walden, Sara Walden Brown, Michael Walker, Andrea Weiss, Scott Williams are collectively referred to as the "**Non-Disclosure Agreement Signatories**".

previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 2: *Identify each asbestos claimant you contend entered into settlements with Old IRNJ and/or Old Trane that "remain unpaid as of the Petition Date," state all facts and reasons that you contend support the assertion that these asbestos claimants relied on the "economic resources" of Old IRNJ and/or Old Trane when they entered into those settlements, state all facts you contend support any contention that Aldrich Pump or Murray Boiler have insufficient assets to pay any unpaid settlement agreement between an asbestos claimant and Old IRNJ, Old Trane, Aldrich Pump, and/or Murray Boiler, and Identify any Persons whom you contend have knowledge of any of those facts. See Opposition ¶¶ 15-16.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and reasons that you contend support" and "all facts you contend support" are overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains four discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee objects to this Interrogatory on the ground it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

Finally, the Committee objects that to the extent the Committee's position on the dollar value of the Aldrich's asbestos liabilities and Murray's asbestos liabilities (and therefore the Committee's position on the sufficiency of Aldrich's assets and Murray's assets to fairly compensate asbestos claimants) is relevant to this Proceeding, it would likely 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. As such, it is premature for the Committee to identify any Persons with knowledge of facts that support the Committee's response.

Subject to and without waiving its General and Specific Objections, the Committee responds that Ingersoll-Rand and Old Trane faced hundreds of thousands of claims in the tort system for asbestos-induced personal injury and wrongful death. In fact, according to the Debtors, Ingersoll-Rand and Old Trane were the subject of roughly 100,000 asbestos-related lawsuits filed throughout the United States. PI Motion at 18. Prior to the Corporate Restructuring, both Ingersoll-Rand and Old Trane often pursued a settlement strategy in lawsuits that could not be dismissed, reaching agreements with asbestos claimants. *See* Court's Findings and Conclusions ¶ 33; Hr'g Tr. 94:11-18, May 5, 2021 (Tananbaum Direct); DEBTORS_00050827; DEBTORS_00051082. According to the Debtors, Ingersoll-Rand and Old Trane settled "approximately 900 mesothelioma claims each year," as well as thousands of other asbestos-related claims. Debtors' Informational Brief at 31-32.

As such, asbestos plaintiffs looked to those entities for compensation in connection with those settlements. *See* Court's Findings and Conclusions ¶¶ 31-34; Hr'g Tr. 92:18-94:5, May 5, 2021 (Tananbaum Direct); Debtors' Claims Summary Exhibit at 1-2; DEBTORS_00016104 (naming, *inter alia*, Ingersoll-Rand and Old Trane as defendants). When asbestos claimants reached settlements with Ingersoll-Rand and/or Old Trane, they were relying on those entities to

make good on their promise and promptly pay the agreed-upon value of the claim. Neither entity always paid out settlements promptly.

It is well-recognized that asbestos claimants and other tort creditors are involuntary creditors. *See, e.g.*, *In re Gawker Media LLC*, 571 B.R. 612, 622 (Bankr. S.D.N.Y. 2017) (stating that "all tort creditors are involuntary creditors"). As such, asbestos claimants "extended credit" when they were injured by Ingersoll-Rand's and Old Trane's tortious conduct, and, for decades, these creditors sought recompense from Ingersoll-Rand and Old Trane for the amounts they were owed for their injuries. *See* Debtors' Informational Brief at 31.

Moreover, Ingersoll-Rand and Trane settled thousands of asbestos lawsuits prior to the Corporate Restructuring, including approximately 900 mesothelioma claims each year. *Id.* The Debtors' schedules show that there are 5,176 instances of a "confidential settlement amount" entered into by Ingersoll-Rand that were transferred to Aldrich and 2,791 instances of a "confidential settlement amount" entered into by Old Trane that were transferred to Murray as part of the Corporate Restructuring. Schedule E/F, Part 2 – Litigation, Schedules of Assets and Liabilities for Aldrich Pump LLC, No. 3:20-bk-30608, ECF No. 207-1; Schedule E/F, Part 2 – Litigation, Schedules of Assets and Liabilities for Murray Boiler LLC, No. 3:20-bk-30609, ECF No. 19. According to the schedules, this extraordinary number of settlements were entered into but remained unpaid as of June 18, 2020 ("**Petition Date**"). *Id.*

Further, the Aldrich claims database lists approximately 316 claims totaling approximately $7.50 million from January 1, 2016 to the Corporate Restructuring that appear to be settled but not documented. Debtors' Claims Database. Similarly, the Murray claims database lists approximately 184 claims totaling approximately $7.45 million from January 1, 2016 to the Corporate Restructuring that appear to be settled but not documented. *Id.*; *see also* TRANE-

DEBTORS_00002718 (Ms. Roeder stating she needed to follow up with Jones Day on how a potential stay would "impact all of the settled but not paid matters").

All the asbestos claimants who entered into settlements that remained unpaid as of the Petition Date are purportedly listed in the Debtors' Claims Database. The Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify all such asbestos claimants. When the asbestos plaintiffs originally entered into these settlements with Ingersoll-Rand or Old Trane, they were accepting an unsecured promise by those entities to pay the agreed settlement amount. As such, they were relying on the economic resources of Ingersoll-Rand and Old Trane to pay the settlement amounts and thus were extending credit to Ingersoll-Rand and Old Trane in those amounts. Those asbestos claimants detrimentally relied on Ingersoll-Rand and/or Old Trane's creditworthiness to settle in principle, but neither the Debtors nor their affiliates have paid them.

The Committee further responds that Project Omega left both Aldrich and Murray with insufficient assets to cover their asbestos liabilities. On April 30, 2020, TTC was formed as a Texas limited liability company. The next day, on May 1, 2020, Ingersoll-Rand was merged into TTC, leaving TTC as the surviving company. Court's Findings and Conclusions ¶ 53; DEBTORS_00002488; DEBTORS_00003158; Suppl. Decl. of Allan Tananbaum Supp. Debtors' Compl. ¶ 8, ECF No. 91 ("**Tananbaum Suppl. Decl.**"); DEBTORS_00001708. TTC then used the Texas divisional merger law to effectively divide itself into two companies: TTC and Aldrich. Court's Findings and Conclusions ¶ 54; Tananbaum Suppl. Decl. ¶ 9; DEBTORS_00002410; DEBTORS_00002145. Also on May 1, 2020, Trane converted from a Delaware corporation to a Texas corporation, and then used the Texas divisional merger law to effectively divide itself into two companies: "new" Trane and Murray. Court's Findings and Conclusions ¶ 58. "New" TTC

received 99% of Ingersoll-Rand's assets, while the remaining 1% of the assets were allocated to Aldrich. *Id.* ¶ 55. And "new" Trane received 98% of Old Trane's assets, while the remaining 2% of the assets were allocated to Murray. *Id.* ¶ 59.

According to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreements) are insufficient to cover their asbestos liabilities. Court's Findings and Conclusions ¶ 63 (finding that, if the Funding Agreement is not taken into account, "Aldrich/Murray's assets were not then, and are not now, sufficient to satisfy their liabilities" (footnote omitted)); *id.* ¶ 72 ("According to the Debtors' own metrics, their assets (without the Funding Agreements) are already insufficient as they are less than their asbestos liabilities."); Hr'g Tr. 397:18-398:1, May 6, 2021 (Diaz Direct) ("So yes, the, the liabilities of Aldrich, if you exclude the funding agreement, are greater than the assets of, of Aldrich, correct."); *id.* at 398:18-23 ("On the Murray side, they picked up $127 million of assets, they picked up all of the asbestos liabilities, $193 million asbestos liabilities. Similar to Aldrich, the assets of Murray, $127 million, if you exclude the funding agreement, are less than the total of liabilities of 193, plus 1. So $194 million."). In addition, apart from its equity interest in the 200 Park subsidiary, Aldrich has no operating business. Court's Findings and Conclusions ¶ 55. Likewise, apart from its ClimateLabs subsidiary, Murray has no operating business. *Id.* ¶ 59; Declaration of Ray Pittard in Support of First Day Pleadings ¶ 16, No. 3:20-bk-30608, ECF No. 27. Instead of having direct recourse against the former assets of Ingersoll-Rand and Old Trane, asbestos claimants must now depend on Debtors' willingness to vindicate their rights under the Funding Agreements, which is untenable given, among other things, Debtors' management's mixed loyalties to the Affiliates and the Trane plc enterprise. *See* Court's Findings and Conclusions ¶¶ 89-90; DEBTORS_00003310; Hr'g Tr. 89:2-5, 112:5-23 May 5, 2021 (Tananbaum Direct); Hr'g Tr. 185:9-186:3, 187:11-16, 187:20-

188:15, May 5, 2021 (Roeder Direct); Hr'g Tr. 498:11-17; 498:22-499:2, May 7, 2021 (Kuehn Cross-Exam); Turtz Dep. 157:11-158:7, Apr. 5, 2021; DEBTORS_00050812; DEBTORS_00050818; DEBTORS_00001454; DEBTORS_00003086.

In addition, the Funding Agreements are unsecured and not guaranteed by the Affiliates or other entities. Court's Findings and Conclusions ¶ 80; Debtors' 30(b)(6) Dep. 111:15-21; 112:6-15, Apr. 12, 2021 (Tananbaum). Nothing in the Funding Agreements prevents TTC and Trane from layering on debt that would be senior in priority to their obligations under their respective Funding Agreements. Court's Findings and Conclusions ¶ 80; Debtors' 30(b)(6) Dep. 113:4-8 (Tananbaum). Nothing in the Funding Agreements requires TTC and Trane to provide financial statements to the Debtors that are audited or contain information at a level that provides details on account balances and material transactions (e.g., footnotes to financial statements). Court's Findings and Conclusions ¶ 80. The Funding Agreements do not require TTC or TUI to provide payments that "exceed the aggregate amount necessary" for the Debtors to fund all "Permitted Funding Uses," thus giving TTC and Trane leeway to determine what is "necessary" and the ability to reduce payments if either disagrees with the use of funds. Aldrich Funding Agreement § 2(a); Murray Funding Agreement § 2(a); Court's Findings and Conclusions ¶ 80. Further, there is no dispute resolution mechanism if a funding request by a Debtor is denied. Court's Findings and Conclusions ¶ 80; Hr'g Tr. 400:15-17, May 6, 2021 (Diaz Direct). The Funding Agreements do not prevent TTC and Trane from engaging in additional divisional mergers, and they explicitly allow the Affiliates to engage in consolidations and mergers, and to transfer "all or substantially all" of their assets. Aldrich Funding Agreement § 4(b)(i); Murray Funding Agreement § 4(b)(i); Court's Findings and Conclusions ¶ 80. In addition, there are no mechanisms in the Funding Agreements to ensure that TTC and Trane will have sufficient assets to perform under them.

Tananbaum Dep. 224:13-18, Mar. 22, 2021. And nothing in the Funding Agreements limits or prohibits dividends, or other distributions of value, by TTC or Trane to equity holders, potentially including their full value. Court's Findings and Conclusions ¶ 80; *see also* Tananbaum Dep. 223:2-24.

"[T]he Debtors' rights and obligations under . . . [their respective Funding Agreements] may not be assigned without the prior written consent of New TTC or New Trane." Court's Findings and Conclusions ¶ 74 (footnote omitted); Hr'g Tr. 157:21-162:4, May 5, 2021 (Tananbaum Cross-Exam); Aldrich Funding Agreement, at DEBTORS_00003821-22. Thus, "arguably a Creditor's Plan could not be funded unless New TTC and/or New Trane favor that Plan." Court's Findings and Conclusions ¶ 74. Moreover, "the Funding Agreements require, as a precondition to funding a § 524(g) trust, that a confirmed chapter 11 plan provide New TTC or New Trane, as applicable, 'with all the protections of section 524(g) of the Bankruptcy Code.'" *Id.* ¶ 76 (footnote omitted). Further, "the Funding Agreements have 'Automatic Termination' provisions whereby New TTC's and Trane's respective funding obligations automatically cease 'on the effective date of a Section 524(g) Plan.'" *Id.* ¶ 77 (footnote omitted). As a result, "the Funding Agreements could never serve as post-effective date 'evergreen' sources of funding that § 524(g) contemplates." *Id.* Moreover, "once exclusivity has ended, these provisions of the Funding Agreements will . . . impair, if not disable, the ability and right of other parties-in-interest to propose a competing 524(g) plan." *Id.* ¶ 78.

As the Court found, "the Funding Agreements are not unconditional promises to pay the Aldrich/Murray Asbestos Liabilities. They are instead conditional agreements dependent on New TTC/New Trane's approval of any reorganization plan and upon New TTC/New Trane's continued good financial health." *Id.* ¶ 81. And further, the Court recently ruled that "[a]lthough

the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown." Order Denying Withdrawal at 3.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 2: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 2 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's response to Interrogatory No. 2 and are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 3: *To the extent you contend that any asbestos claimant extended credit to Old Trane, Old IRNJ, Aldrich, or Murray, identify the date such credit was extended, the amount of credit extended, the terms and conditions upon which such credit was extended, and all documents and information considered by such asbestos claimant prior to extending credit.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all documents and information" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee objects to this Interrogatory on the ground it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

Subject to and without waiving its General and Specific Objections, the Committee responds that it is well-recognized that asbestos claimants and other tort creditors are involuntary creditors. *See, e.g., Gawker Media LLC*, 571 B.R. at 622 (stating that "all tort creditors are involuntary creditors"). As such, they "extended credit" when they were injured by Ingersoll-

Rand's and Old Trane's tortious conduct, and, for decades, these creditors sought recompense from Ingersoll-Rand and Old Trane for the amounts they were owed for their injuries. *See* Objection/Response to Interrogatory Nos. 1 and 2 above.

Moreover, Ingersoll-Rand and Trane settled thousands of asbestos lawsuits prior to the Corporate Restructuring. *See id.* When the asbestos plaintiffs originally entered into these settlements with Ingersoll-Rand or Old Trane, they were "extending credit" to those entities insofar as they were accepting an unsecured promise by those entities to pay the agreed settlement amount. Asbestos plaintiffs treated Ingersoll-Rand and Old Trane, respectively, as one enterprise when agreeing to settle with those enterprises. As such, they were relying on the economic resources of Ingersoll-Rand and Old Trane to pay the settlement amounts.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, Trane Tort Litigation Witnesses, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 3: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 3 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial

discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 1, 2, and 3, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 4: *State all facts and reasons you contend support the assertion that "[t]he Debtors are not in financial distress: they can fully pay all their creditors in the ordinary course of business, and their economic viability is not threatened by their liabilities," Dismissal Motion at 2, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts that support that contention" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

Subject to and without waiving its General and Specific Objections, for purposes of this Proceeding, the Committee contends that the Debtors are in financial distress because their current and future asbestos liabilities exceed the value of the assets they were left with in connection with the Corporate Restructuring. On April 30, 2020, TTC was formed as a Texas limited liability company. The next day, on May 1, 2020, Ingersoll-Rand was merged into TTC, leaving TTC as the surviving company. Court's Findings and Conclusions ¶ 53; DEBTORS_00002488; DEBTORS_00003158; Tananbaum Suppl. Decl. ¶ 8; DEBTORS_00001708. TTC then used the Texas divisional merger law to effectively divide itself into two companies: TTC and Aldrich. Court's Findings and Conclusions ¶ 54; Tananbaum Suppl. Decl. ¶ 9; DEBTORS_00002410; DEBTORS_00002145. Also on May 1, 2020, Trane converted from a Delaware corporation to a Texas corporation, and then used the Texas divisional merger law to effectively divide itself into two companies: "new" Trane and Murray. Court's Findings and Conclusions ¶ 58. "New" TTC received 99% of Ingersoll-Rand's assets, while the remaining 1% of the assets were allocated to Aldrich. *Id.* ¶ 55. And "new" Trane received 98% of Old Trane's assets, while the remaining 2% of the assets were allocated to Murray. *Id.* ¶ 59.

According to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreements) are insufficient to cover their asbestos liabilities. *See* Objection/Response to Interrogatory No. 2 above. In addition, the Funding Agreements are unsecured and not guaranteed by the Affiliates or other entities. *See id.* Moreover, as the Court found, "the Funding Agreements are not unconditional promises to pay the Aldrich/Murray Asbestos Liabilities. They are instead conditional agreements dependent on New TTC/New Trane's approval of any reorganization plan and upon New TTC/New Trane's continued good financial health." Court's Findings and Conclusions ¶ 81. Further, the Court recently ruled that "[a]lthough the Debtor [*sic*]

is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown." Order Denying Withdrawal at 3.

The Court has recognized that, given the myriad unknowns regarding the Funding Agreements, alternative positions regarding the Debtors' financial position are permissible. The Court has held that, because the Committee did not prevail in the contested matter in which it took a position regarding the Debtors' financial distress, judicial estoppel cannot be invoked against the Committee. *See id.* at 2-3. The Court also explained: "Regardless of the language in the Committee's Motion to Dismiss, the Debtor [*sic*] is not currently solvent and does not have the wherewithal to pay all claims as against the Estate. Although the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown. Neither scenario is guaranteed at this stage, as the risk remains that creditors' claims will exceed the amount guaranteed within the funding agreement. Consequently, even if the Committee's motion qualifies as a party admission, the Debtor [*sic*] currently remains insolvent." *Id.* at 3; *see also* Fed. R. Civ. P. 8(d).

Finally, the Committee's position on the value of the Debtors' assets and liabilities will likely 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.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, and Non-Disclosure Agreement Signatories.

REQUEST FOR PRODUCTION NO. 4: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 4 above, as if fully set forth

herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2 and 4, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 5: *State your estimate of the dollar value of the Aldrich Asbestos-Related Liabilities and the Murray Asbestos-Related Liabilities as of (a) May 1, 2020; (b) the Petition Date; and (c) the date of your response to this Interrogatory, separately specifying your estimates as between current and future liabilities, respectively. State all facts and assumptions that support those estimates, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and assumptions that support those estimates" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable

privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains four discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24. Finally, the Committee objects that to the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities is relevant to this Proceeding, it would likely 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. As such, it is premature for the Committee to identify any Persons with knowledge of facts that support the Committee's response.

Subject to and without waiving its General and Specific Objections, the Committee will respond to this Interrogatory at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan.

REQUEST FOR PRODUCTION NO. 5: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 5 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the

Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control. As such, it is premature for the Committee to identify or produce any non-privileged Documents that are responsive to Interrogatory No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

INTERROGATORY NO. 6: *State your calculation of the aggregate value of the Aldrich Pump Assets and the Murray Boiler Assets as of (a) May 1, 2020; (b) the Petition Date; and (c) the date of your response to this Interrogatory. State all facts and assumptions that support those estimates, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and assumptions that support those estimates" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains four discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this

Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24. Finally, the Committee objects that to the extent the Committee's position on the dollar value of the Debtors' assets is relevant to this Proceeding, it would likely 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. As such, it is premature for the Committee to identify any Persons with knowledge of facts that support the Committee's response.

Subject to and without waiving its General and Specific Objections, the Committee will respond to this Interrogatory at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan.

REQUEST FOR PRODUCTION NO. 6: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 6 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control. As such, it is premature

for the Committee to identify or produce any non-privileged Documents that are responsive to Interrogatory No. 6.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

INTERROGATORY NO. 7: *State all facts you contend support any assertion that the trust funding amount provided in the Debtors' proposed Joint Plan of Reorganization of Aldrich Pump LLC and Murray Boiler LLC, Case No. 20-30608, Dkt. 831, is insufficient to fairly resolve the Debtors [*sic*] Asbestos-Related Liabilities and/or is a "lowball amount," Dismissal Motion ¶ 21, and identify the amount of trust funding that would be adequate to fairly compensate asbestos claimants. Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts you contend support any assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. In addition, this Interrogatory is objectionable because it is not relevant to any party's claim or defense in this litigation. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory because it contains three discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General

Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24. Finally, the Committee objects that to the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities (and therefore the Committee's position on the sufficiency of the Debtors' proposed trust-funding amount or any trust-funding amount necessary to fairly compensate asbestos claimants) is relevant to this Proceeding, it would likely 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. As such, it is premature for the Committee to identify any Persons with knowledge of facts that support the Committee's response.

Subject to and without waiving its General and Specific Objections, the Committee will respond to this Interrogatory at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan.

REQUEST FOR PRODUCTION NO. 7: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 7 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." In addition, this Request is objectionable because it seeks information that is not relevant to any claim or defense in this litigation. The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been

completed, especially since the requested Documents are within the Defendants' possession, custody, and control. As such, it is premature for the Committee to identify or produce any non-privileged Documents that are responsive to Interrogatory No. 7.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

INTERROGATORY NO. 8: *State all facts and reasons you contend support the assertions that the Debtors are "undercapitalized," insolvent, or "cash-starved," Opposition ¶¶ 21, 37-38, Identify the time period that you contend the Debtors are, have been, or may be insolvent, and Identify what facts or circumstances would determine whether the Debtors are, have been, or may be insolvent.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and reasons you contend support the assertions" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after

substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee objects to this Interrogatory because it contains three discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Finally, the Committee objects that to the extent the Committee's position on the dollar value of the Aldrich's asbestos liabilities and Murray's asbestos liabilities (and therefore the Committee's position on the Debtors being undercapitalized, insolvent, and/or cash-starved) is relevant to this Proceeding, it will likely 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.

Subject to and without waiving its General and Specific Objections, the Committee refers Defendants to its Objection/Response to Interrogatory Nos. 2 and 4.

REQUEST FOR PRODUCTION NO. 8: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 8 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome

to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2, 4, and 8, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 9: *State all facts and reasons you contend support the allegation in paragraph 3 of the Complaint that "through the divisional mergers and chapter 11 filings, asbestos claimants have been structurally subordinated to other unsecured creditors and equity holders." In so doing, Identify your definition of "structural subordination" and any legal or industry support for that definition, Identify the particular assets for which asbestos claimants allegedly became subordinated to other unsecured creditors and equity holders, and Identify any persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts and reasons you contend support the allegation" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine,

immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee responds that Project Omega was launched to "isolate the Asbestos liabilities into stand alone entities" and subsequently "take the entities bankrupt." TRANE_00014949; *see also* Court's Findings and Conclusions ¶ 121. During the early stages of this "secret" and "attorney-created and implemented strategy," members of the Project Omega team projected that the Debtors' bankruptcies would last up to eight years. Court's Findings and Conclusions ¶¶ 44, 45, 50; TRANE_00006711 (stating on December 4, 2019, that bankruptcies were estimated to last 2 to 5 years); TRANE_00014949 (stating on March 5, 2020, that the Debtors expected to stay in

bankruptcy for 5 to 8 years). Ingersoll-Rand and Old Trane took advantage of a corporate restructuring procedure under Texas law to put all their asbestos liabilities into two companies, Aldrich and Murray, and virtually all their assets and all of their non-asbestos liabilities into two other companies, TTC and "new" Trane. Court's Findings and Conclusions ¶ 52; *see also* Objection/Response to Interrogatory Nos. 2 and 4. Seven weeks later, on June 18, 2020, Aldrich and Murray filed their chapter 11 petitions. Court's Findings and Conclusions ¶ 95.

Since its inception, the sole objective of Project Omega was the commencement of years-long bankruptcy cases that would secure the Trane plc enterprise a "bankruptcy discount" on their tort liabilities without requiring the group's business operations to file chapter 11 themselves. Court's Findings and Conclusions ¶ 50 ("The weight of the evidence . . . reflects that a bankruptcy filing . . . was the sole objective of Project Omega."); *see also id.* ¶¶ 44, 45. An internal document entitled "OMEGA Comms plan" states as of March 5, 2020, "[w]e will isolate the Asbestos liabilities into stand alone entities and will take the entities bankrupt." TRANE_00014949. In preparation for the Debtors' eventual bankruptcy filings, Project Omega team members emailed each other regarding the fact that they had "hit the data information jackpot" in reference to the *Bestwall* chapter 11 case. TRANE_00009648; Hr'g Tr. 211:18-20, May 5, 2021 (Roeder Cross-Exam). Project Omega team members also circulated standard bankruptcy forms to one another that would have to be completed and filed after the chapter 11 filings. TRANE_00004429; Hr'g Tr. 210:14-211:5, May 5, 2021 (Roeder Cross-Exam). Despite the Debtors' contention that bankruptcy was only one of four "options" that would occur after completion of the Texas divisional mergers, Mr. Evan Turtz, general counsel of Trane plc, testified that he was not aware of any Project Omega "workflow stream document" pertaining to any nonbankruptcy "options." Turtz Dep. 127:25-129:2. Long before the Petition Date, Project Omega team members explicitly

discussed plans to merge the Debtors' operating subsidiaries, 200 Park and ClimateLabs, back into the Debtors' affiliates after the Debtors' bankruptcies concluded. TRANE_00006711; TRANE_00014949; Kuehn Dep. 239:15-241:16, Mar. 19, 2021. Manlio Valdes, a member of the boards of Aldrich and Murray, admitted in deposition that he thought it was "a probability" that Aldrich and Murray would end up paying less to asbestos claimants in bankruptcy than in the tort system. Valdes Dep. 264:21-265:7, Mar. 1, 2021.

Because their claims are stayed, asbestos victims are unable to obtain compensation in the civil justice system for the harm inflicted on them by Ingersoll-Rand and Old Trane. Court's Findings and Conclusions ¶ 134. By contrast, TTC, Trane, and their operating affiliates are out of bankruptcy and timely paying all their non-asbestos unsecured creditors in full in the ordinary course of business. *See* Court's Findings and Conclusions ¶ 62; Hr'g Tr. 394:19-395:15; 402:19-23, May 6, 2021 (Diaz Direct); Non-Debtor Affiliates 30(b)(6) Dep. 59:25-60:16, Apr. 9, 2021 (Kuehn); Kuehn Dep. 237:9-13.

More importantly, the Corporate Restructuring has enabled the Affiliates to upstream substantial cash to their parent companies. Equity holders are receiving cash windfalls funded by the compensation that would have been paid to the asbestos victims absent bankruptcy. Trane holds the largest number of operating businesses within the Trane plc enterprise group. Non-Debtor Affiliates 30(b)(6) Dep. 74:11-17 (Kuehn). And in 2021, Trane and its operating subsidiaries accounted for approximately $8 billion of the $12.5 billion in revenue generated by the enterprise group. *Id.* at 74:17-19; Hr'g Tr. 533:20-534:2, May 7, 2021 (Kuehn Cross-Exam).

As a supposed form of "cash management" the net earnings of Trane and its subsidiaries are swept into a set of bank accounts held by TTC, Trane's indirect parent. Non-Debtor Affiliates 30(b)(6) Dep. 134:8-18 (Kuehn); Hr'g Tr. 534:10-20, May 7, 2021 (Kuehn Cross-Exam). When

the money is swept, an intercompany receivable is recorded on the books of a Trane operating subsidiary because the subsidiary "sent the cash up and they're owed the money back," and an intercompany payable is recorded on the books of TTC "because they owe the money back down to the operating subsidiary." Non-Debtor Affiliates 30(b)(6) Dep. 134:19-25 (Kuehn). The receivable and payable balances increase during the year until they are "settled" by the recording of distributions or dividends that "negate the intercompany balance and bring it back to zero." *Id.* at 135:2-10; *see also* Hr'g Tr. 534:25-535:5, May 7, 2021 (Kuehn Cross-Exam). This usually occurs in the fourth quarter of each year. Non-Debtor Affiliates 30(b)(6) Dep. 135:11-14 (Kuehn). Through this practice, cash is moved from Trane and its operating subsidiaries to the upper echelons of the organization chart. This practice is designed "to centralize the cash in one location, for at least the Americas operations." *Id.* at 135:15-20.

The distributions made as part of Trane plc's "cash management strategy and other company initiatives" were substantial in the years leading up to the Petition Date. TRANE_00036587. Between December 2017 and December 2019, Old Trane made upstream distributions totaling approximately $2.43 billion to its then-direct parent, Trane Inc. *Id.* In April 2020, in a matter of days or weeks before the Corporate Restructuring, Old Trane made a $2.3 billion upstream distribution to Trane Inc., and in that same period, TTC made a $4.1 billion upstream distribution to its then-direct parent, Trane Technologies Global Holding Company. *Id.* Since the Petition Date, financial reporting for Trane and TTC has not been provided, and, as such, the magnitude of additional distributions made to date is unclear.

There is no evidence, however, to suggest that such distributions have stopped while the Debtors have been in chapter 11. Indeed, the evidence is to the contrary: Trane plc has increased its quarterly per-share dividend payments by approximately 58% since the launch of

Trane plc in March 2020. Trane Techs. plc, Quarterly Report (Form 10-Q) 29 (Apr. 30, 2024), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625824000159/tt-20240331.htm ("**Q1 2024 Quarterly Report**"); Trane Techs. plc, Annual Report (Form 10-K) 39 (Feb. 7, 2024), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625823000058/tt-20221231.htm ("**2023 Annual Report**"). Moreover, in its most recent quarterly report filed April 30, 2024, Trane plc stated that it expects "to pay a competitive and growing dividend." Q1 2024 Quarterly Report, at 29.

And since the Petition Date, Trane plc has paid out approximately $2.4 billion in ordinary-share dividends. *See* Q1 2024 Quarterly Report, at 31 (totaling dividend payments for Q1 2024 of $189.5 million); 2023 Annual Report, at 41 (totaling dividend payments for fiscal year 2023 of $683.7 million); Trane Techs. plc, Annual Report (Form 10-K) 35 (Feb. 10, 2023), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625823000058/tt-20221231.htm ("**2022 Annual Report**") (totaling dividend payments for fiscal year 2022 of $620.2 million); Trane Techs. plc, Annual Report (Form 10-K) 38 (Feb. 7, 2022), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625822000031/tt-20211231.htm ("**2021 Annual Report**") (totaling dividend payments for fiscal year 2021 of $561.1 million); Trane Techs. plc, Annual Report (Form 10-K) 36 (Feb. 9, 2021), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625821000027/tt-20201231.htm ("**2020 Annual Report**") (totaling dividend payments for fiscal year 2020 of $507.3 million); Trane Techs. plc, Quarterly Report (Form 10-Q) 38 (May 5, 2020), https://www.sec.gov/ix?doc=/Archives/edgar/data/0001466258/000146625820000117/tt-10qxq1x03312020.htm (noting first-quarter dividend payments of $125.9 million). With

226,352,436 ordinary shares outstanding as of April 26, 2024, the annualized sum of a $3.36 dividend per share translates to expected 2024 quarterly dividends totaling approximately $760.5 million for the year, representing a nearly 50% increase in total dividends paid over 2020. *See* Q1 2024 Quarterly Report, at 1, 29.

In addition to its ballooning dividend payments, Trane plc has spent approximately $3.5 billion on stock buybacks since the Petition Date, and has authorized an additional $3 billion of stock buybacks in February 2022, of which approximately $2.2 billion has not been executed *See* Q1 2024 Quarterly Report, at 31 (noting repurchase of $300 million in ordinary shares in Q1 2024); 2023 Annual Report, at 40 (noting repurchase of $669 million in ordinary shares in 2023); 2022 Annual Report, at 35 (noting repurchase of $1,200.2 million in ordinary shares in 2022); 2021 Annual Report, at 38 (noting repurchase of $1,100.3 million in ordinary shares in 2021); 2020 Annual Report, at 36 (noting repurchase of $250 million in ordinary shares in the fourth quarter of 2020).

As for its outstanding debt, Trane plc has paid down nearly $1.2 billion of unsecured debt since the Petition Date. *See* 2023 Annual Report, at F-9 (noting payment of long-term debt of $754.6 million in 2023); 2022 Annual Report, at F-8 (noting payment of long-term debt of $9.6 million in 2022) and 2021 Annual Report, at F-8 (noting payment of long-term debt of $432.5 million in ordinary shares in 2021). Trane plc also spent significantly on various acquisitions (over $1.5 billion) and capital expenditures (over $985 million) in this same period. *See* Q1 2024 Quarterly Report, at 31 (noting capital expenditures of $77.1 million in Q1 2024); 2023 Annual Report, at 40 (noting acquisition of businesses of $862.8 million and capital expenditures of $300.7 million in 2023); 2022 Annual Report, at 35 (noting acquisition of businesses of $234.7 million and capital expenditures of $291.8 million in 2022); 2021 Annual Report, at 38 (noting acquisition

of businesses of $269.2 million and capital expenditures of $223 million in 2021); 2020 Annual Report, at 35 (noting acquisition of businesses of $182.8 million and capital expenditures of $146.2 million in 2020, from which $2.5 million and $59.6 million is subtracted, respectively, to reflect acquisition activity and capital expenditures in 2020 that occurred in the first two quarters, assumed to be prior to the Petition Date). All these payments provide overwhelming evidence that the Trane plc enterprise group is distributing profits to equity holders postpetition instead of paying asbestos creditors, who are senior in payment priority.

From the standpoint of non-asbestos creditors, shareholders, employees, suppliers, vendors, and other stakeholders, it has been "business as usual," even after the Corporate Restructuring and the chapter 11 filings. *See, e.g.*, Court's Findings and Conclusions ¶ 62 (noting that TTC and Trane are paying their creditors in the ordinary course of business); TRANE_00006711 (emails dated December 2019 describing TTC and Trane's operations post-Corporate Restructuring as "business as usual"); TRANE_00004925-26; Hr'g Tr. 394:19-395:15; 402:19-23, May 6, 2021 (Diaz Direct); Non-Debtor Affiliates 30(b)(6) Dep. 59:25-60:16 (Kuehn); Kuehn Dep. 235:11-236:8; 237:3-13. Thus, the Debtors are incentivized to prolong this reorganization case until the asbestos claimants knuckle under and accept a Plan that pays them less than they are entitled to receive. *See, e.g.*, Court's Findings and Conclusions ¶¶ 50, 74, 76, 78; TRANE_00014949; Valdes Dep. 264:21-265:7; Hr'g Tr. 399:11-404:4, May 6, 2021 (Diaz Direct); Tananbaum Dep. 259:6-8; Hr'g Tr. 182:4-10, May 5, 2021 (Tananbaum Cross-Exam).

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, Trane Tort Litigation Witnesses, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 9: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 9 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee answers that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2, 4, and 9, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 10: *State all facts and reasons you contend support the assertion in paragraphs 48 and 52-58 of the Motion that Substantive Consolidation or Reallocating Asbestos-Related Liabilities is "necessary to avoid some harm or to realize some benefit," Identify the specific harms that would be avoided and/or the benefits that would be realized, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts and reasons you contend support the assertion" is overbroad, unduly burdensome,

and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 22. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 21.

The Committee objects to this Interrogatory because it contains three discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee responds that TTC and Trane's upstreaming of income generated from their business operations to their equity holders and payment of non-asbestos unsecured creditors in full in the ordinary course of business each harm asbestos claimants by structurally subordinating and singling them

out as unwanted creditors isolated in bankruptcy. For additional explanation, see Objection/Response to Interrogatory No. 9 above.

Moreover, because their claims are stayed, asbestos victims are unable to obtain compensation in the civil justice system for the harm inflicted on them by Ingersoll-Rand and Old Trane. Court's Findings and Conclusions ¶ 134. By contrast, TTC, Trane, and their operating affiliates are out of bankruptcy and timely paying all their non-asbestos unsecured creditors in full in the ordinary course of business. *See* Objection/Response to Interrogatory No. 9.

More importantly, the Corporate Restructuring has enabled the Affiliates to upstream substantial cash to their parent companies. *See id.* There is no evidence to suggest that those payments have stopped while the Debtors have been in chapter 11. *See id.* Indeed, the evidence is to the contrary. *See id.* This has led to substantial ballooning payments to Trane plc shareholders, to the detriment of asbestos claimants. *See id.* Since the Petition Date, Trane plc has paid out approximately $2.4 billion in ordinary-share dividends. *See id.* Additionally, Trane plc has spent approximately $3.5 billion on stock buybacks since the Petition Date and has authorized an additional $3 billion of stock buybacks in February 2022, of which approximately $2.2 billion has not been executed. *See id.* All these payments provide overwhelming evidence that the Trane plc enterprise group is distributing profits to equity holders postpetition instead of paying asbestos creditors, who are senior in payment priority.

As for its outstanding debt, Trane plc has paid down nearly $1.2 billion of unsecured debt since the Petition Date. *See id.* Trane plc also spent significantly on various acquisitions (over $1.5 billion) and capital expenditures (over $985 million) in this same period. *See id.* From the standpoint of non-asbestos creditors, shareholders, employees, suppliers, vendors, and other

stakeholders, it has been "business as usual," even after the Corporate Restructuring and the chapter 11 filings. *See id.*

In addition, the Funding Agreements do not provide nor at any time have provided Aldrich or Murray with the same financial ability to fund the resolution of asbestos claims as Old Trane and Ingersoll-Rand possessed immediately before the Corporate Restructuring. *See* Court's Findings and Conclusions ¶¶ 73, 174. For additional explanation, see Objection/Response to Interrogatory No. 2 above.

The Funding Agreements are "not unconditional promises to pay the Aldrich/Murray Asbestos Liabilities," but "are instead conditional agreements dependent on New TTC/New Trane's approval of any reorganization plan and upon New TTC/New Trane's continued good financial health." Court's Findings and Conclusions ¶ 81; *see also* Objection/Response to Interrogatory Nos. 2 and 4 above. Indeed, the Funding Agreements' provisions impair, if not disable, the ability and rights of creditors and other parties-in-interest to propose a competing 524(g) plan to begin with. For additional explanation, see Objection/Response to Interrogatory No. 2 above.

Without substantive consolidation, the Affiliates are free to pay equity holders and non-asbestos unsecured creditors ahead of asbestos claimants, as they have, to the tune of billions of dollars. *See* Court's Findings and Conclusions ¶ 62; Hr'g Tr. 394:19-395:15; 402:19-23, May 6, 2021 (Diaz Direct); Non-Debtor Affiliates 30(b)(6) Dep. 59:25-60:16 (Kuehn); *id.* at 135:15-20 (noting that practice of moving cash from Trane and its operating subsidiaries is designed "to centralize the cash in one location"); Kuehn Dep. 237:9-13. Prior to the Corporate Restructuring, asbestos claimants had the same ability and rights to access Ingersoll-Rand and Old Trane's assets as did any other unsecured creditor. Court's Findings and Conclusions ¶ 174. Now, those assets

are beyond the reach of asbestos creditors and recovery is now dependent on Funding Agreements that the asbestos creditors cannot themselves enforce. *Id.* Substantive consolidation will restore the *status quo ante* prior to the Corporate Restructuring, where all of Ingersoll-Rand's and Old Trane's asbestos liabilities were housed in the same entities as all of Ingersoll-Rand's and Old Trane's assets and non-asbestos liabilities. Consolidation *nunc pro tunc* as of the Petition Date will enable representatives of the consolidated estate to avoid and recover, as unauthorized postpetition transfers, any cash upstreamed by the Affiliates since the Petition Date. Substantive consolidation is needed to rectify the profound inequities caused by the Corporate Restructuring to get the parties back on fair and equal footing. *See id.* ¶ 64.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, Trane Tort Litigation Witnesses, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 10: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 10 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2, 4, 9, and 10 and are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 11: *State all facts and reasons you contend support the assertion that the Funding Agreements are "contingent contracts," Motion ¶ 53, including any and all alleged contingencies and your understanding on how those contingencies could be satisfied; if you contend that the Funding Agreements are, in whole or in part, contingent upon court approval, state all facts and reasons you contend support your contention.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee further objects to this Interrogatory on the grounds that "all facts and reasons you contend support the assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No.

23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Committee's expert witness, Matthew Diaz, testified that the Affiliates will only pay under the Funding Agreements "under certain conditions" and that the Funding Agreements are "highly conditional." Hr'g Tr. 400:8-404:4, May 6, 2021 (Diaz Direct). Under the Funding Agreements, TTC and Trane are obligated to pay the chapter 11 administrative expenses and the Debtors' indemnification obligations only if the cash distributions from 200 Park (in the case of Aldrich) or ClimateLabs (in the case of Murray) are insufficient to pay those expenses and obligations in full. Aldrich Funding Agreement, at DEBTORS_00003822; Murray Funding Agreement, at DEBTORS_00004102. In addition, TTC and Trane are each obligated to fund a § 524(g) trust only if their respective Debtor's "other assets are insufficient to satisfy the . . . Asbestos Related Liabilities, in connection with such Section 524(g) Plan." Aldrich Funding Agreement, at DEBTORS_00003822; Murray Funding Agreement, at DEBTORS_00004102.

The Court has found that the Funding Agreements appear to be "conditional, potentially unenforceable, and they will be honored only if the Affiliates wish them to be honored." Order Denying Motions to Dismiss at 15, No. 3:20-bk-30608, ECF No. 2047 (citing Court's Findings

and Conclusions ¶ 79). The Funding Agreements do not require TTC or TUI to provide payments that "exceed the aggregate amount necessary" for the Debtors to fund all "Permitted Funding Uses," thus giving TTC and Trane leeway to determine what is "necessary" and the ability to reduce payments if either disagrees with the use of funds. Aldrich Funding Agreement § 2(a); Murray Funding Agreement § 2(a); Court's Findings and Conclusions ¶ 80. There is no dispute resolution mechanism if a funding request by a Debtor is denied. Court's Findings and Conclusions ¶ 80; Hr'g Tr. 400:15-17, May 6, 2021 (Diaz Direct). In addition, there are no mechanisms in the Funding Agreements to ensure that TTC and Trane will have sufficient assets to perform under them. Tananbaum Dep. 224:13-18. The Funding Agreements do not prevent TTC and Trane from engaging in additional divisional mergers, and they explicitly allow the Affiliates to engage in consolidations and mergers, and to transfer "all or substantially all" of their assets. Aldrich Funding Agreement § 4(b)(i); Murray Funding Agreement § 4(b)(i); Court's Findings and Conclusions ¶ 80. And nothing in the Funding Agreements limits or prohibits dividends, or other distributions of value, by TTC or Trane to equity holders, potentially including their full value. Court's Findings and Conclusions ¶ 80; *see also* Tananbaum Dep. 223:2-24.

"[T]he Funding Agreements require, as a precondition to funding a § 524(g) trust, that a confirmed chapter 11 plan provide New TTC or New Trane, as applicable, 'with all the protections of section 524(g) of the Bankruptcy Code.'" Court's Findings and Conclusions ¶ 76 (footnote omitted). Further, "the Funding Agreements have 'Automatic Termination' provisions whereby New TTC's and Trane's respective funding obligations automatically cease 'on the effective date of a Section 524(g) Plan.'" *Id.* ¶ 77 (footnote omitted). As a result, "the Funding Agreements could never serve as post-effective date 'evergreen' sources of funding that § 524(g) contemplates." *Id.*

As the Court found, "the Funding Agreements are not unconditional promises to pay the Aldrich/Murray Asbestos Liabilities. They are instead conditional agreements dependent on New TTC/New Trane's approval of any reorganization plan and upon New TTC/New Trane's continued good financial health." *Id.* ¶ 81. And further, the Court recently ruled that "[a]lthough the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown." Order Denying Withdrawal at 3.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, and Non-Disclosure Agreement Signatories.

REQUEST FOR PRODUCTION NO. 11: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 11 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in

the Committee's response to Interrogatory No. 11 and are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 12: *State all facts and reasons you contend support your concern that TCC or TUI may not honor their obligations under the Funding Agreements or would "reduce payments" below the amounts requested by the Debtors because TTC and/or TUI "disagree with the use of the funds," Complaint ¶ 36; Motion ¶ 26, Identify any provisions in the Funding Agreements that would permit TTC or TUI to decline to honor their obligations or to "reduce payments" below the amounts requested by the Debtors because they might "disagree with the use of the funds," and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts and reasons you contend support your concern" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee further objects to the mischaracterization of the Complaint ¶ 36 and Motion ¶ 26. The Complaint and Motion state that TTC and Trane have the "ability to reduce payments" and do not posit that they may not or would not, but that the protections to ensure this does not happen are absent.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee refers Defendants to its responses to Interrogatories Nos. 2 and 11 above. Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, and Non-Disclosure Agreement Signatories.

REQUEST FOR PRODUCTION NO. 12: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 12 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this

Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2 and 11 above, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 13: *State all facts and reasons you contend support the assertion that Substantive Consolidation is necessary for "the consolidated Debtors and the Committee [to] finally negotiate a resolution of those Debtors' asbestos liabilities on fair and equal footing, with all the assets that were once housed with those liabilities under this Court's supervision," Opposition ¶ 42, and Identify any Persons whom you contend have any knowledge of any of those facts, including all asbestos claimants, Committee members, plaintiff counsel, or other Persons who contend that Substantive Consolidation is necessary to resolve the Debtors' Asbestos-Related Liabilities or otherwise lead to the confirmation of a plan of reorganization under 11 U.S.C. § 524(g).*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts that you contend support the assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19. The Committee also objects that

this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee refers Defendants to its responses to Interrogatory Nos. 9 and 10 above. Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 13: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 13 above, as if fully set

forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents that you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 9 and 10, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 14: *Identify the terms of any and all proposals made by the Committee to the Debtors or the Future Claimants Representative to resolve the Debtor's Asbestos-Related Liabilities; if the Committee has to date refused to provide the Debtors or their affiliates with a proposal to resolve the Debtor's Asbestos-Related Liabilities through confirmation of a plan of reorganization under 11 U.S.C. § 524(g), provide the reason(s) for that refusal.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts that you contend support the assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine,

immunity, or protection. Moreover, information responsive to the Interrogatory is shielded from discovery by the mediation privilege. *See* General Objection No. 8. The Committee further objects that all information responsive to this Interrogatory is protected by the Confidentiality provisions set forth in section D of the Order Establishing Mediation Protocol, No. 3:20-bk-30608, ECF No. 1608 ("**Mediation Order**").

Moreover, this Interrogatory is objectionable because the Defendants themselves know whether the Committee has made any proposals and if any proposals have been made, the terms of such proposals. Because this Interrogatory does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee. *See* General Objection No. 5. In addition, this Interrogatory is objectionable because it is not relevant to any party's claim or defense in this litigation.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee does not intend to respond to this Interrogatory.

REQUEST FOR PRODUCTION NO. 14: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 14 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee further objects that all Documents responsive to this Request for Production is protected by the Confidentiality provisions set forth in section D of the Mediation Order. Additionally, this Request is objectionable because it calls for information that is not relevant to any party's claim or defense in this litigation.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

INTERROGATORY NO. 15: *State all facts and reason* [sic] *that you contend support your assertion that the "Corporate Restructuring and subsequent bankruptcy filings constitute a legal strategy to disadvantage asbestos victims and gain leverage over them, with the expectation that—as claims remain unpaid, victims die, memories fade, and legal rights and remedies are lost—the asbestos claimants and their attorneys will eventually knuckle under and settle for 524(g) trust funding that would be far less than warranted in light of the extensive asbestos liabilities," Motion ¶ 63, and Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts and reason [*sic*] that you contend support your assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client

privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 24.

The Committee objects to this Interrogatory because it contains two discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee refers Defendants to its responses to Interrogatory Nos. 9, 10, and 11 above. Apart from two relatively minor nondebtor subsidiaries, 200 Park and ClimateLabs, which were created as part of the Corporate Restructuring, the Debtors have no operating businesses of their own, have no employees of their own, and have no suppliers, vendors, customers, or even bondholders. As a result, the Debtors do not have the economic pressures or incentives to promptly cut a deal with

their creditors and seasonably emerge from chapter 11 that normal debtors-in-possession with operating businesses do. No customer, supplier, or bondholder is asking them on a daily basis when they will exit chapter 11. Moreover, the Debtors obtained an indefinite, nationwide litigation stay shielding all their non-debtor affiliates from asbestos lawsuits and thereby have conferred a prime bankruptcy benefit on them without the attendant burdens and obligations of bankruptcy. *See* Court's Findings and Conclusions ¶¶ 5, 229. With the profitable businesses of their predecessors safely ensconced outside of bankruptcy and outside the Court's jurisdiction (but without any risk of being sued for asbestos liabilities due to the preliminary injunction), the Debtors can be indifferent to whether and how long they will remain in chapter 11. They can afford to wait for a resolution of their asbestos liabilities that suits them and therefore can play a long waiting game—a game they are already playing. Thus, the Debtors are incentivized to prolong this reorganization case until the asbestos claimants knuckle under and accept a Plan that pays them less than they are entitled to receive. *See, e.g.*, Court's Findings and Conclusions ¶¶ 50, 74, 76, 78; TRANE_00014949; Valdes Dep. 264:21-265:7; Hr'g Tr. 399:11-404:4, May 6, 2021 (Diaz Direct); Tananbaum Dep. 259:6-8; Hr'g Tr. 182:4-10, May 5, 2021 (Tananbaum Cross-Exam).

Time is not on the side of the asbestos claimants. They cannot afford to continue to wait because delay carries real-world, adverse consequences. Claimants, for example, may not receive funds for needed medical care or to support their families. In some instances, claimants have and will die during this delay, particularly those diagnosed with mesothelioma, which is a diagnosis tantamount to a death sentence to be carried out within a year. Indeed, the Debtors' own expert, Dr. Charles Mullin, testified in an earlier proceeding that nearly all the mesothelioma claimants alive today, who would be affected by a preliminary injunction, would be dead within three years,

if not sooner. Hr'g Tr. 363:23-25, May 6, 2021. The death of a claimant can and will result in lost legal rights and compensation because some states limit the causes of action or damages a decedent's estate or personal representative may assert. A lengthy delay also presents the risk of critical evidence being lost, as aging witnesses die or their memories fade. Thus, the delay inflicted on claimants here is prejudicial, resulting in lost claims, lost remedies, lost evidence, and the loss of immediate financial support that an award of damages can provide. Even the Debtors' chief legal officer admitted that delay would harm asbestos victims. Tananbaum Dep. 259:6-8; Hr'g Tr. 182:4-10, May 5, 2021 (Tananbaum Cross-Exam). While the Debtors enjoy their respite in chapter 11, undisturbed by tort-system lawsuits and the normal economic incentives to seasonably exit chapter 11, asbestos claimants and their families continue to suffer from the ravages of asbestos disease while being barred from pursuing their constitutionally mandated right to jury trials against not just the Debtors but also the Debtors' affiliates (for the asbestos torts of the Debtors' predecessors). By creating indemnification obligations running to the Affiliates and exploiting the Fourth Circuit's "first crack" rule, which initially reserves standing to bring fraudulent-transfer causes of action to debtors-in-possession, the Debtors were able to obtain an indefinite, nationwide stay of asbestos lawsuits against all the Debtors' affiliates and insurers. In other words, the Debtors were able to cut off the asbestos claimants' rights to pursue other sources of recovery for Ingersoll-Rand and Old Trane asbestos exposures at the very moment the claimants needed them most.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

REQUEST FOR PRODUCTION NO. 15: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 15 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents that you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 9, 10, 11, and 15, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 16: *State all facts you contend support any contentions that (i) TTC or TUI is unable to fulfill their obligations under the Funding Agreements as a result of any internal cash management procedures, dividends or distributions paid to TTC's and TUI's parent companies, any dividends paid by Trane plc, any stock buybacks by Trane plc, any debt repayments by Trane plc, or any acquisitions made by Trane plc, before or after the Corporate Restructuring or (ii) asbestos claimants have been prejudiced or otherwise harmed by any such procedures, transfers, or transactions. Identify any Persons whom you contend have knowledge of any of those facts.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory on the grounds that "all facts that you contend support the assertion" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

The Committee objects to this Interrogatory because it contains three discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any

subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

Subject to and without waiving its General and Specific Objections, the Committee refers Defendants to its responses to Interrogatory Nos. 2, 9, 10, and 11 above. Before the Corporate Restructuring, asbestos claimants who prevailed in their lawsuits would have been able to fix a judgment lien on all of Ingersoll-Rand's and Trane's assets. After the Corporate Restructuring, the recourse of asbestos claimants became limited and asbestos claimants must now depend on the Debtors' willingness to press their rights under the Funding Agreements and their ability to do so successfully, given the highly contingent nature of TTC's and Trane's obligations to pay thereunder.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, and Non-Disclosure Agreement Signatories.

REQUEST FOR PRODUCTION NO. 16: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 16 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request for Production on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request for Production after substantial discovery, including expert discovery, has been

completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to Interrogatory Nos. 2, 9, 10, 11, and 16, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

INTERROGATORY NO. 17: *For each of your responses to any request for admission served by the Defendants in this proceeding (including those served concurrently herewith) which is not an unqualified admission, state the basis for your denial of the fact(s) stated in each request.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Interrogatory as overbroad and unduly burdensome because it calls for the basis as to which the Committee denies every single fact "stated" in every single Request for Admission. The Committee objects to this Interrogatory on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee also objects to this Interrogatory on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory on the grounds that it contains argumentative allegations or assertions and/or calls for responses as to legal interpretation and/or legal conclusions, and, *inter alia*, assumes that a party can only admit or deny a request for admission. Thus, it fails to acknowledge that a party can respond that it cannot admit or deny a request for admission.

The Committee objects to this Interrogatory because it contains eleven discrete subparts, even though it is made to appear, at least superficially, as one interrogatory. *See* General Objection No. 23. The Committee further objects that, accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 3:22-ap-03028, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. *See id.* Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

The Committee also objects that this Interrogatory is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, and consistent with the Committee's Objections and Responses to each respective Request for Admission detailed below, the Committee responds as follows to this Interrogatory:

- The Committee denied Request for Admission No. 1 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 4 and its Objection/Response to Request for Production No. 4 to detail the basis for denying Request for Admission No. 1.

- The Committee denied Request for Admission No. 2 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 4 and its Objection/Response to Request for Production No. 4 to detail the basis for denying Request for Admission No. 2. Moreover, the Committee denied Request for Admission No. 2 because the Request does not represent its position in this Proceeding.
- The Committee denied Request for Admission No. 3 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 8 and its Objection/Response to Request for Production No. 8 to detail the basis for denying Request for Admission No. 3.
- The Committee denied Request for Admission No. 4 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 4 and its Objection/Response to Request for Production No. 4 to detail the basis for denying Request for Admission No. 4.
- The Committee denied Request for Admission No. 5 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 10, its Objection/Response to Interrogatory No. 11, its Objection/Response to Request for Production No. 10, and its Objection/Response to Request for Production No. 11 to detail the basis for denying Request for Admission No. 5. Further, TTC and TUI are not payees under the Funding Agreements.
- The Committee admitted Request for Admission No. 6 for purposes of this Proceeding, subject to its stated Objections.

- The Committee denied Request for Admission No. 7 because of its stated Objections, including, without limitation, that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection.
- The Committee could not admit or deny Request for Admission No. 8 because of its stated Objections, including, without limitation, that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, the mediation privilege, the Confidentiality provisions set forth in section D of the Mediation Order, or any other applicable privilege, doctrine, immunity, or protection. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 14 and its Objection/Response to Request for Production No. 14 to detail the basis for its inability to admit or deny Request for Admission No. 8.
- The Committee could not admit or deny Request for Admission No. 9 because of its stated Objections, including, without limitation, that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, the mediation privilege, the Confidentiality provisions set forth in section D of the Mediation Order, or any other applicable privilege, doctrine, immunity, or protection. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 5, its Objection/Response to Request for Production No. 5, and its Objection/Response to Request for Production No. 21 to detail the basis for its inability to admit or deny Request for Admission No. 9.
- The Committee could not admit or deny Request for Admission No. 10 because of its stated Objections, including, without limitation, that it calls for information protected

from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, the mediation privilege, the Confidentiality provisions set forth in section D of the Mediation Order, or any other applicable privilege, doctrine, immunity, or protection. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 5, its Objection/Response to Request for Production No. 5, and its Objection/Response to Request for Production No. 21 to detail the basis for its inability to admit or deny Request for Admission No. 10.

- The Committee denied Request for Admission No. 11 because of its stated Objections. In addition, the Committee refers Defendants to its Objection/Response to Interrogatory No. 16 and its Objection/Response to Request for Production No. 16 to detail the basis for denying Request for Admission No. 11.

Moreover, the Court has recognized that, given the myriad unknowns regarding the Funding Agreements, alternative positions regarding the Debtors' financial position are permissible. The Court has held that, because the Committee did not prevail in the contested matter in which it took a position regarding the Debtors' financial distress, judicial estoppel cannot be invoked against the Committee. *See* Order Denying Withdrawal at 2-3. The Court also explained: "Regardless of the language in the Committee's Motion to Dismiss, the Debtor [*sic*] is not currently solvent and does not have the wherewithal to pay all claims as against the Estate. Although the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown. Neither scenario is guaranteed at this stage, as the risk remains that creditors' claims will exceed the amount guaranteed within the funding agreement. Consequently, even if the Committee's motion qualifies

as a party admission, the Debtor [*sic*] currently remains insolvent." *Id.* at 3; *see also* Fed. R. Civ. P. 8(d).

REQUEST FOR PRODUCTION NO. 17: *Produce all Documents you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response and incorporates each Specific Objection to Interrogatory No. 17 above, as if fully set forth herein. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all Documents that you contend support any of the facts set forth in your answer to the immediately preceding Interrogatory." The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in its Objection/Response to Interrogatory Nos. 4, 5, 8, 10, 11, 14, and 16, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 18: *Produce all Documents relating to the hiring or engagement of any outside counsel, professional services firm, financial advisors, accounting firm, and/or consulting firm, and other experts, lawyers, or consultants by the Committee, including any engagement letters or agreements.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. The Committee further objects that Defendants know whom the Committee has hired and engaged. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no non-privileged, responsive Documents other than those that are publicly available. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested Documents are within the Defendants' possession, custody, and control.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation:

- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing It to Retain and Employ Caplin & Drysdale, Chartered and

Robinson & Cole, LLP as Committee Co-Counsel, Effective as of July 6, 2020, No. 3:20-bk-30608, ECF No. 210;

- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing the Retention and Employment of Winston & Strawn, LLP as Special Litigation Counsel, Effective as of July 6, 2020, No. 3:20-bk-30608, ECF No. 212;
- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing It to Retain and Employ Hamilton Stephens Steele + Martin, PLLC as Local Counsel, Effective as of July 6, 2020, No. 3:20-bk-30608, ECF No. 215;
- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing the Employment and Retention of FTI Consulting, Inc. as Financial Advisor Effective as of July 16, 2020, No. 3:20-bk-30608, ECF No. 277;
- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing the Retention and Employment of Gilbert LLP as Special Insurance Counsel Effective as of November 24, 2020, No. 3:20-bk-30608, ECF No. 483;
- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants to Retain and Employ Legal Analysis Systems, Inc. as Asbestos Consultants as of Oct. 27, 2021, No. 3:20-bk-30608, ECF No. 900;

- *Ex Parte* Application of the Official Committee of Asbestos Personal Injury Claimants to Retain and Employ Verus, LLC as PIQ Data Administrator for the Personal Injury Questionnaire Responses, No. 3:20-bk-30608, ECF No. 1636.[10]

Each of the above documents is publicly available. The Committee will not produce publicly available documents. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 19: *Produce all Documents relating to the provision of services by any professional services firm, financial advisors, accounting firm, consulting firm, or other experts or consultants by the Committee, including engagement letters, reports, analyses, summaries, memoranda, presentations, or notes prepared in connection therewith.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. The Committee also objects that Defendants are already aware of documents related to whom the Committee has hired or engaged. Because this Interrogatory does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. The Committee further objects to this Request because

[10] ECF Nos. 210, 212, 215, 277, 483, 900, and 1636 are collectively referred to as the "**Committee's Retention Applications**."

"professional services firm" is vague, ambiguous, and fails to describe whether this Request should include law firms and their attorneys and counsel, resulting in a failure to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, and purports to require the Committee to speculate as to its meaning. The Committee has interpreted Request to include all the Committee's professionals, including its counsel.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation:

- The Committee's Retention Applications;
- First Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period July 6, 2020, Through September 30, 2020, No. 3:20-bk-30608, ECF No. 437;
- Second Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period October 1, 2020, Through January 31, 2020, No. 3:20-bk-30608, ECF No. 667;
- Third Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period February 1, 2021, Through May 31, 2021, No. 3:20-bk-30608, ECF No. 776;
- Fourth Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as

Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period June 1, 2021, Through September 30, 2021, ECF. No. 1031;

- Fifth Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period October 1, 2021, Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1280;
- Sixth Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period February 1, 2022, Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1281;
- Seventh Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period June 1, 2022, Through September 30, 2022, ECF. No. 1446;
- Eighth Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period October 1, 2022, Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1897;
- Ninth Interim Application of Caplin & Drysdale, Chartered for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period February 1, 2023, Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1941;

- Summary of the First Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period July 6, 2020 Through September 30, 2020, No. 3:20-bk-30608, ECF No. 432;
- Summary of the Second Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2020 Through January 31, 2021, No. 3:20-bk-30608, ECF No. 669;
- Summary of the Third Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2021 Through May 31, 2021, No. 3:20-bk-30608, ECF No. 784;
- Summary of the Fourth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period July 1, 2021 Through September 30, 2021, No. 3:20-bk-30608, ECF No. 1076;
- Summary of the Fifth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2021 Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1331;
- Summary of the Sixth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of

Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1363;

- Summary of the Seventh Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period July 1, 2022 Through September 30, 2022, No. 3:20-bk-30608, ECF No. 1453;
- Summary of the Eighth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2022 Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1789;
- Summary of the Ninth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2023 Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1950;
- Summary of the Tenth Interim Fee Application of Robinson & Cole, LLP, as Counsel to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period July 1, 2023 Through September 30, 2023, No. 3:20-bk-30608, ECF No. 2095;
- Summary of the First Interim Application of Winston & Strawn LLP for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period July 6, 2020 Through September 30, 2020, No. 3:20-bk-30608, ECF No. 433;

- Summary of the Second Interim Application of Winston & Strawn LLP for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period October 1, 2020 Through January 31, 2021, No. 3:20-bk-30608, ECF No. 672;
- Summary of the Third Interim Application of Winston & Strawn LLP for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period February 1, 2021 Through May 31, 2021, No. 3:20-bk-30608, ECF No. 780;
- Summary of the Fourth Interim Application of Winston & Strawn LLP for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period June 1, 2021 Through December 31, 2021, No. 3:20-bk-30608, ECF No. 1411;
- Summary of the Fifth Interim Application of Winston & Strawn LLP for Allowance of Compensation and Reimbursement of Expenses with Respect to Services Rendered as Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants for the Period January 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1412;
- First Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal

Injury Claimants for the Period from July 6, 2020 to September 30, 2020, No. 3:20-bk-30608, ECF No. 435;

- Second Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from October 1, 2020 to January 31, 2021, No. 3:20-bk-30608, ECF No. 673;
- Third Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from February 1, 2021 Through May 31, 2021, No. 3:20-bk-30608, ECF No. 781;
- Fourth Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from June 1, 2021 Through September 30, 2021, No. 3:20-bk-30608, ECF No. 945;
- Fifth Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from October 1, 2021 Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1266;

- Sixth Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from February 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1356;
- Seventh Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from June 1, 2022 Through September 30, 2022, No. 3:20-bk-30608, ECF No. 1624;
- Eighth Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from October 1, 2022 Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1791;
- Ninth Interim Fee Application of Hamilton Stephens Steele & Martin, PLLC for Allowance of Compensation and Reimbursement of Expenses for Professional Services Rendered as Local Counsel for the Official Committee of Asbestos Personal Injury Claimants for the Period from February 1, 2023 Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1982;
- First Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim

Compensation and Reimbursement of Expenses Incurred for the Period July 16, 2020 Through September 30, 2020, No. 3:20-bk-30608, ECF No. 434;

- Second Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2020 Through January 31, 2021, No. 3:20-bk-30608, ECF No. 671;
- Third Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2021 Through May 31, 2021, No. 3:20-bk-30608, ECF No. 778;
- Fourth Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period June 1, 2021 Through September 30, 2021, No. 3:20-bk-30608, ECF No. 965;
- Fifth Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2021 Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1085;
- Sixth Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1285;

- Seventh Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period June 1, 2022 Through September 30, 2022, No. 3:20-bk-30608, ECF No. 1409;
- Eighth Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2022 Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1679;
- Ninth Interim Fee Application of FTI Consulting, Inc., as Financial Advisor to the Committee of Asbestos Personal Injury Claimants, for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2023 Through May 31, 2024, No. 3:20-bk-30608, ECF No. 1890;
- Summary of First Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period November 24, 2020 Through January 31, 2021, No. 3:20-bk-30608, ECF No. 670;
- Summary of Second Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period February 1, 2021 Through May 31, 2021, No. 3:20-bk-30608, ECF No. 779;
- Summary of Third Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel

to the Official Committee of Asbestos Personal Injury Claimants, for the Period June 1, 2021 Through September 30, 2021, No. 3:20-bk-30608, ECF No. 899;

- Summary of Fourth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period October 1, 2021 Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1067;
- Summary of Fifth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period February 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1275;
- Summary of Sixth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period June 1, 2022 Through September 30, 2022, No. 3:20-bk-30608, ECF No. 1418;
- Summary of Seventh Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period October 1, 2022 Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1643;
- Summary of Eighth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period February 1, 2023 Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1893;

- Summary of Ninth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period June 1, 2023 Through September 30, 2023, No. 3:20-bk-30608, ECF No. 2007;
- Summary of Tenth Interim Application for Allowance of Compensation for Services Rendered and Reimbursement of Expenses of Gilbert LLP, Special Insurance Counsel to the Official Committee of Asbestos Personal Injury Claimants, for the Period October 1, 2023 Through January 31, 2024, No. 3:20-bk-30608, ECF No. 2137;
- Summary of the First Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period November 1, 2021 Through January 31, 2022, No. 3:20-bk-30608, ECF No. 1395;
- Summary of the Second Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2022 Through May 31, 2022, No. 3:20-bk-30608, ECF No. 1567;
- Summary of the Third Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period June 1, 2022 Through September 30, 2022, No. 3:20-bk-30608, ECF No. 1787;

- Summary of the Fourth Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period October 1, 2022 Through January 31, 2023, No. 3:20-bk-30608, ECF No. 1788;
- Summary of the Fifth Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2023 Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1945;
- Summary of the Revised Fifth Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period February 1, 2023 Through May 31, 2023, No. 3:20-bk-30608, ECF No. 1986;
- Summary of the Sixth Interim Fee Application of Legal Analysis Systems, Inc., as Asbestos Consultants to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the Period June 1, 2023 Through September 30, 2023, No. 3:20-bk-30608, ECF No. 2096;
- Summary of the First Interim Fee Application of Verus, LLC as PIQ Data Administrator to the Official Committee of Asbestos Personal Injury Claimants for Payment of Interim Compensation and Reimbursement of Expenses Incurred for the

Period July 1, 2023 Through September 30, 2023, No. 3:20-bk-30608, ECF No. 2153;[11] and

- any other Fee Applications or Documents that include any information regarding the rendering of services by any professional services firms, financial advisors, accounting firms, consulting firms, or any other Committee experts or consultants ("**Other Provision of Services Documents**").

Each of the above documents is publicly available. The Committee will not produce publicly available documents. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 20: *Produce all Documents relating to payments made to attorneys, advisors, consultants, or any other person or entity that provided services to the Committee.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. The Committee further objects that the Defendants are aware of the payments made by the Debtors to the Committee's professionals, including its counsel. Because this Request for Production does not seek legitimate

[11] The Committee's Retention Applications, No. 3:20-bk-30608, ECF Nos. 437, 667, 776, 1031, 1280, 1281, 1446, 1897, 1941, 432, 669, 784, 1076, 1331, 1363, 1453, 1789, 1950, 2095, 433, 672, 780, 1411, 1412, 435, 673, 781, 945, 1266, 1356, 1624, 1791, 1982, 434, 671, 778, 965, 1085, 1285, 1409, 1679, 1890, 670, 779, 899, 1067, 1275, 1418, 1643, 1893, 2007, 2137, 1395, 1567, 1787, 1788, 1945, 1986, 2096, 2153 and the Other Provision of Services Documents are collectively referred to as the "**Provision of Services Documents**".

discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include the Provision of Services Documents. In addition, the Debtors' monthly status reports filed on the docket reflect payments made to the Committee's professionals. Each of the above documents are publicly available. The Committee will not produce publicly available documents. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 21: *Produce all analyses, valuations, or estimations of the Debtor's Asbestos-Related Liabilities, including all Documents or Communications that reference, concern, or relate to any analyses, valuations, or estimations of the Debtor's Asbestos-Related Liabilities.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that Documents responsive to this Request are protected by the confidentiality provisions set forth in section D of the Mediation Order. Moreover, the Committee further objects that this Request is overbroad and unduly burdensome to produce "all analyses, valuations, or estimations," and "all Documents or Communications that reference, concern, or relate to any analyses, valuations, or estimations." In addition, the Committee objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including

expert discovery, has been completed. *See* General Objection No. 22. Finally, the Committee objects that this Request is premature because its subject matter will likely be subject to expert testimony.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

REQUEST FOR PRODUCTION NO. 22: *Produce all analyses, valuations, or estimations of the Aldrich Pump Assets or the Murray Boiler Assets, including all Documents or Communications that reference, concern, or relate to any analyses, valuations, or estimations of the Aldrich Pump Assets or the Murray Boiler Assets.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response each as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that Documents responsive to this Request are protected by the confidentiality provisions set forth in section D of the Mediation Order. Moreover, the Committee objects that this Request is overbroad and unduly burdensome to produce "all analyses, valuations, or estimations," and "all Documents or Communications that reference, concern, or relate to any analyses, valuations, or estimations." The Committee further objects that this Request for Production is premature because it is being propounded before substantial discovery has taken place in this Proceeding. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert

discovery, has been completed. *See* General Objection No. 22. Finally, the Committee objects that this Request is premature because its subject matter will likely be subject to expert testimony.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

REQUEST FOR PRODUCTION NO. 23: *Produce all Documents and Communications relating to the Committee's (or any of its members' or representatives') consideration of any proposal to resolve the Debtors' Asbestos-Related Asbestos or otherwise lead to the confirmation of a plan of reorganization under 11 U.S.C. § 524(g).*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee also objects to this Request on the grounds that "all Documents and Communications relating to the Committee's (or any of its members' or representatives')" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee further objects to this Request because "any proposal to resolve" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, doctrine, immunity, or protection. In addition, the Committee objects that Documents responsive to this Request are protected by the confidentiality provisions set forth in section D of the Mediation Order. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in

this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 24: *Produce all Documents relating to all options, alternatives, plans, or strategies considered by the Committee (or any of its members or representatives) to resolve the Debtors' Asbestos-Related Asbestos or otherwise lead to confirmation of a plan of reorganization under 11 U.S.C. § 524(g).*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee also objects to this Request on the grounds that "all Documents relating to all options, alternatives, plans, or strategies considered by the Committee (or any of its members or representatives)" is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee further objects to this Request because "all options, alternatives, plans, or strategies" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. In addition, the Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that Documents responsive to this Request are protected by the confidentiality provisions set forth in section D of the Mediation Order. This Request is objectionable because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this

proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 25: *Produce all Documents prepared for, discussed with or among, provided to, disseminated to, or presented at or in connection with any meetings of the Committee from the Petition Date to the present.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 26: *Produce documents sufficient to show the dates and attendees of any Committee meeting from the Petition Date to the present.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 27: *Produce all Documents and Communications, excepting expert reports prepared under Rule 26 of the Federal Rules of Civil Procedure, between the Committee (or any of its members or representatives) and any asbestos claimant (or his or her representatives) concerning any basis for Substantive Consolidation or Reallocating Asbestos-Related Liabilities, including without limitation how creditors dealt with Old IRNJ, Old Trane, Aldrich Pump, TTC, TUI, or Murray Boiler, alleged structural subordination of asbestos claimants, and/or the need to avoid some harm or to realize some benefit.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, or any other applicable privilege, doctrine, immunity, or protection. Moreover, this Request is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Requests for Production and

Interrogatories propounded by Defendants. The Committee also objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19.

Subject to and without waiving its General and Specific Objections, the Committee responds that because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Request for Production Nos. 1-26 and 28-41.

REQUEST FOR PRODUCTION NO. 28: *Produce all Documents and Communications, excepting expert reports prepared under Rule 26 of the Federal Rules of Civil Procedure, between the Committee (or any of its members' or representatives') and any third party, including without limitation public relation firms and law professors, concerning this bankruptcy.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request on the grounds that is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee further objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly

increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. Additionally, the Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19.

The Committee objects to this Request on the basis that "third party" is vague, ambiguous, and fails to describe whether this Request should include the Committee's professionals, resulting in a failure to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, and requiring the Committee to speculate as to its meaning. Likewise, the Committee objects to this Request because "concerning this bankruptcy" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee and requires the Committee to speculate as to its meaning.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 29: *Produce all presentations concerning this bankruptcy prepared or made by the Committee (or any of its members and representatives) and shared with any third party, concerning any basis for Substantive Consolidation or Reallocating Asbestos-Related Liabilities, including without limitation how creditors dealt with Old IRNJ, Old Trane, Aldrich Pump, TTC, TUI, or Murray Boiler, alleged structural subordination of asbestos claimants, and/or the need to avoid some harm or to realize some benefit.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or

protection. The Committee also objects to this Request because it seeks information that is neither relevant to any party's claim or defense nor proportionate to the needs of this Proceeding. The Committee further objects to this Request on the grounds that is overbroad and unduly burdensome. Additionally, the Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19.

The Committee objects to this Request on the basis that "concerning this bankruptcy" and "concerning any basis for Substantive Consolidation or Reallocating Asbestos-Related Liabilities" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee and requires the Committee to speculate as to its meaning. As such, the Committee does not interpret "third party" to include its own professionals for the purposes of this Request.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 30: *Produce all Documents and Communications referencing, discussing, constituting, or evaluating information about divisional/divisive mergers, whether under the laws of Texas, Delaware, or otherwise, including any Documents and Communications concerning any objection to or plan to discourage the use of divisional-merger or "Texas two-step" bankruptcies, including without limitation any Documents and Communications with public relations firms or law professors.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is neither

relevant to any party's claim or defense nor proportionate to the needs of this Proceeding. The Committee further objects to this Request on the grounds that is overbroad and unduly burdensome.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 31: *Produce all Documents identifying asbestos-related depositions and/or trials that were stayed as to the Debtors as a result of the Debtors filing bankruptcy, from January 1, 2019, to the present.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this litigation. The Committee further objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or were previously produced by Defendants. All the asbestos claimants whose depositions and/or trials were stayed by the Debtors' bankruptcy filings are purportedly listed in the Debtors' Claims Database. The Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify all such asbestos claimants, depositions, and trials.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 32: *Produce all Documents identifying asbestos-related depositions and/or trials that were stayed in in their entirety as a result of the Debtors filing bankruptcy, from January 1, 2019, to the present.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee also objects to this Request because it seeks information that is not relevant to any party's claim or defense in this litigation. The Committee further objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or were previously produced by Defendants. All the asbestos claimants whose depositions and/or trials were stayed by the Debtors' bankruptcy filings are purportedly listed in the Debtors' Claims Database. The Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify all such asbestos claimants, depositions, and trials.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 33: *Produce all Documents relating to, supporting, or refuting the allegations in this adversary proceeding.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, duplicative, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The

Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee responds that, because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Requests for Production Nos. 1-32 and 34-41.

REQUEST FOR PRODUCTION NO. 34: *Produce all Documents reviewed, considered, referenced, or used to respond to any of the Interrogatories propounded herein.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's responses to the Interrogatories, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents

previously produced by the Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 35: *Produce all Documents you contend support the denial of Request for Admissions propounded herein.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22. This Request is also objectionable because it is duplicative of Request for Production No. 17, and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving its General and Specific Objections, the Committee responds that the Documents responsive to this Request include, without limitation, those cited in the Committee's Objection/Response to Defendants' Interrogatories, which are either publicly available or within the Defendants' possession, custody, or control. The Committee will not re-produce Documents previously produced by Defendants. Accordingly, the Committee has no responsive Documents within the scope of Civil Rule 34(a)(1).

REQUEST FOR PRODUCTION NO. 36: *Produce all Documents or Communications relating to, referring to, or concerning any allegation of fact or law set forth in the Complaint.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that this Request is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee responds that, because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Request for Production Nos. 1-35 and 37-41.

REQUEST FOR PRODUCTION NO. 37: *Produce all Documents that you contend support any allegation of fact or law contained in the Complaint.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that this Request is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests

propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22. This Request is also objectionable because it is duplicative of Request for Production No. 36, and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving its General and Specific Objections, the Committee responds that, because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Request for Production Nos. 1-36 and 38-41.

REQUEST FOR PRODUCTION NO. 38: *Produce all Documents that tend to refute any allegation of fact or law contained in the Complaint.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The

Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22. This Request is also objectionable because it is duplicative of Request for Production Nos. 36 and 37, and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving its General and Specific Objections, the Committee responds that, because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Request for Production Nos. 1-37 and 39-41.

REQUEST FOR PRODUCTION NO. 39: *Produce all Documents that you intend to use in connection with any motion, hearing, or trial in this adversary proceeding, whether or not you intend to introduce such Documents into evidence.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee responds that it will produce responsive, non-privileged documents in its possession, custody, or control in response to this Request consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

REQUEST FOR PRODUCTION NO. 40: *Produce all Documents or Communications relating to the subject of this adversary proceeding, to the extent an such Documents or Communications are not otherwise produced in response to these Discovery Requests.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22. This Request is also objectionable because it is cumulative and duplicative of Request for Production Nos. 1-39 and 41, and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving its General and Specific Objections, the Committee responds that, because this Request encompasses all issues in this Proceeding and all other Requests for Production propounded by Defendants, the Committee incorporates by reference its Objection/Response to Request for Production Nos. 1-39 and 41.

REQUEST FOR PRODUCTION NO. 41: *Produce all Documents received by the Committee in response to any subpoenas propounded by the Committee in this adversary proceeding to any nonparty.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding because it encompasses all issues in this Proceeding and all other Discovery Requests propounded by Defendants. The Committee also objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee responds that it has not propounded any subpoenas to any nonparty in this Proceeding.

REQUEST FOR ADMISSION NO. 1: *Admit that you contend the Debtors are not in financial distress.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "financial distress" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. The Committee further objects that, to the extent the Committee's position on the Debtors' financial distress is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 2: *Admit that the following statements, made by Committee counsel during the July 14, 2023 oral argument on the Committee's Motion to Dismiss, represent the Committee's position:*

- *"So Aldrich and Murray are not financially distressed. They're holding 270 million in a QSF. They're holding 2.5 billion in face amount of insurance coverage. They have these contract rights with funding agreements against entities worth at least $10.8 billion. They are not facing any existential threat" (Hr'g Tr. at 42:17-22, July 14, 2023);*
- *"Bankruptcy requires – and there are a hundred ways we could put this – financial distress, economic distress, threat to viability, inability to fully and timely pay all of the debts. On*

the date this came to, before the Court, none of that existed and none of it exists still." (Id. at 53:16-21).

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "the Committee's position," "financially distressed," "financial distress," "economic distress," "threat to viability," and "inability to fully and timely pay all of the debts" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee further objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. To the extent the Committee's position on the Debtors' financial distress is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 3: *Admit that you contend the Debtors are solvent. See Dismissal Motion at 42 n. 171 ("The Debtor in* LTL*, like the Debtors here, was solvent.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and

unduly burdensome. The Committee also objects to this Request because "solvent" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. Moreover, to the extent the Committee's position on the Debtors' solvency is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 4: *Admit that you contend the Debtors' creditors face no threat to full payment of compensation.* See *Dismissal Motion, ¶ 45 ("[The Debtors'] creditors face no threat to full payment of compensation for their injuries as established in the tort system.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "threat," "full payment," and "compensation" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. Additionally, to the extent the Committee's position on the Debtors being capable of paying their asbestos creditors in full is relevant to this Proceeding, it would likely 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. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 5: *Admit that, during the pendency of any Bankruptcy Case, TTC and TUI, as Payees under the Funding Agreement, are obligated to pay any costs of and expenses of the Debtors to the extent that any cash distributions received by the Debtors from its subsidiaries are insufficient to pay those costs and expenses.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "obligated to pay," "costs of and expenses of the Debtors," "cash distributions," and "insufficient" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee further objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. Moreover, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 6: *Admit that you contend Aldrich Pump and Murray Boiler are "cash-starved debtors" and are "inadequately capitalized."* See *Opposition ¶ 37, n. 55 ("On the contrary, Aldrich and Murray are "cash-starved debtor[s]."); Motion ¶ 63 ("Third, as a result of the Corporate Restructuring, asbestos claimants are facing Debtors that have no operating business and are inadequately capitalized.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee also objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee admits this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 7: *Admit that you do not contend that Substantive Consolidation is warranted under the second prong of the* Augie/Restivo *and* Owens Corning *tests.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "warranted," "second prong of the *Augie/Restivo* and *Owens Corning* tests" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their

meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover, to the extent the Committee's position on the second prong of the *Augie/Restivo* and *Owens Corning* tests is relevant to this Proceeding, it 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

REQUEST FOR ADMISSION NO. 8: *Admit that the Committee has never made the Debtors a monetary settlement offer on the terms of a consensual plan.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request because "monetary settlement offer" and "terms of a consensual plan" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee also objects to this Request on the basis that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover,

information responsive to this Request is shielded from discovery by the mediation privilege. *See* General Objection No. 8. The Committee further objects that all information responsive to this Request is protected by the Confidentiality provisions set forth in section D of the Mediation Order. Additionally, the Defendants know whether the Committee has made any proposals and, if any proposals have been made, the terms of such proposals. Furthermore, the Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. For all these reasons, the Committee cannot admit or deny this Request.

REQUEST FOR ADMISSION NO. 9: *Admit that the Committee has developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related Liabilities.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "estimate" and "aggregate dollar value" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover,

information responsive to the Request is shielded from discovery by the mediation privilege. *See* General Objection No. 8. In addition, all information responsive to this Request is protected by the confidentiality provisions set forth in section D of the Mediation Order. To the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities is relevant to this Proceeding, it would likely 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. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. For all these reasons, the Committee cannot admit or deny this Request.

REQUEST FOR ADMISSION NO. 10: *Admit that the Committee has not developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related Liabilities.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "estimate" and "aggregate dollar value" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common

interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover, information responsive to the Request is shielded from discovery by the mediation privilege. *See* General Objection No. 8. Additionally, all information responsive to this Request is protected by the confidentiality provisions set forth in section D of the Mediation Order. Furthermore, to the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities is relevant to this Proceeding, it would likely 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. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. For all these reasons, the Committee cannot admit or deny this Request.

REQUEST FOR ADMISSION NO. 11: *Admit that the Committee is aware of no instance where an asbestos claimant fixed a judgement lien on any or all of Old IRNJ's or Old Trane's assets.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "fixed a judgement lien" and "any or all of Old IRNJ's or Old Trane's assets" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis

that the Committee did not exist prepetition and therefore has no responsive information other than information that is publicly available or that was previously produced by the Defendants. The Committee objects to this Request on the ground it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19. In addition, the Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify whether any asbestos claimants fixed a judgment lien on any or all of Ingersoll-Rand's or Old Trane's assets. The Committee further objects to this Request on the basis that it is unreasonably cumulative and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. This Request is also premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

Dated: May 28, 2024

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VERIFICATION

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that I, Michael Shepard, am authorized and entitled to make this declaration on behalf of the Official Committee of Asbestos Personal Injury Claimants (the "**Committee**"), that I have read the foregoing interrogatory answers ("**Interrogatory Answers**"), that the facts and statements contained in the Interrogatory Answers are either within my personal knowledge and are true and correct, or are based upon an investigation by the Committee, and as such are true and correct to the best of my knowledge, information, and belief. I, and the Committee, hereby reserve the right to modify, clarify, or supplement the Interrogatory Answers should new information warrant such modification, clarification, or supplementation.

By: */s/ Michael Shepard*
Michael Shephard

EXHIBIT C

CONFIDENTIAL – SUBJECT TO AGREED PROTECTIVE ORDER GOVERNING CONFIDENTIAL INFORMATION

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re ALDRICH PUMP LLC, et al., Debtors.	Chapter 11 Case No. 20-30608 (JCW) (Jointly Administered)
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS, on behalf of the estates of Aldrich Pump LLC and Murray Boiler LLC, Plaintiff, v. 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.	Adv. Pro. No. 22-03028 (JCW)

THE OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS' RESPONSES AND OBJECTIONS TO TRANE DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION AND REQUESTS FOR ADMISSION

Pursuant to Rules 7026, 7033, 7034, and 7036 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), Rules 26, 33, 34 and 36 of the Federal Rules of Civil Procedure (the "**Civil Rules**") incorporated therein, and the Local Rules of the United States Bankruptcy Court for the Western District of North Carolina (the "**Local Rules**"), the Official Committee of Asbestos Personal Injury Claimants (the "**Committee**") hereby responds and objects

(the "**Responses and Objections**") to the *Trane Defendants' First Set of Interrogatories, Requests for Production and Requests for Admission to the Official Committee of Asbestos Personal Injury Claimants* (the "**Discovery Requests**") propounded by Defendants Trane Technologies Global Holding Company Limited f/k/a Ingersoll-Rand Global Holding Company Limited ("**TTGH**"), Trane Technologies HoldCo Inc. ("**TT HoldCo**"), Trane Technologies Company LLC ("**TTC**"), Trane Inc., TUI Holdings Inc. ("**TUI Holdings**"), Trane U.S. Inc. ("**TUI**"), and Murray Boiler Holdings LLC ("**Murray Holdings**," and together with TTGH, TT HoldCo, TTC, Trane Inc., TUI Holdings, and TUI, the "**Trane Defendants**"), dated March 12, 2024, as follows:

RESERVATIONS OF RIGHTS AND OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

The following is incorporated into each of the Committee's individual responses to the Discovery Requests as if fully set forth therein. To the extent the Definitions or Instructions are incorporated into a Discovery Request, the Committee incorporates these Objections as if set forth fully in response to each such Discovery Request. Any failure to reiterate a below objection does not constitute a waiver of that or any other objection. Further, the Committee reserves the right to add to or amend the below reservation of rights and objections as its factual inquiry continues.

1. The Committee objects to the Definitions and Instructions set forth in the Discovery Requests to the extent they purport to impose definitions or obligations exceeding those applicable under the Civil Rules, the Bankruptcy Rules, the Local Rules, the Agreed Protective Order Governing Confidential Information (No. 20-30608 (JCW), ECF No. 345) (the "**Protective Order**"), the Order Establishing Joint Discovery Plan and Report (ESI Protocol) (Adv. Pro. ECF No. 69) (the "**Discovery Plan**"), or any other case management or other applicable order entered by the Bankruptcy Court in the above-captioned chapter 11 case, the above-captioned adversary proceeding, or any other proceedings.

2. The Committee objects to the Definitions and Instructions set forth in the Discovery Requests to the extent they purport to require the Committee to prepare, compile, organize, and/or produce to the Trane Defendants information and/or documents in any manner and/or format differing from that in which any such information and/or documents are maintained by the Committee in the ordinary and regular course of its business.

3. The Committee objects to the Discovery Requests on the basis that they are overly broad and unduly burdensome. The Committee objects to each Definition, Instruction, and Discovery Request to the extent it purports to require a statement of "the full factual basis" that the Committee contends support an allegation or assertion or to the extent it purports to require the production of "all Documents" that the Committee contends supports an allegation or assertion. The Committee makes no representations as to whether the documents currently in its possession, custody, or control constitute "all" documents that exist, and the Committee does not purport to have knowledge of "all" documents that are the subject of each Interrogatory or Request for Production.

4. The Committee objects to the Discovery Requests to the extent they are vague, ambiguous, unintelligible, fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to the meaning and intent of the Discovery Requests.

5. The Committee objects to the Discovery Requests to the extent they are designed or intended to harass, annoy, oppress, cause unnecessary delay, needlessly increase the cost of litigation, or otherwise create an undue burden and/or expense upon the Committee, or to the extent they would have that effect.

6. The Committee objects to the Discovery Requests to the extent they may be construed to require the Committee to concede the relevance, materiality, probative value, or admissibility of the facts or matters sought by such Discovery Requests.

7. The Committee objects to the Discovery Requests to the extent that they seek information that is neither relevant to any party's claim or defense nor proportionate to the needs of the above-captioned adversary proceeding. In all instances, the Committee has interpreted the Discovery Requests as seeking only such documents or information that appear to reasonably relate to the claims or defenses asserted in the above-captioned adversary proceeding and that may be discoverable consistent with the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan.

8. The Committee objects to the Definitions, Instructions, and Discovery Requests to the extent they purport to require the Committee to produce originals of each Document requested on the grounds that such a requirement is unduly burdensome and unreasonable.

9. The Committee does not waive, and instead expressly reserves the right to object or oppose on any ground, whether or not asserted herein, any party's efforts to use the responses herein as evidence at any hearing or trial, including, without limitation, the pending estimation proceeding. Specifically, the Committee reserves the right to challenge the relevance, materiality, and admissibility of and to object on any grounds to the use at any subsequent proceeding in this or any other action of any information, statement, admission, document, or other materials produced in response to the Discovery Requests.

10. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent that they seek the production of all information that exists relating to a given subject. Such a requirement is inconsistent with the obligations of Civil Rules 33 and 34,

made applicable to this contested matter pursuant to Bankruptcy Rules 7033, 7034, and 9014, and is unduly burdensome, overly broad and harassing.

11. The Committee objects to the Discovery Requests and their Instructions and Definitions to the extent they seek the admission of information or facts in response to an impermissibly compound request, purport to require a statement with particularity of the reason(s) such information or facts are not being admitted or provided, or purport to require a description with particularity the portion(s) of such response that are being withheld. Such a requirement is inconsistent with the obligations of Civil Rule 36, made applicable to this contested matter pursuant to Bankruptcy Rule 7036.

12. The Committee objects to the Discovery Requests to the extent they call for information protected by any privilege or discovery immunity, including the attorney-client privilege, the work product doctrine, the joint defense doctrine, the common interest doctrine, the mediation privilege, the protections available to communications with non-testifying experts, or any other applicable privilege, doctrine, immunity, rule, or order. The Committee objects to the Discovery Requests to the extent they seek information that is or may be protected from disclosure under any applicable Federal Rules of Evidence, Civil Rules, or Local Rules, including any Local Rule which prohibits divulging information disclosed in the course of mediation. The Committee objects to the extent any Discovery Request calls for mental impressions, conclusions, opinions, or legal theories of counsel or trial preparation materials. The Committee hereby asserts all applicable privileges, discovery protections, and immunities.

13. The Committee objects to the Discovery Requests to the extent they may seek information, contrary to Civil Rule 26(b)(4), from any third-party consultant retained by the Committee to provide consulting services and advice to the Committee in connection with this

chapter 11 case. Information as to which a privilege could be asserted shall not constitute a waiver of any claim or privilege that the Committee may have as to any other information, and the Committee reserves its right to recall any such privileged information inadvertently produced in accordance with Section M of the Protective Order.

14. The Committee objects to each Discovery Request to the extent it calls for the Committee (i) to produce or create Documents that are not currently in the Committee's possession, custody, or control; (ii) to produce Documents on behalf of any person or entity other than the Committee; (iii) to produce Documents that no longer exist or that are not clearly identified; (iv) to re-produce Documents that have been previously produced or are in the process of being produced; and (v) to produce Documents that are subject to non-disclosure agreements, confidentiality agreements, court protective orders, or other confidentiality obligations.

15. The Committee objects to the Discovery Requests to the extent that they purport to seek information that is, or is contained in, a public record, and/or is in the possession of, and/or that already have been or should be sought or obtained from, any of the parties to this action, or any other persons or entities, on the basis that such information is as easily and readily available to and obtainable by Trane Defendants from the public repository, party, person or entity in possession of that information as from the Committee.

16. The Committee objects to the Discovery Requests to the extent they are unlimited in time, or otherwise are not limited to a time frame relevant to this litigation, on the grounds that such Discovery Requests seek information that is either irrelevant to any party's claim or defense in the litigation, and/or disproportionate to the needs of the case.

17. The Committee objects to the Discovery Requests to the extent they call for the disclosure of information that would violate any law, rule, or regulation.

18. The Committee objects to the Discovery Requests to the extent they state assumptions or contentions of law or fact, which the Committee neither admits nor denies. The Committee also objects to each Definition, Instruction, and Discovery Request to the extent it contains factual or argumentative allegations or assertions, defines terms, characterizes evidence in this litigation, and/or calls for responses as to legal interpretation and/or legal conclusions. Unless otherwise expressly stated therein, no response to any Discovery Request shall be construed as, or constitute, admissions to any of the factual or legal assumptions, contentions, allegations, or assertions stated or implied in any of the Discovery Requests.

19. The Committee objects to the Discovery Requests to the extent they call for responses as to legal interpretation and/or legal conclusions. The Committee further objects to the Discovery Requests to the extent that they call for legal interpretation or "pure legal conclusions." *See, e.g.*, *Ferruccio v. Davis*, No. 5:19-CV-346-BO, 2020 WL 6706354, at *2–3 (E.D.N.C. Nov. 13, 2020) (finding that interrogatories asking that defendants tell the plaintiff what legal authorities support their arguments were improper).

20. The Committee objects to each Definition, Instruction, and Discovery Request to the extent it seeks documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel. The Committee does not represent individual claimants and does not have possession, custody, or control over documents or information belonging to individual claimants or their respective counsel. *See In re Circle K Corp.*, 199 B.R. 92, 100 (Bankr. S.D.N.Y. 1996), *aff'd*, 1997 WL 31197 (S.D.N.Y. Jan. 28, 1997) (holding that for purposes of bankruptcy proceedings, creditors' committee constituents are not clients of the committee's attorneys). By the same token, the files of individual claimants' lawyers are outside the Committee's possession, custody, and control. *See In re Snyder*, 51 B.R. 432, 438–

39 (Bankr. D. Utah 1985) (acknowledging that a committee's attorneys represent only the committee, and that individual creditors are represented by their respective attorneys)

21. The Committee objects to the Discovery Requests to the extent they seek information about Project Omega or the Corporate Restructuring, about which the Committee possesses virtually no first-hand, direct, personal, or unique knowledge other than information obtained from discovery in the Debtors' chapter 11 cases (including, without limitation, from documents produced by Defendants or other parties to the Committee in discovery), documents that are, or are contained in, public records, and/or documents that are in the possession of, and/or that already have been or should be sought or obtained from, any of the other parties to this proceeding or relevant third parties. The Committee did not exist at the time of Project Omega or the Corporate Restructuring and was created as a result of the Debtors' chapter 11 cases. Therefore, Defendants' inquiries about Project Omega and the Corporate Restructuring relate to events that preceded the Committee's formation.

22. The Committee reserves the right to review the documents to be produced and to designate any such documents as "confidential" under the Protective Order.

23. The Committee objects that the Discovery Requests are premature in that they are being propounded before substantial discovery has taken place in this action and because they may call for expert opinion. *See, e.g.*, *Glob. Locating Sys., LLC v. ShadowTrack 247, LLC*, No. 1:19-CV-00225-MR, 2020 WL 3432714, at *2 (W.D.N.C. June 23, 2020) (finding where the parties had not yet exchanged expert reports or engaged in significant discovery, a motion to require the parties to answer contention interrogatories was premature); *Capacchione v. Charlotte-Mecklenburg Schs.*, 182 F.R.D. 486, 489 (W.D.N.C. 1998) (stating that "[d]ue to the nature of contention interrogatories, they are more appropriately used after a substantial amount

of discovery has been conducted—typically, at the end of the discovery period"); *United States v. Taylor*, 166 F.R.D. 356, 363 n.7 (M.D.N.C.), *aff'd*, 166 F.R.D. 367 (M.D.N.C. 1996) ("Contention interrogatories of limited scope are proper toward the end of discovery.").

24. The Committee's Responses and Objections are based upon the Committee's knowledge, information, and belief since its inception pursuant to the Order Appointing the Official Committee of Asbestos Personal Injury Claimants (No. 20-30608 (JCW), ECF No. 147) and are set forth herein without prejudice to the Committee's right to assert additional objections or to amend or supplement these Responses and Objections should it learn or discover additional information. The Committee reserves its right to amend or supplement each and every response set forth below.

25. The Committee has made a reasonable and good faith effort to respond to the Discovery Requests and will conduct a reasonable, good faith search for information and documents in its possession, custody or control that are responsive to the Interrogatories. However, the Committee has not fully completed its investigation relating to the facts in this action, has not completed discovery in this action, and has not completed preparation for trial. Since discovery is ongoing, the Committee reserves the right to amend or supplement these Responses.

26. The Committee also objects to the Interrogatories exceeding the 45-interrogatory limit, including subparts, that the Discovery Plan imposed. Accounting for discrete subparts in these Interrogatories and those propounded in Adv. Pro. 21-03029 (JCW), these Interrogatories exceed the maximum limit of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to each Interrogatory. To the extent the Committee nevertheless responds to these Interrogatories, such responses are subject to the Committee's stated

objections and reserving the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith.

27. The Committee objects to Instruction No. 2 to the extent it seeks documents in the possession, custody or control of individual members of the Committee or any of their respective tort counsel.

28. The Committee objects to Instruction No. 10 to the extent it purports to require the Committee to log all its postpetition privileged or protected communications without meeting and conferring, as required by Paragraph 13(e) of the Discovery Plan.

29. The Committee objects to Instruction No. 15 as overbroad and unduly burdensome to the extent it requires the Committee to produce documents that are already in the Defendants' possession, including documents previously produced by the Defendants or documents publicly filed in the chapter 11 cases and/or in the related adversary proceedings, including this Proceeding. The Committee also objects to the Interrogatories and Requests for Production on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants. The Committee will not re-produce documents previously produced by other parties. Further, documents that are not otherwise in the Committee's possession, custody, or control are outside the scope of Civil Rule 34(a)(1).

30. The Committee objects to Instruction No. 16 regarding "destroyed," "lost," "mislaid," or "otherwise missing" documents as overbroad and unduly burdensome. Notwithstanding the foregoing objection, the Committee will comply with the Civil Rules and Local Rules to the extent they pertain to such documents.

Reserving the foregoing rights and objections as to all Discovery Requests and without waiving, but on the contrary expressly reserving, any questions or objections as to the relevance, competence, materiality, genuineness, admissibility and authenticity of any documents and evidence for any purpose in this action or in any subsequent proceedings, the Committee specifically responds and objects to the individual Discovery Request as set forth below.

RESPONSES AND OBJECTIONS TO TRANE DEFENDANTS' INTERROGATORIES

INTERROGATORY NO. 1: *State the full factual basis for Your claim that the Corporate Restructuring rendered the Debtors insolvent, including the amount of assets You contend would have been necessary to render the Debtors solvent. See, e.g., FT Complaint, ¶¶ 75, 101, 157. In doing so, identify each Person whom You contend has knowledge of Your factual contentions.*

RESPONSE TO INTERROGATORY NO. 1: The Committee objects to this Interrogatory on the grounds that "the full factual basis for Your claim that the Corporate Restructuring rendered the Debtors insolvent, including the amount of assets You contend would have been necessary to render the Debtors solvent" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has two different discrete subparts, and therefore is two separate interrogatories. The Committee objects to this Interrogatory to the extent it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. The Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification

of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory to the extent it calls for an expert opinion. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint (Adv. Pro. No. 22-03028 (JCW), ECF No. 1) (hereinafter the "Complaint") including, but not limited to, paragraphs: 10, 67, 75, 101–107, 138, 146, 157, 176, and 183. Capitalized terms not defined herein shall have the meanings ascribed to them in the Complaint.

The Committee further responds that, according to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreement as defined and described in the Complaint) are insufficient to cover their asbestos liabilities. Court's Findings and Conclusions ¶ 63, Adv. Pro. No. 20-03041 (JCW), ECF No. 308 (finding that, if the Funding Agreement is not taken into account, "Aldrich/Murray's assets were not then, and are not now, sufficient to satisfy their liabilities" (footnote omitted)); *id.* ¶ 72 ("According to the Debtors' own metrics, their assets (without the funding Agreements) are already insufficient as they are less than their asbestos liabilities." (footnote omitted)); Hr'g Tr. 397:18–398:1, May 6, 2021 (Diaz Direct) ("So yes, the, the liabilities of Aldrich, if you exclude the funding agreement, are greater than the assets of, of Aldrich, correct."); *id.* at 398:18–23 ("On the Murray side, they picked up $127 million of assets, they picked up all of the asbestos liabilities, $193 million asbestos liabilities. Similar to Aldrich, the assets of Murray, $127 million, if you exclude the funding agreement, are less than the total of liabilities of 193, plus 1. So $194 million."). Instead of having direct recourse against the former

assets of Ingersoll-Rand and Trane U.S. Inc., asbestos claimants must now depend on Debtors' willingness to vindicate their rights under the Funding Agreement, which is untenable given, among other things, Debtors' management's mixed loyalties to New TTC. *See* Court's Findings and Conclusions ¶¶ 73, 174; DEBTORS_00003310–21 ("**Secondment Agreement**").

In addition, the Funding Agreements are unsecured and not guaranteed by the Affiliates or other entities. Court's Findings and Conclusions ¶ 80; Debtors' 30(b)(6) Dep. 111:15-21; 112:6-15 (Tananbaum). Nothing in the Funding Agreements prevents TTC and Trane from layering on debt that would be senior in priority to their obligations under their respective Funding Agreements. Court's Findings and Conclusions ¶ 80; Debtors' 30(b)(6) Dep. 113:4-8 (Tananbaum). Nothing in the Funding Agreements requires TTC and Trane to provide financial statements to the Debtors that are audited or contain information at a level that provides details on account balances and material transactions (e.g., footnotes to financial statements). Court's Findings and Conclusions ¶ 80. The Funding Agreements do not require TTC or TUI to provide payments that "exceed the aggregate amount necessary" for the Debtors to fund all "Permitted Funding Uses," thus giving TTC and Trane leeway to determine what is "necessary" and the ability to reduce payments if either disagrees with the use of funds. DEBTORS_00003817 ("**Aldrich Funding Agreement**"), § 2(a); DEBTORS_00004097 ("**Murray Funding Agreement**"), § 2(a); Court's Findings and Conclusions ¶ 80. Further, there is no dispute resolution mechanism if a funding request by a Debtor is denied. Court's Findings and Conclusions ¶ 80; Hr'g Tr. 400:15-17, May 6, 2021 (Diaz Direct). The Funding Agreements do not prevent TTC and Trane from engaging in additional divisional mergers, and they explicitly allow the Nondebtor Affiliates to engage in consolidations and mergers, and to transfer "all or substantially all" of their assets. Aldrich Funding Agreement § 4(b)(i); Murray Funding Agreement § 4(b)(i); Court's Findings and Conclusions ¶ 80. In

addition, there are no mechanisms in the Funding Agreements to ensure that TTC and Trane will have sufficient assets to perform under them. Tananbaum Dep. 224:13-18 (Mar. 22, 2021). And nothing in the Funding Agreements limits or prohibits dividends, or other distributions of value, by TTC or Trane to equity holders, potentially including their full value. Court's Findings and Conclusions ¶ 80; *see also* Tananbaum Dep. 223:2-24 (Mar. 22, 2021).

"[T]he Debtors' rights and obligations under . . . [their respective Funding Agreements] may not be assigned without the prior written consent of New TTC or New Trane." Court's Findings and Conclusions ¶ 74 (footnote omitted); Hr'g Tr. at 157:21-162:4, May 5, 2021 (Tananbaum Cross); Aldrich Funding Agreement, at DEBTORS_00004101-02. Thus, "arguably a Creditor's Plan could not be funded unless New TTC and/or New Trane favor that Plan." Court's Findings and Conclusions ¶ 74 (footnote omitted). Moreover, "the Funding Agreements require, as a precondition to funding a § 524(g) trust, that a confirmed chapter 11 plan provide New TTC or New Trane, as applicable, 'with all the protections of section 524(g) of the Bankruptcy Code.'" *Id.* ¶ 76 (footnote omitted). Further, "the Funding Agreements have 'Automatic Termination' provisions whereby New TTC's and Trane's respective funding obligations automatically cease 'on the effective date of a Section 524(g) Plan.'" *Id.* ¶ 77 (footnote omitted). As a result, "the Funding Agreements could never serve as post-effective date 'evergreen' sources of funding that § 524(g) contemplates." *Id.* Moreover, "once exclusivity has ended, these provisions of the Funding Agreements will . . . impair, if not disable, the ability and right of other parties-in-interest to propose a competing 524(g) plan." *Id.* ¶ 78.

As the Court found, "the Funding Agreements are not unconditional promises to pay the Aldrich/Murray Asbestos Liabilities. They are instead conditional agreements dependent on New TTC/New Trane's approval of any reorganization plan and upon New TTC/New Trane's

continued good financial health." *Id.* ¶ 81. And further, the Court recently ruled that "[a]lthough the Debtor [*sic*] is party to a funding agreement, the agreement is contingent upon Court approval, which in turn requires creditor approval of the plan or a cramdown." Order Denying Debtor's Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants, at 3, No. 3:20-bk-30608, ECF No. 2046 ("**Order Denying Withdrawal**").

Upon information and belief,[1] the Persons who have knowledge of the above facts are:

- Aldrich: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Murray: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- TTC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Old Trane: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ingersoll-Rand: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

[1] The addresses, phone numbers, and positions of each Person are based on the Committee's information and belief.

- ClimateLabs LLC ("**ClimateLabs**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- 200 Park, Inc. ("**200 Park**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ingersoll-Rand Global Holding Company Limited ("**IRGH**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane Technologies HoldCo Inc.: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- TUI Holdings Inc.: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Murray Boiler Holdings, LLC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Trane Technologies plc ("**Trane plc**"): 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Any other affiliates of Trane plc enterprise group that have knowledge of Ingersoll-Rand's and Old Trane's production of asbestos-containing products, Ingersoll-Rand's

and Old Trane's conduct defending and settling asbestos claims, Aldrich's and Murray's conduct defending and settling asbestos claims, Project Omega,[2] the Corporate Restructuring, and/or Aldrich and Murray's bankruptcy filing (the "**Other Affiliates**").[3]

- Wayne Agostini: Senior Treasury Manager at Trane plc; Former Senior Treasury Manager, Former Assistant Global Cash Manager, Former Risk Manager, Former Trade Finance Manager, and Former Area Credit Manager at Ingersoll Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Marcia J. Avedon: Former Executive Vice President and Chief Human Resources, Marketing, and Communications Officer at Trane plc; Former Executive Vice President and Chief Human Resources, Marketing, and Communications Officer and Former Senior Vice President, Human Resources, Communications, and Corporate Affairs at Ingersoll-Rand. Current address and telephone number unknown.
- Jason Bingham: Former President, Resident HVAC and Supply, Former Vice President of Energy Services and Controls, Former Vice President of Trane North America, and Former District Manager for Trane plc; Former Vice President – Strategy and Innovation for Ingersoll-Rand. Current address and telephone number unknown.

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[2] "**Project Omega**" and the "**Corporate Restructuring**" have the same meaning as in the Motion of the Official Committee of Asbestos Personal Injury Claimants for Substantive Consolidation of Debtors' Estates with Certain Nondebtor Affiliates or, Alternatively, To Reallocate Debtors' Asbestos Liabilities to Those Affiliates, No. 3:21-ap-03029, ECF No. 2.

[3] Aldrich, Murray, TTC, Trane, Old Trane, Ingersoll-Rand, ClimateLabs, 200 Park, IRGH, Trane Technologies HoldCo., TUI Holdings Inc., Murray Boiler Holdings, LLC, Trane plc, and the Other Affiliates are collectively referred to as the "**Trane Entities**".

- Cathleen Bowen: Global Legal Controller at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- David Brennan: Columbia Plant Transformation Leader, and Former Vertical Market Growth Director, Former Strategic Growth Program Leader, Former Commercial HVAC Americas, and Former Transformation Program Management Leader at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Sara Walden Brown: Former Assistant Secretary, Vice President, and Deputy General Counsel—Corporate Finance, Securities and Corporate Law at Trane plc, Trane Technologies HoldCo. Inc., TTC, TUI Holdings Inc., Old Trane, Murray Boiler Holdings LLC, 200 Park, and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- David Butow: Vice President and Deputy General Counsel, Compliance and Mergers & Acquisitions at Trane plc; Former Vice President and Deputy General Counsel, Commercial HVAC and Mergers & Acquisitions, Former Vice President and General Counsel, Climate Segment and Mergers & Acquisitions, Former Vice President and General Counsel, Climate Segment, Former Vice President and General Counsel, EMEIA and Deputy General Counsel, M&A, Finance, and Restructuring, Former Deputy General Counsel – M&A, Financing and Restructuring, and Former Assistant

General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Paul Camuti: Executive Vice President and Chief Technology, Strategy, and Sustainability Officer at Trane plc; Former Senior Vice President of Innovation and CTO, Corporate Sustainability at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Roger Cranmer: Tax Director, Global Tax Reporting, Compliance and Indirect Taxes at IRGH, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Richard Daudelin: Former Director and Treasurer at Trane Technologies HoldCo. Inc., TUI Holdings Inc., Old Trane, and Murray Boiler Holdings LLC: 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Former Director of Trane Holding Limited; Former Treasurer at TTC, 200 Park, and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Former Director of Trane Inc., One Centennial Avenue, Piscataway, New Jersey 08854, (732) 652-7100, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Marc DuFour: President and CEO of Club Car at IRGH; Former President of Americas ITS and Former President of Air Solutions at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon,

Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.

- Elizabeth Elwell: Vice President & Chief Accounting Officer, Former Vice President of Finance, Residential HVAC & Supply, and Former Vice President, Financial Planning & Analysis at Trane plc; Former Vice President of Financial Planning & Analysis, Former Global FP&A Director – Compression Technologies & Services, and Former Global Commercial Controller of Power Tools at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Maria Green: Former Senior Vice President & General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Sandra Hamrick: Executive Assistant to Evan Turtz at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- D. Eric Hankins: Vice President of Finance for Thermo King Americas, Former Finance Leader of Life Science Solutions, Former Director of Credit & Cash Applications, and Former Director of Finance for Commercial HVAC at Trane plc; Former Americas Operations Controller, Former Plant Controller, Former Commercial Controller for Club Car, and Former Manager of Financial Planning & Cost Accounting for Club Car at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6800.

- Martyn Holmes: Former Solution Architect Leader – Finance & OTC and Former Solution Architect – ERP at Trane plc; Former Solution Architect – ERP, Former IT Functional Leader / OTC & Finance, Former IT Manager – Finance RTR, and Former ERP Senior Systems Analyst at Ingersoll-Rand. Current address and telephone number unknown.
- Heather Howlett: Former Vice President and Chief Accounting Officer at Trane plc. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- Robert Katz: Former Senior Vice President and General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown, representation unknown.
- Lisa Knapp: Former Vice President of Human Resources at TTC and Ingersoll-Rand. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Christopher Kuehn: Director at IRGH; Manager, Senior Vice President, and Chief Financial Officer at TTC; Senior Vice President, Chief Financial Officer, and Vice President of Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Lawrence Kurland: Director at Trane, TUI Holdings Inc., Trane Holding Limited, Thermo King Corporation, Trane Technologies HoldCo Inc.; Manager, Murray Boiler Holdings LLC; Vice President at TTC and ClimateLabs; Former Director and Vice President at 200 Park, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Individual works at One Centennial Avenue, Piscataway, New Jersey 08854, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Lamach: Former Director, Chairman, and Chief Executive Officer, Trane plc and TTC; Former Director at IRGH, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.
- Jonathan Lyons: Vice President of Financial Planning & Analysis, Former Vice President of Audit Services and Former Regional Director R2R & AP EMEA at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Mark Majocha: Vice President of Corporate Development, Trane Commercial HVAC, at TTC; Former Vice President of Compression Technology & Services and Former Vice President of Finance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Phyllis Morey: Former Vice President and Deputy General Counsel at Trane plc and Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Jennifer Neville: SEC External Reporting & Technical Accounting Manager at Trane plc; Former SEC External Reporting & Technical Accounting Manager at Ingersoll-Rand. 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- M. Kathleen Padfield: Vice President & General Counsel – Residential HVAC & Supply at Trane plc; Former General Counsel at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Rolf Paeper: Vice President of Strategic Programs at Trane plc; Former Vice President & General Manager of Product Management & Marketing, Former Vice President of Product Management Excellence, and Former Product Business Leader – Applied Equipment at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Ray Pittard: Vice President and Chief Restructuring Officer at Aldrich and Murray; Transformation Office Leader at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Veronika Quintana: Former North America Accounts Payable Manager at Trane plc; Former Senior Accountant at Trane plc and Ingersoll-Rand. Current address and telephone number unknown.
- David Regnery: Chair and Chief Executive Officer, and Former President and Chief Operating Officer, at Trane plc; Former President and Chief Operating Officer of TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Amy Roeder: Manager, Chief Financial Officer, and Treasurer at Aldrich and Murray; Finance Director-Information Technology & Legal at TTC; Director and Chief Financial Officer at 200 Park and ClimateLabs, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Robert Sands: In-House Attorney (Seconded) at Aldrich and Murray; Associate General Counsel for Product Litigation at Trane plc; Former Associate General Counsel for Litigation at Trane plc and Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Donny Simmons: President, Commercial HVAC Americas, at TTC; Former President and Vice President of Industrial Fluid Management, Material Handling, & Power Tools at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-

4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Keith A. Sultana: Senior Vice President of Global Operations & Integrated Supply Chain and Operational Solutions at Trane plc; Former Senior Vice President of Global Operations & Integrated Supply Chain, Operational Solutions, Global Procurement, and Industrial Technologies at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Allan Tananbaum: Chief Legal Officer and Secretary at Aldrich and Murray; Deputy General Counsel—Product Litigation at TTC; Former Vice President and Deputy General Counsel—Litigation at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Mr. Tananbaum works at One Centennial Avenue, Piscataway, New Jersey 08854, and is represented by Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Evan Turtz: Director, Senior Vice President, General Counsel, and Secretary Assistant Treasurer at TTC; Director, Vice President, and Secretary at Trane, 200 Park, and ClimateLabs; Manager, President, and Secretary at Murray Boiler Holdings LLC; Senior Vice President and General Counsel at Trane plc; Director, Senior Vice President, General Counsel, and Secretary at IRGH; Director, President, and Secretary at Trane Technologies HoldCo. Inc, TUI Holdings Inc., and Trane Holding Limited, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000; Director, Vice President, and Secretary at Trane Inc., One Centennial Avenue, Piscataway, New

Jersey 08854, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.

- Christopher Uhlich: Former Director, External Reporting and Technical Accounting at Trane plc; Former Manager of Technical Accounting and Financial Reporting & Consolidations and Former Senior Financial Analyst at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Manlio Valdes: Former Vice President of Product Management for the Americas at Trane plc; Former Vice President of Product Management & Marketing and Global Product Management, Former President of Compressed Air Systems & Services, EMEIA Climate Solutions, Air Solutions, and Industrial Solutions at Ingersoll-Rand; Former Business Unit Manager – Aftermarket, Former General Manager, Regional Manager, and Product Specialist at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850.
- Mikhael Vitenson: Associate General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Scott R. Williams: Former Account Manager at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000. Current address and telephone number unknown.
- Bill Wong: Position(s), current address, and telephone number unknown.

- Robert Zafari: Former Executive Vice President – Industrial Segment, Former Senior Vice President – Industrial Technologies Sector, Former President of Climate Solutions, Security & Safety Solutions, and Compact Vehicles Technologies, and Former Vice President & General Manager of Productivity Solutions at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 26000, Greensboro, North Carolina 27420-6000, (336) 373-8850. Current address and telephone number unknown.[4]
- Any other managers, officers, employees, or agents of the Trane plc enterprise group that have knowledge of Ingersoll-Rand's and Old Trane's production of asbestos-containing products, Ingersoll-Rand's and Old Trane's conduct defending and settling asbestos claims, Aldrich's and Murray's conduct defending and settling asbestos claims, Project Omega, the Corporate Restructuring, and/or Aldrich and Murray's bankruptcy filing (the "**Other In-House Individuals**").
- Charles Mullin: Managing Partner of Bates White, LLC. 2001 K Street NW, North Building, Suite 500, Washington, DC 20006, (202) 408-6110, c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.

[4] Wayne Agostini, Marcia J. Avedon, Jason Bingham, Cathleen Bowen, David Brennan, Sara Brown, David Butow, Paul Camuti, Roger Cranmer, Richard Daudelin, Marc Dufour, Elizabeth Elwell, Maria Green, Sandra Hamrick, D. Eric Hankins, Martyn Holmes, Heather Howlett, Robert Katz, Lisa Knapp, Chris Kuehn, Lawrence Kurland, Michael Lamach, Jonathan Lyons, Mark Majocha, Phyllis Morey, Jennifer Neville, M. Kathleen Padfield, Rolf Paeper, Ray Pittard, Veronika Quintana, Dave Regnery, Amy Roeder, Robert Sands, Donny Simmons, Keith A. Sultana, Allan Tananbaum, Evan Turtz, Christopher Uhlrich, Manlio Valdes, Mikhael Vitenson, Scott R. Williams, Bill Wong, Robert Zafari, and the Other In-House Individuals are collectively referred to as the "**In-House Individuals**."

- Bates White, LLC: 2001 K Street NW, North Building, Suite 500, Washington, DC 20006 (202-408-6110), c/o Jones Day, 77 West Wacker, Chicago, Illinois 60601, (312) 782-3939.
- Mark A. Cody: Partner at Jones Day. 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 269-4392.
- Bryan E. Davis: Partner at Jones Day. 1221 Peachtree Street, N.E., Suite 400, Atlanta, Georgia 30361, (404) 581-8631.
- Brad B. Erens: Partner at Jones Day. 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 269-4050.
- Greg M. Gordon: Partner at Jones Day. 2727 North Harwood Street, Suite 500, Dallas, Texas 75201, (214) 969-3759.
- Jim Jones: Partner at Jones Day. 250 Vesey Street, New York, New York 10281, (212) 326-7838.
- Troy Lewis: Partner at Jones Day. 2727 North Harwood Street, Suite 500, Dallas, Texas 75201, (214) 969-3721.
- Jones Day: 110 North Wacker Drive, Suite 4800, Chicago Illinois 60606, (312) 782-3939.
- Gregory Mascitti: Partner at McCarter & English, LLP. Worldwide Plaza, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- McCarter & English, LLP: Worldwide Plaza, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6800.
- Laureen Ryan: Managing Director at Alvarez & Marsal Disputes and Investigations LLC. 600 Madison Avenue, 8th Floor, New York, New York 10022, (212) 763-9568.

- Alvarez & Marsal Disputes and Investigations LLC: 600 Madison Avenue, 8th Floor, New York, New York 10022, (212) 759-4433.[5]
- Any other professionals or firms that have advised or assisted the Trane plc enterprise group to implement Project Omega and/or the Corporate Restructuring, and/or advised or assisted the Trane plc enterprise implement Aldrich's and Murray's bankruptcy filings (the "**Other Professionals**").
- Gideon Alpert: Former Tax Counsel at Trane plc and Ingersoll-Rand. Current address and telephone number unknown.
- Matt Barga: President, Life Science Solutions, Trane plc; Former Ductless HVAC Sales & Marketing Leader, Former Director of Product Management, AC, Furnace, & Coil Portfolio Leader of Residential HVAC, Former Product Portfolio Manager, Light Commercial Unitary, and Former Commodity Director at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Randall L. Berg: Former North America Record to Report Director at Ingersoll-Rand; Former Americas Accounting Center Controller and Former Trane Commercial Distribution Controller at Old Trane. Current address and telephone number unknown.
- Christopher Donohoe: Vice President of Treasury and Former Assistant Group Treasurer, Global Cash Management, FX, & Treasury Operations at Trane plc; Former Assistant Group Treasurer at Ingersoll-Rand, 800-E Beaty Street, Davidson, North

[5] Charles Mullin, Bates White LLC, Mark A. Cody, Bryan E. Davis, Brad B. Erens, Greg M. Gordon, Jim Jones, Troy Lewis, Jones Day, Gregory Mascitti, McCarter & English, LLP, Laureen Ryan, and Alvarez & Marsal Disputes and Investigations LLC and the Other Professionals are collectively referred to as the "**Project Omega and Bankruptcy Professionals**."

Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- W. Glenn Edwards: Chief Intellectual Property Counsel, Vice President, & Deputy General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Goldstein: Director of Global Remediation & Environmental Risk Management at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Terri Hamill: Vice President of Global Real Estate & Facilities at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Kelly Kent: Contract Manager at Trane plc; Former Senior Paralegal – Labor & Employment at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Paul Kumar: Vice President – Tax at Trane plc; Former International Taxation Director – Americas & India at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Sheetal D. Kumar: Former Global Transfer Pricing Leader and Former Assistant Director at Trane plc; Former US Transfer Pricing Leader and Former Assistant Director, Transfer Pricing – Americas, LatAm, & India at Ingersoll-Rand. Current address and telephone number unknown.
- Collette Mattmiller: HR Leader of Life Science Solutions, Former HR Leader of Mergers, Acquisitions, & Strategic Initiatives, and Former Global HR Director of Strategy & Innovation, HR/C, Marketing, & Legal at Trane plc; Former Global HR Director of IT & Legal and of the Compressed Air Business Unit, Former Talent Manager, Latin America, and Former Senior Talent Acquisition Partner at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Melisa Mohn: Corporate Real Estate Leader at Trane plc; Former Corporate Real Estate Leader and Former Vice President of Sales at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Zachary (Zac) Nagle: Vice President of Finance, Investor Relations at Trane plc; Former Vice President of Investor Relations at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Laura Nolen: Associate General Counsel of Employee Benefits & Executive Compensation at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704)

655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Leslie Oaks: Director of Strategic Financial Reporting Systems at Trane plc; Former Senior Director of Finance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Zhao hui Pu (Helen Pu): Assistant Director of International Tax at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Eric Rankin: Former Vice President of Environmental, Health, & Safety at Trane plc and at Ingersoll-Rand. Current address and telephone number unknown.
- Jennifer Regina: Former Global Director of Public Relations, Former Communications Leader, and Former Industrial, HVAC, & Latin America Business Communications Leader of Trane plc. Current address and telephone number unknown.
- Perri Richman: Former Vice President of Communications and Former Director of Trane Technologies Charitable Foundation at Trane plc; Former Vice President of Communications and Former Director of Global Public Relations & Sales Communications at Trane. Current address and telephone number unknown.
- Carrie Ruddy: Senior Vice President and Chief Communications & Marketing Officer and Former Vice President of Communications at Trane plc; Former Director of Employee Communications & Engagement at Ingersoll-Rand, 800-E Beaty Street,

Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- George Schroder: In-House/Corporate Counsel for Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Makila Scruggs: Vice President & Deputy General Counsel of Labor & Employment and Former Associate General Counsel of Labor, Employment, & Immigration at Trane plc; Former Associate General Counsel of Labor, Employment, & Immigration at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Beth Selfe: Senior Paralegal at Trane, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Jay Shulman: Tax Director – State & Local Taxes at Trane plc; Former Assistant Tax Director – State & Local Taxes at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Christina Stalker: Senior Associate General Counsel at Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810
- Michelle Trumpower: Vice President & Deputy General Counsel of Americas Region, Former Vice President & Deputy General Counsel of Global Ethics & Compliance &

Commercial Litigation, Labor, Employment, & Corporate Functions, and Global Commercial Law – Industrial Segment, Former Data Privacy Officer, Former Vice President and General Counsel of Industrial Technologies and Club Car, Inc., and Former Assistant General Counsel of Trane plc, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.

- Patrick J. Walden: Manager at TTC, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Michael Walker: Leader, State Income Tax and Former Assistant Director, State Income Tax at Trane plc; Former Manager, State Income Taxes at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.
- Andrea Weiss: Global Income Tax Compliance Leader and Former Assistant Tax Director at Trane plc; Former Assistant Tax Director of U.S. Compliance & Tax Reporting and International Tax Reporting & Compliance, Former Assistant Director of U.S. Compliance, and Former Tax Manager of U.S. Compliance at Ingersoll-Rand, 800-E Beaty Street, Davidson, North Carolina 28036, (704) 655-4000, c/o McCarter & English, LLP, 825 Eighth Avenue, 31st Floor, New York, New York 10019, (212) 609-6810.[6]

[6] Gideon Alpert, Matt Barga, Randall L. Berg, Erin Braggs, David Brennan, Cathleen Bowen, David Butow, Roger Cranmer, Rich Daudelin, Christopher Donohoe, Beth Elwell, W. Glenn Edwards, Michael Goldstein, Terri Hamill, Sandra Hamrick, D. Eric Hankins, Martyn Holmes, Heather Howlett, Kelly Kent, Lisa Knapp, Chris Kuehn, Paul Kumar, Sheetal D. Kumar, Larry Kurland, Kevin Lang, Shane Lawrence, Mark Majocha, Collette Mattmiller, Melisa

- Any other Person who testified at a deposition or at trial on behalf of the Trane plc enterprise, including Ingersoll-Rand and Old Trane, in asbestos tort litigation (the "**Trane Tort Litigation Witnesses**").
- Donlin, Recano, & Co.: 6201 15th Avenue, Brooklyn, NY 11219, (212) 481-1411.

The Committee further states that its position on the subject-matter of this Interrogatory will likely be the subject of expert testimony that will be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery, and it is premature for the Committee to identify additional Persons with knowledge of facts that support the Committee's position.

Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 1: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 1: The Committee incorporates each and every objection to Interrogatory 1. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and

Mohn, Phyllis Golden Morey, Zachary (Zac) Nagle, Jennifer Neville, Laura Nolen, Leslie Oaks, Kathy Padfield, Rolf Paeper, Zhao hui Pu (Helen Pu), Veronika Quintana, Eric Rankin, Jennifer Regina, Perri Richman, Amy Roeder, Carrie Ruddy, Robert Sands, George Schroder, Makila Scruggs, Beth Selfe, Jay Shulman, Christina Stalker, Michelle Trumpower, Christopher Uhlich, Mikhael Vitenson, Patrick J. Walden, Sara Walden Brown, Michael Walker, Andrea Weiss, Scott Williams are collectively referred to as the "**Non-Disclosure Agreement Signatories**".

therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 1, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 1 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 2: *State the full factual basis for Your claim, as alleged in paragraph 101 of the FT Complaint, that the Debtors did not receive "reasonably equivalent value to the obligations that were allocated to and assumed by Aldrich [Pump] and Murray [Boiler] in the Corporate Restructuring," including the amount of value You contend would have been reasonably equivalent to the obligations that were allocated to and assumed by the Debtors in the Corporate Restructuring. In doing so, identify each Person whom You contend has knowledge of Your factual contentions.*

RESPONSE TO INTERROGATORY NO. 2: The Committee objects to this Interrogatory on the grounds that "the full factual basis for Your claim, as alleged in paragraph 101 of the FT Complaint, that the Debtors did not receive 'reasonably equivalent value to the obligations that were allocated to and assumed by Aldrich [Pump] and Murray [Boiler] in the Corporate

Restructuring,' including the amount of value You contend would have been reasonably equivalent to the obligations that were allocated to and assumed by the Debtors in the Corporate Restructuring" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has at least two different discrete subparts, and therefore is at least two separate interrogatories. The Committee further objects to this Interrogatory to the extent it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. Additionally, the Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects because the Interrogatory may call for expert opinion that would be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed. Finally, the Committee objects that this Interrogatory is premature as this issue will likely be subject to expert testimony and the Committee is not yet required to disclose its experts or provide Defendants with expert reports.

Subject to and without waiving the foregoing general and specific objections based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint including, but not limited to, paragraphs 2–3, 10, and 101.

The Committee further responds that, according to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreement as defined and described in the Complaint) are insufficient to cover their asbestos liabilities. Court's Findings and Conclusions ¶ 63 (finding that, if the Funding Agreement is not taken into account, "Aldrich/Murray's assets were not then, and are not now, sufficient to satisfy their liabilities" (footnote omitted)); *id.* ¶ 72 ("According to the Debtors' own metrics, their assets (without the funding Agreements) are already insufficient as they are less than their asbestos liabilities."); Hr'g Tr. 397:18–398:1, May 6, 2021 (Diaz Direct) ("So yes, the, the liabilities of Aldrich, if you exclude the funding agreement, are greater than the assets of, of Aldrich, correct."); *id.* at 398:18–23 ("On the Murray side, they picked up $127 million of assets, they picked up all of the asbestos liabilities, $193 million asbestos liabilities. Similar to Aldrich, the assets of Murray, $127 million, if you exclude the funding agreement, are less than the total of liabilities of 193, plus 1. So $194 million."). In addition, the Funding Agreements do not provide nor at any time have provided Aldrich or Murray with the same financial ability to fund the resolution of asbestos claims as Old Trane and Ingersoll-Rand possessed immediately before the Corporate Restructuring. *See* Court's Findings and Conclusions ¶¶ 73, 174. For additional explanation, see Objection/Response to Interrogatory No. 1 above.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, the Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

The Committee further states that its position on the subject-matter of this Interrogatory will likely be the subject of expert testimony that will be disclosed at the time required by Civil

Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery, and it is premature for the Committee to identify additional Persons with knowledge of facts that support the Committee's position. Discovery is ongoing, and the Committee reserves the right to supplement this response.

REQUEST FOR PRODUCTION NO. 2: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 2: The Committee incorporates each and every objection to Interrogatory 2. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as the Debtor and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. The Committee further objects because the Request may call for expert opinion that would be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 2, the Committee responds that it is premature for the Committee to identify or produce any responsive, nonprivileged documents. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed, especially since the requested documents would be publicly available, produced by other parties, and/or within the Defendants' possession, custody, and control.

INTERROGATORY NO. 3: *State the full factual basis for Your claim, as alleged in paragraph 183 of the FT Complaint, that the Corporate Restructuring left the Debtors "with an unreasonably small amount of assets in relation to their liabilities and thus were engaged in business or a transaction for which the property and assets remaining with Aldrich [Pump] and Murray [Boiler] were an unreasonably small capital," including the amount of capital You contend would have been reasonable. In doing so, identify: (i) the allegedly "unreasonably small amount of assets"; and (ii) each Person whom You contend has knowledge of Your factual contentions.*

RESPONSE TO INTERROGATORY NO. 3: The Committee objects to this Interrogatory on the grounds that "the full factual basis for Your claim, as alleged in paragraph 183 of the FT Complaint, that the Corporate Restructuring left the Debtors 'with an unreasonably small amount of assets in relation to their liabilities and thus were engaged in business or a transaction for which the property and assets remaining with Aldrich [Pump] and Murray [Boiler] were an unreasonably small capital,' including the amount of capital You contend would have been reasonable" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has at least three different discrete subparts, and therefore is at least three separate interrogatories. The Committee objects to this Interrogatory

to the extent it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. The Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint including, but not limited to, paragraphs 10, 62–63, 70–71, 101, and 183.

The Committee further responds that according to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreement as defined and described in the Complaint) are insufficient to cover their asbestos liabilities. Court's Findings and Conclusions ¶ 63 (finding that, if the Funding Agreement is not taken into account, "Aldrich/Murray's assets were not then, and are not now, sufficient to satisfy their liabilities" (footnote omitted)); *id.* ¶ 72 ("According to the Debtors' own metrics, their assets (without the funding Agreements) are already insufficient as they are less than their asbestos liabilities."); Hr'g Tr. 397:18–398:1, May 6, 2021 (Diaz Direct) ("So yes, the, the liabilities of Aldrich, if you exclude the funding agreement,

are greater than the assets of, of Aldrich, correct."); *id.* at 398:18–23 ("On the Murray side, they picked up $127 million of assets, they picked up all of the asbestos liabilities, $193 million asbestos liabilities. Similar to Aldrich, the assets of Murray, $127 million, if you exclude the funding agreement, are less than the total of liabilities of 193, plus 1. So $194 million."). In addition, apart from its equity interest in the 200 Park subsidiary, Aldrich has no operating business. Court's Findings and Conclusions ¶ 55. Likewise, apart from its ClimateLabs subsidiary, Murray has no operating business. *Id.* ¶ 59; Declaration of Ray Pittard in Support of First Day Pleadings ¶ 16, No. 20-30608, ECF No. 27 ("**Pittard Decl.**"), ¶ 16. The "unreasonably small amount of assets" refers to the 1% of Old TTC's assets that were allocated to Aldrich during the divisional merger (Compl. ¶¶ 62–63) and the 2% of Old Trane's assets that were allocated to Murray during the divisional merger (*id.* ¶¶ 70–71). For additional explanation, see Objection/Response to Interrogatory No. 1 above.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, the Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

The Committee further states that its position on the subject-matter of this Interrogatory will likely be the subject of expert testimony that will be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery, and it is premature for the Committee to identify additional Persons with knowledge of facts that support the Committee's position. Discovery is ongoing, and the Committee reserves the right to supplement this response.

Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 3: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 3: The Committee incorporates each and every objection to Interrogatory 3. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 3, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 3 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously

produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 4: *State the full factual basis for Your claim, as alleged in paragraph 183 of the FT Complaint, that through the Corporate Restructuring the Debtors "intended to incur, or believed or reasonably should have believed that Aldrich [Pump] and Murray [Boiler] would incur, asbestos debts beyond the ability of Aldrich [Pump] and Murray [Boiler] to pay such asbestos liabilities as they became due," including the amount and timing of the asbestos debts You contend were beyond the ability of the Debtors to pay as they became due. In doing so, identify each Person whom You contend has knowledge of Your factual contentions.*

RESPONSE TO INTERROGATORY NO. 4: The Committee objects to this Interrogatory on the grounds that "the full factual basis for Your claim, as alleged in paragraph 183 of the FT Complaint, that through the Corporate Restructuring the Debtors 'intended to incur, or believed or reasonably should have believed that Aldrich [Pump] and Murray [Boiler] would incur, asbestos debts beyond the ability of Aldrich [Pump] and Murray [Boiler] to pay such asbestos liabilities as they became due,' including the amount and timing of the asbestos debts You contend were beyond the ability of the Debtors to pay as they became due" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has at least two different discrete subparts, and therefore is at least two separate interrogatories. The Committee objects to this Interrogatory to the extent it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. The Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the

Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint including, but not limited to, paragraphs 2a, 3a, 34–35, 37, 55–56, 62–63, 67, 70–71, 75, and 102–108.

The Committee further responds that the Schedules of Assets and Liabilities for Aldrich and Murray detail approximately 100,000 lawsuits filed throughout the United States against the Debtors related to asbestos-induced personal injury or wrongful death. *See* Schedules of Assets and Liabilities for Aldrich Pump LLC Case No. 20-30608 (ECF No. 207); Schedules of Assets and Liabilities for Murray Boiler LLC Case No. 20-30609 (ECF No. 19). There are tens of thousands of asbestos-related claims pending against Debtors and others in the Trane Enterprise throughout the United States, with estimated current and future asbestos liabilities of $547 million. Court's Findings and Conclusions ¶ 36. IR plc estimated that current and future asbestos liabilities would surpass projected insurance recoveries by almost $240 million. *Id.* ¶ 39. The Committee further incorporates by reference its responses to Interrogatory Nos. 1 and 3.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, the Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

The Committee further states that its position on the subject-matter of this Interrogatory will likely be the subject of expert testimony that will be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery, and it is premature for the Committee to identify additional Persons with knowledge of facts that support the Committee's position. Discovery is ongoing, and the Committee reserves the right to supplement this response.

Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 4: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 4: The Committee incorporates each and every objection to Interrogatory 4. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from

disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 4, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 4 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 5: *State the full factual basis for Your claim, as alleged in paragraph 147 of the FT Complaint, that the Debtors "are the alter egos of Defendants." In doing so, identify each Person whom You contend has knowledge of Your factual contentions.*

RESPONSE TO INTERROGATORY NO. 5: The Committee objects to this Interrogatory on the grounds that "the full factual basis for Your claim, as alleged in paragraph 147 of the FT Complaint, that the Debtors 'are the alter egos of Defendants'" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has at least two different discrete subparts, and therefore is at least two separate interrogatories. The Committee objects to this Interrogatory to the extent

it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. The Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint including, but not limited to, paragraphs 140–149.

The Committee further responds that Trane plc's senior leadership appointed the Debtor Boards and Trane maintained equity ownership and control over the Debtor Boards. *See* Alan Debtors' 30(b)(6) Dep. 58:19–59:2 (Tananbaum); Dec. 4, 2019 email from R. Paeper to M. Valdes (cc: D. Simmons, L. Knapp) re: "Omega Update – Confidential" (TRANE_00006711); *see also* Court's Findings and Conclusions ¶ 118 n.167. Key officers of the Debtors were also appointed from and/or held overlapping positions at entities with the Trane Enterprise. *See* ACC Ex. 107 (Sept. 24, 2020 Jones Day letter providing information in response to certain requests contained in the Committee's First Request for Production of Documents to the Debtors); Manlio Valdes

Dep. 16:6-23; 28:14-20; 29:13-20; 99:7-12; 105:8-10; *see also* Court's Findings and Conclusions ¶ 67.

Upon information and belief, the Persons who have knowledge of the above facts are the Trane Entities, In-House Individuals, Project Omega and Bankruptcy Professionals, the Non-Disclosure Agreement Signatories, and Donlin, Recano, & Co.

Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 5: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 5: The Committee incorporates each and every objection to Interrogatory 5. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 5, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 5 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 6: *Identify each meeting held by the Committee since the Petition Date, including the date of such meeting, the members of the Committee attending such meeting, and the identities of all other Persons who attended, participated in, listened to, or otherwise had access to such meeting.*

RESPONSE TO INTERROGATORY NO. 6: The Committee objects to this Interrogatory on the grounds that "each meeting held by the Committee since the Petition Date" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee further objects to the Interrogatory as overly broad, unduly burdensome, harassing, and outside the permissible scope of discovery under the Applicable Rules because the Interrogatory seeks information not relevant to any party's claims or defenses in the above-captioned adversary proceeding and disproportionate to the needs of the case. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has two different discrete subparts, and therefore is two separate interrogatories. Because this Interrogatory does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee.

REQUEST FOR PRODUCTION NO. 6: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 6: The Committee incorporates each and every objection to Interrogatory 6. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 6, the Committee responds that it will not produce any documents responsive to this Request.

INTERROGATORY NO. 7: *Identify the amount of damages You seek to recover in the FT Complaint, including the amount of damages You contend have been suffered by the Current Asbestos Claimants, the amount of damages You contend have been suffered by the Future Asbestos Claimants, and Your calculations of such amounts.*

RESPONSE TO INTERROGATORY NO. 7: The Committee objects to this Interrogatory on the grounds that "the amount of damages You seek to recover" and "the amount of damages You contend have been suffered" is overly broad and unduly burdensome. The Committee objects to this Interrogatory to the extent it misstates the record in its use of the phrase "the amount of damages You seek to recover in the FT Complaint, including the amount of damages You contend have been suffered by the Current Asbestos Claimants, [and] the amount of damages You contend have been suffered by the Future Asbestos Claimants," even though the FT Complaint seeks, among other things, avoidance and recovery of transferred property. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that this

Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. Finally, the Committee objects that this Interrogatory is premature as this issue will likely be subject to expert testimony and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, it is premature for the Committee to identify any Persons with knowledge of facts that support the Committee's response.

Subject to and without waiving the foregoing general and specific objections, the Committee states that its position on the lack of reasonably equivalent value will likely be the subject of expert testimony that will be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery. Discovery is ongoing, and the Committee reserves the right to supplement this response.

REQUEST FOR PRODUCTION NO. 7: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 7: The Committee incorporates each and every objection to Interrogatory 7. The Committee objects to this Request on the grounds that

"all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. The Committee further objects because the Request may call for expert opinion that would be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 7, the Committee responds that it is premature for the Committee to identify or produce any responsive, nonprivileged documents. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed.

INTERROGATORY NO. 8: *Identify each Asbestos Claimant who You contend has an Allowed Claim against the Debtors.*

RESPONSE TO INTERROGATORY NO. 8: The Committee objects to this Interrogatory on the grounds that "each Asbestos Claimant who You contend has an Allowed Claim against the Debtors" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from

disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that this Interrogatory to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee refers the Defendants to the asbestos claims database and to any proofs of claim filed in the above-captioned chapter 11 cases. Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 8: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 8: The Committee incorporates each and every objection to Interrogatory 8. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs

of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. The Committee further objects because the Request may call for expert opinion that would be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 8, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 8 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 9: *To the extent You contend that the amount of the Debtors' assets is less than amount of the Debtors' liabilities as of the date of Your response to this Interrogatory, identify the basis for such contention, the amount of any purported deficiency in the Debtors' assets, and explain Your calculation of such amount.*

RESPONSE TO INTERROGATORY NO. 9: The Committee objects to this Interrogatory on the grounds that "identify the basis of such contention, the amount of any purported deficiency in the Debtor's assets" is overly broad, unduly burdensome, and disproportionate to the needs of the

case. The Committee objects to this Interrogatory as vague and ambiguous in its use of the phrases "the amount of the Debtors' assets" and "amount of the Debtors' liabilities." The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects to this Interrogatory to the extent it seeks information that is in Defendants' possession, custody, or control, or that is equally available to Defendants. The Committee objects that this Interrogatory is a premature contention interrogatory in that it is being propounded before substantial discovery has taken place in the above-captioned adversary proceeding and to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, based on information currently available to the Committee, the Committee responds as follows:

The Committee refers Defendants to the factual allegations set forth in the Complaint including, but not limited to, paragraphs 10, 67, 75, 101–107, 138, 146, 157, 176, and 183.

The Committee further responds that according to Debtors' own metrics, their assets (without the unsecured and contingent Funding Agreement as defined and described in the Complaint) are insufficient to cover their asbestos liabilities. Court's Findings and Conclusions

¶ 63 (finding that, if the Funding Agreement is not taken into account, "Aldrich/Murray's assets were not then, and are not now, sufficient to satisfy their liabilities" (footnote omitted)); *id.* ¶ 72 ("According to the Debtors' own metrics, their assets (without the funding Agreements) are already insufficient as they are less than their asbestos liabilities."); Hr'g Tr. 397:18–398:1, May 6, 2021 (Diaz Direct) ("So yes, the, the liabilities of Aldrich, if you exclude the funding agreement, are greater than the assets of, of Aldrich, correct."); *id.* at 398:18–23 ("On the Murray side, they picked up $127 million of assets, they picked up all of the asbestos liabilities, $193 million asbestos liabilities. Similar to Aldrich, the assets of Murray, $127 million, if you exclude the funding agreement, are less than the total of liabilities of 193, plus 1. So $194 million."). For additional explanation, see Objection/Response to Interrogatory No. 1 above.

The Committee refers the Defendants to the asbestos claims database and to any monthly status report or monthly operating report filed in the above-captioned chapter 11 cases.

The Committee further states that its position on the subject-matter of this Interrogatory will likely be the subject of expert testimony that will be disclosed at the time required by Civil Rule 26(a)(2)(D), Bankruptcy Rule 7026, and any applicable orders. Accordingly, this Interrogatory is premature at this stage of discovery. Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 9: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 9: The Committee incorporates each and every objection to Interrogatory 9. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs

of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 9, the Committee responds that non-privileged documents responsive to this Request include, without limitation, those documents identified, referenced, and cited in the Committee's response to Interrogatory 9 and documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 10: *To the extent You contend that an Asbestos Claimant holds a judgment lien against, security interest in, right to possession of, or any other property interest in any of the property owned by Old Trane or Old IRNJ at the time of the Corporate Restructuring or in any of the property allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger, identify such property and the basis for such purported interest.*

RESPONSE TO INTERROGATORY NO. 10: The Committee objects to this Interrogatory on the grounds that "judgement lien against, security interest in, right to possession of, or any other

property interest in any of the property owned by Old Trane or Old IRNJ" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has four different discrete subparts, and therefore is four separate interrogatories. The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that this Interrogatory to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. The Committee further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, as of the date hereof, the Committee does not contend in the above-captioned adversary proceeding that any individual Asbestos Claimant holds an individual judgment lien against or security interest in the property owned by Old Trane or Old IRNJ at the time of the Corporate Restructuring or allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger. Rather, the

Committee contends that the Corporate Restructuring consisted of and involved a fraudulent transfer under applicable federal and state law, and that but for such fraudulent transfer, Asbestos Claimants would have had rights under applicable law to recover on their claims from property owned by Old Trane or Old IRNJ the time of the Corporate Restructuring and/or allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger. Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 10: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 10: The Committee incorporates each and every objection to Interrogatory 10. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 10, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 11: *To the extent You contend that an Asbestos Claimant had any right to be paid from specific property owned by Old IRNJ or Old Trane at the time of the Corporate Restructuring or from any of the property allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger, identify such property and the basis for such purported right.*

RESPONSE TO INTERROGATORY NO. 11: The Committee objects to this Interrogatory on the grounds that "any right to be paid from specific property owned by Old IRNJ or Old Trane" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Interrogatory on the grounds that it is vague and ambiguous in its use of the phrase "specific property." The Committee objects to this Interrogatory on the basis that it seeks information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee objects that this Interrogatory to the extent it seeks information beyond the factual basis of the Committee's allegations or identification of relevant documents, tangible objects, or individuals having knowledge of facts relating to this case. The Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. The Committee

further objects to this Interrogatory as it is prematurely predicated on legal terms and/or conclusions of law. The Committee further objects because the Interrogatory may call for expert opinion and the Committee is not yet required to disclose its experts or provide Defendants with expert reports. As such, the Committee reserves its right to revise or supplement its response to this Interrogatory after substantial discovery, including expert discovery, has been completed.

Subject to and without waiving the foregoing general and specific objections, as of the date hereof, the Committee contends that at the time of the Corporate Restructuring, Asbestos Claimants had claims against Old IRNJ and Old Trane and thus had rights under applicable law to recover from property owned by Old IRNJ and Old Trane at the time of the Corporate Restructuring and/or property allocated to the Debtors, TTC, and/or TUI in accordance with the Plans of Divisional Merger. Discovery is ongoing, and the Committee reserves the right to amend or supplement this Response.

REQUEST FOR PRODUCTION NO. 11: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 11: The Committee incorporates each and every objection to Interrogatory 11. The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or

the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 10, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

INTERROGATORY NO. 12: *To the extent You deny any of the Requests for Admission set forth below, state in detail the basis for each of Your denials.*

RESPONSE TO INTERROGATORY NO. 12: The Committee objects to this Interrogatory on the grounds that "state in detail the basis for each of Your denials" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects that, although numbered as only one interrogatory, this Interrogatory has 15 different discrete subparts, and therefore is 15 separate interrogatories. The Committee further objects that, accounting for discrete subparts in these Interrogatories, this Interrogatory exceeds the maximum number of interrogatories set by the Court in the Discovery Plan, and, as such, the Committee is not obligated to respond to this Interrogatory. Nevertheless, even though this Interrogatory exceeds the maximum limit stated in the Discovery Plan, the Committee will respond to this Interrogatory

subject to its stated objections and reserves the right to object to any subsequent sets of interrogatories propounded on the Committee in any adversary proceeding subject to the Discovery Plan and to seek relief from the Court in connection therewith. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since some of the requested documents and information are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and responses to each respective Request for Admission detailed below, the Committee states the following in answer to this Interrogatory:

- The Committee denied Request for Admission No. 1 because of its stated objections and because filing a chapter 11 petition creates an estate into which all property of a debtor is vested under the Bankruptcy Code.
- The Committee denied Request for Admission No. 2 because of its stated objections, including because it is compound and the exact numbers at issue are subject to future expert testimony.
- The Committee denied Request for Admission No. 3 because of its stated objections, including because it is compound and the information needed to either admit or deny the Request is within the Defendants' possession, custody, or control.
- The Committee denied Request for Admission No. 4 because of its stated objections, including because it is compound and the information needed to either admit or deny the Request is within the Defendants' possession, custody, or control.

- The Committee denied Request for Admission No. 5 because of its stated objections and because under the Bankruptcy Code, claims are deemed allowed unless an objection is filed.
- The Committee denied Request for Admission No. 6 because of its stated objections and because under the Bankruptcy Code, claims are deemed allowed unless an objection is filed. Moreover, the Committee is not in possession, custody, or control of sufficient information to either admit or deny the Request.
- The Committee denied Request for Admission No. 7 because of its stated objections, including because value of the Debtors' assets will be subject to expert opinions and developed at a later stage in proceedings.
- The Committee denied Request for Admission No. 8 because of its stated objections, including because the Committee contends that the divisional mergers involved fraudulent transfers, and, under applicable law, fraudulent transfers do not comply with Chapter 10, Subchapter A of the Texas Business Organization Code.
- The Committee denied Request for Admission No. 9 because of its stated objections, including because it calls for a legal conclusion based on facts that are in the Debtors' possession, custody, or control.
- The Committee denied Request for Admission No. 10 because of its stated objections, including because it is compound, and because the Committee seeks to avoid the transactions described therein as alleged in the Complaint.
- The Committee denied Request for Admission No. 11 because of its stated objections, including because valuations will be subject to expert opinions.

- The Committee denied Request for Admission No. 12 because of its stated objections, including because it is compound, and because the Committee seeks to avoid the transactions described therein alleged in the Complaint.
- The Committee denied Request for Admission No. 13 because of its stated objections, including because valuations will be subject to expert opinions.
- In addition to its stated objections, the Committee refers to its objections and response to Interrogatory No. 10 to detail the basis for its denial of Request for Admission No. 14.
- In addition to its stated objections, the Committee refers to its objections and response to Interrogatory No. 11 to detail the basis for its denial of Request for Admission No. 15.

REQUEST FOR PRODUCTION NO. 12: *Produce all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 12: The Committee objects to this Request on the grounds that "all Documents You contend support any of the facts set forth in your answer to the immediately preceding Interrogatory" is overly broad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response to Interrogatory 12, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

RESPONSES AND OBJECTIONS TO TRANE DEFENDANTS' REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: *Admit that the Debtors' filings of their bankruptcy petitions did not constitute a transfer of any interest of the Debtors in property or the incurrence of any obligation by the Debtors.*

RESPONSE TO REQUEST FOR ADMISSION NO. 1: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "transfer," "interest," and "property" or "obligation." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 2: *Admit that the Corporate Restructuring allocated $7,443,000,000 of Old IRNJ's $7,761,000,000 total liabilities to TTC (96%) and $4,775,000,000 of Old Trane's $4,969,000,000 total liabilities to TUI (96%).*

RESPONSE TO REQUEST FOR ADMISSION NO. 2: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "allocated" and "total liabilities." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 3: *Admit that TTC and TUI have fully performed all of their obligations under the Funding Agreements to date, including providing funding to the Debtors for payment of the Committee's professionals fees incurred in connection with the prosecution of the FT Complaint against the Defendants.*

RESPONSE TO REQUEST FOR ADMISSION NO. 3: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "fully performed," "obligations," "funding," and "Committee's professionals fees." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 4: *Admit that Old Trane and Old IRNJ disputed their liability to Asbestos Claimants and, at the time of the Corporate Restructuring, no Asbestos Claimant had been awarded any final order or judgment from any court determining that Old Trane or Old IRNJ was liable or indebted to any Asbestos Claimant.*

RESPONSE TO REQUEST FOR ADMISSION NO. 4: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "final order or judgment" and "liable or indebted." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 5: *Admit that no Asbestos Claimant had an Allowed Claim against the Debtors as of June 18, 2020.*

RESPONSE TO REQUEST FOR ADMISSION NO. 5: The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 6: *Admit that no Future Asbestos Claimant has an Allowed Claim against the Debtors.*

RESPONSE TO REQUEST FOR ADMISSION NO. 6: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "Allowed Claim." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control. To the extent an answer is required, and subject to and without waiving the foregoing general and specific objections, the Committee lacks knowledge or information sufficient to admit or deny this Request, and, after reasonable inquiry, the information it knows or can readily obtain is insufficient to enable it to admit or deny this Request, and therefore the Request is denied.

REQUEST FOR ADMISSION NO. 7: *Admit that the value of the Debtors' assets as of May 1, 2020 in the amount of $600.9 million exceeds the estimated asbestos liability as reported by Trane plc in its Form 10-K for fiscal year ended December 31, 2019 in the amount of $547.4 million.*

RESPONSE TO REQUEST FOR ADMISSION NO. 7: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "assets" and "asbestos liability." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to as the Request as it assumes the truth of a fact that has been denied or otherwise disputed. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 8: *Admit that the divisional mergers of Old Trane and Old IRNJ complied with the requirements of Chapter 10, Subchapter A of the Texas Business Organization Code.*

RESPONSE TO REQUEST FOR ADMISSION NO. 8: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "complied" and "requirements." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 9: *Admit that the Debtors' equity holders have an interest in the Debtors' assets to the extent the Debtors' assets exceed the Debtors' liabilities.*

RESPONSE TO REQUEST FOR ADMISSION NO. 9: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "equity holders," "interest," "assets" and "liabilities." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 10: *Admit that the following assets were allocated to Aldrich Pump in accordance with the TTC Plan of Divisional Merger:*

a. *$26.2 million in cash;*

b. *a 100 percent equity interest in 200 Park,*

c. *the Aldrich Asbestos-Related Insurance Assets;*

d. *all contracts of Old IRNJ related to its asbestos-related litigation, including settlement agreements, service contracts, and engagement and retention contracts;*

e. *causes of action that relate to the assets and liabilities allocated to Aldrich Pump;*

f. *records exclusively relating to the assets and liabilities allocated to Aldrich Pump;*

g. *privileges related to these matters; and*

h. *rights and benefits under the Aldrich Funding Agreement.*

RESPONSE TO REQUEST FOR ADMISSION NO. 10: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "assets," "allocated," "accordance," "equity interest," "causes of action," "contracts," "liabilities," "exclusively relating," "privileges," and "rights and benefits." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 11: *Admit the value of the assets allocated to Aldrich Pump in accordance with the TTC Plan of Divisional Merger exceeded the estimated amount of Aldrich Pump's contingent asbestos liabilities to the Current Asbestos Claimants as of May 1, 2020.*

RESPONSE TO REQUEST FOR ADMISSION NO. 11: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "value," "assets," "allocated," "accordance," "exceeded," "estimated amount," and "contingent asbestos liabilities." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 12: *Admit that the following assets were allocated to Murray Boiler in accordance with the Trane Plan of Divisional Merger:*

a. $16.1 million in cash;

b. a 100 percent equity interest in ClimateLabs;

c. the Murray Asbestos-Related Insurance Assets;

d. all contracts of Old Trane related to its asbestos-related litigation, including settlement agreements, service contracts, and engagement and retention contracts;

e. causes of action that relate to the assets and liabilities allocated to Murray Boiler;

f. records exclusively relating to the assets and liabilities allocated to Murray Boiler;

g. privileges related to these matters; and

h. rights and benefits under the Murray Funding Agreement.

RESPONSE TO REQUEST FOR ADMISSION NO. 12: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "assets," "allocated," "accordance," "equity interest," "contracts," "causes of action," "liabilities," "exclusively relating," "privileges," and "rights and benefits." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 13: *Admit the value of the assets allocated to Murray Boiler in accordance with the Trane Plan of Divisional Merger exceeded the estimated amount of Murray Boiler's contingent asbestos liabilities to the Current Asbestos Claimants as of May 1, 2020.*

RESPONSE TO REQUEST FOR ADMISSION NO. 13: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "value," "assets," "allocated," "accordance," "exceeded," "estimated amount," and "contingent asbestos liabilities." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 14: *Admit that no Asbestos Claimant held any judgment lien against, security interest in, right to possession of, or any other property interest in any of the property owned by Old Trane or Old IRNJ at the time of the Corporate Restructuring or in any of the property allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger.*

RESPONSE TO REQUEST FOR ADMISSION NO. 14: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "judgment lien," "security interest," "right to possession," "property interest," "allocated," and "in accordance." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

REQUEST FOR ADMISSION NO. 15: *Admit that no Asbestos Claimant had any right to be paid from any specific property owned by Old IRNJ or Old Trane at the time of the Corporate Restructuring or from any of the property allocated to the Debtors, TTC, or TUI in accordance with the Plans of Divisional Merger.*

RESPONSE TO REQUEST FOR ADMISSION NO. 15: The Committee objects to this Request as overly broad, vague, and ambiguous in its use of the phrases "any right," "specific property," "owned," "allocated," and "in accordance." The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it is unreasonably cumulative, and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. The Committee further objects to this Request on the basis that it seeks information outside of the Committee's possession, custody, or control.

Subject to and without waiving the foregoing general and specific objections, denied.

RESPONSES AND OBJECTIONS TO TRANE DEFENDANTS' REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 13: *Any Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Interrogatories.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 13: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Interrogatories" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee incorporates each and every objection to Interrogatories 1-12. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other

than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege, including any documents "reviewed" by the Committee in preparing its response to Interrogatories 1-12. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control in response to this Request; however, the Committee will not produce publicly available documents or documents previously produced by other parties, such as the Debtor and/or the Defendants.

REQUEST FOR PRODUCTION NO. 14: *Any Documents or Communications You contend support any of the facts set forth in Your responses to the First Set of Interrogatories.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 14: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications You contend support any of the facts set forth in Your responses to the First Set of Interrogatories" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it does not describe the requested documents with reasonable particularity. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee incorporates each and every objection to Interrogatories 1-12. The Committee objects to this Request on the grounds that it seeks information that is unreasonably

cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

REQUEST FOR PRODUCTION NO. 15: *Any Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Requests for Admission.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 15: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Requests for Admission" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee incorporates each and every objection to the Request for Admissions Nos. 1-15. The Committee

objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege, including any documents "reviewed" by the Committee in preparing its response to Request for Admissions Nos. 1-15. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control in response to this Request; however, the Committee will not produce publicly available documents or documents previously produced by other parties, such as the Debtor and/or the Defendants.

REQUEST FOR PRODUCTION NO. 16: *Any Documents or Communications You contend support the denial of any of the First Set of Requests for Admission.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 16: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications You contend support the denial of any of the First Set of Requests for Admission" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee incorporates each and every

objection to the Request for Admissions Nos. 1-15. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

REQUEST FOR PRODUCTION NO. 17: *Any Documents or Communications relied upon, referred to, or reviewed in making Your decision to file the FT Complaint.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 17: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relied upon, referred to, or reviewed in making Your decision to file the FT Complaint" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent

it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege, including any documents "reviewed" by the Committee in preparing the Complaint.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control in response to this Request; however, the Committee will not produce publicly available documents or documents previously produced by other parties, such as the Debtor and/or the Defendants.

REQUEST FOR PRODUCTION NO. 18: *Any Documents or Communications relating to, referring to, or concerning any allegation of fact or law set forth in the FT Complaint.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 18: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relating to, referring to, or concerning any allegation of fact or law set forth in the FT Complaint" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it does not describe the requested documents with reasonable particularity. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is

unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control. This Request is also objectionable because it is duplicative of other Requests and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

REQUEST FOR PRODUCTION NO. 19: *Any Documents or Communications that You contend support any allegation of fact or law contained in the FT Complaint.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 19: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications that You contend support any allegation of fact or law contained in the FT Complaint" is overly broad, unduly burdensome, and

disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control. This Request is also objectionable because it is duplicative of other Requests and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

REQUEST FOR PRODUCTION NO. 20: *Any Documents or Communications that tend to refute any allegation of fact or law contained in the FT Complaint.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 20: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications that tend to refute any allegation of fact or law contained in the FT Complaint" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it does not describe the requested documents with reasonable particularity. The Committee objects to this Request as vague and ambiguous in its use of the phrase "tend to refute." The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control. This Request is also objectionable because it is duplicative of other Requests and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents

that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

REQUEST FOR PRODUCTION NO. 21: *Any Documents or Communications analyzing, valuing, or estimating the assets or liabilities making up each transfer in the Corporate Restructuring that You contend was fraudulent, as alleged in the FT Complaint.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 21: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications analyzing, valuing, or estimating the assets or liabilities making up each transfer in the Corporate Restructuring that You contend was fraudulent, as alleged in the FT Complaint" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control. This Request is also objectionable because it is duplicative of other Requests and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of

litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control in response to this Request; however, the Committee will not produce publicly available documents or documents previously produced by other parties, such as the Debtor and/or the Defendants.

REQUEST FOR PRODUCTION NO. 22: *Any Documents or Communications relating to, referring to, or concerning any allegation of fact, allegation of law, or claim for relief in the FT Complaint that You exchanged with any Asbestos Claimant or any firm representing an Asbestos Claimant.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 22: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relating to, referring to, or concerning any allegation of fact, allegation of law, or claim for relief in the FT Complaint that You exchanged with any Asbestos Claimant or any firm representing an Asbestos Claimant" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request to the extent it is duplicative and cumulative of other Requests. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as Aldrich, Murray, and/or the Defendants. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, and/or the common interest privilege. As

discovery is ongoing, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery has been completed, especially since the requested documents are within the Defendants' possession, custody, and control.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control in response to this Request; however, the Committee will not produce publicly available documents or documents previously produced by other parties, such as the Debtor and/or the Defendants.

REQUEST FOR PRODUCTION NO. 23: *Any Documents upon which You have relied, or upon which You intend to rely in any deposition, at any hearing or trial, or in connection with any motion in these Adversary Proceedings, regardless of if You intend to introduce such Documents into evidence.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 23: The Committee objects to this Request on the grounds that it is overly broad and unduly burdensome to produce "[a]ny Documents…that You intend to rely on." The Committee objects to this Request on the grounds that the phrase "intend to rely on" is vague and ambiguous, and forces the Committee to speculate as to the meaning of the phrase. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the grounds that it fails to identify the information it seeks with reasonable particularity. The Committee objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, the common interest privilege, or any other applicable privilege, doctrine, or protection. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other

than those that are publicly available or that were produced by other parties, such as the Debtors and/or the Defendants.

Subject to and without waiving the foregoing general and specific objections, the Committee responds that it will produce any responsive, non-privileged documents in its possession, custody, or control in response to this Request consistent with its disclosure obligations under the Applicable Rules and Orders; however, the Committee will not produce publicly available documents or documents produced by other parties, such as the Debtors and/or the Defendants.

REQUEST FOR PRODUCTION NO. 24: *Any Documents or Communications received by the Committee in response to any subpoenas propounded by the Committee upon any non-party in the FT Proceeding.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 24: The Committee will produce any responsive, non-privileged documents subject to this Request.

REQUEST FOR PRODUCTION NO. 25: *Any Documents or Communications relating to the subject matter of the FT Proceeding, to the extent any such Documents or Communications are not otherwise produced in response to these Discovery Requests.*

RESPONSE TO REQUEST FOR PRODUCTION NO. 25: The Committee objects to this Request on the grounds that "[a]ny Documents or Communications relating to the subject matter of the FT Proceeding" is overly broad, unduly burdensome, and disproportionate to the needs of the case. The Committee objects to this Request on the grounds that it seeks information that is unreasonably cumulative and is neither relevant nor proportional to the needs of the case. The Committee objects to this Request on the grounds that it fails to identify the information it seeks with reasonable particularity. The Committee objects to this Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the attorney work-product

doctrine, the common interest privilege, or any other applicable privilege, doctrine, or protection. The Committee objects to this Request on the basis that the Committee did not exist prepetition, and therefore has no responsive documents from the relevant period, other than those that are publicly available or that were produced by other parties, such as the Debtors and/or the Defendants. This Request is also objectionable because it is duplicative of other Requests and thus serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests.

Subject to and without waiving the foregoing general and specific objections, and consistent with the Committee's objections and response this Request, the Committee responds that non-privileged documents responsive to this Request include, without limitation, documents that are publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control. The Committee will not re-produce documents previously produced by other parties. Accordingly, the Committee has no responsive, non-privileged documents to produce.

Dated: May 28, 2024

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Special Litigation Counsel to the Official Committee of Asbestos Personal Injury Claimants

VERIFICATION

I, Michael Shepard, am authorized and entitled to make this declaration on behalf of the Official Committee of Asbestos Personal Injury Claimants (the "**Committee**"). I have reviewed the foregoing Committee's Responses and Objections to the Defendants' First Set of Interrogatories by Trane Technologies 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 ("**Interrogatory Answers**"). To the best of my knowledge, based on reasonable investigation and the extent of the record to date, the facts contained in the **Interrogatory Answers** are true and correct. I, and the Committee, hereby reserve the right to modify, clarify, or supplement the **Interrogatory Answers** should new information warrant such modification, clarification, or supplementation.

I declare under penalty of perjury that the foregoing is true and correct.

By: */s/ Michael Shepard*
Michael Shepard

EXHIBIT D

ALDRICH PUMP LLC and MURRAY BOILER LLC, by and through their undersigned counsel, defendants.

TRANE TECHNOLOGIES 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, by and through their undersigned counsel, defendants.

July 18, 2024

VIA E-MAIL

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Re: *Official Committee of Asbestos Personal Injury Claimants v. Aldrich Pump*, Adv. Pro. No. 21-03029 (JCW); *Official Committee of Asbestos Personal Injury Claimants v. Ingersoll-Rand Global Holding Company Limited*, Adv. Pro. No. 22-03028 (JCW)

Counsel:

Defendants have reviewed the Committee's May 28, 2024 responses and objections to the interrogatories (the "Interrogatories"), requests for production (the "RFPs"), and requests for

admission (the "RFAs") served in the above-referenced adversary proceedings.[1] Without waiving the right to identify additional issues or deficiencies, this letter requests supplemental responses where we believe the Committee's Responses were inadequate, takes issue with the Committee's refusal to search for and produce documents in response to certain RFPs, and seeks clarification in various respects.

The first part of the letter identifies deficiencies common to the Committee's Responses served in both the SubCon Proceeding and FT Proceeding. The second part of the letter raises particular deficiencies in the Committee's SubCon Response. The third part of the letter concerns specific deficiencies in the Committee's FT Response.

Global Deficiencies

General Objections

1. General Objection 19 (SubCon Response) and General Objection 20 (FT Response)

The Committee asserts that it does not "represent" individual claimants and therefore does not have possession, custody, or control over documents or information "belonging to individual claimants or their respective counsel." SubCon Response, Gen. Obj 19; FT Response, Gen. Obj. 20. The cases cited by the Committee do not support this position. At most, they instruct that the broader constituency of a bankruptcy committee should be viewed differently than members of the committee itself. Here, of course, the Committee is not a person-less entity; the "Committee" *is* its individual members. *See In re Daig Corp.*, 17 B.R. 41, 43 (Bankr. D. Minn. 1981) (describing a creditors committee as "the sum of its members."). Accordingly, information within the Committee members' possession, custody, or control—including information in the possession of their counsel and other representatives—is within the possession, custody, or control of the Committee.[2]

[1] The "SubCon Response" refers to Plaintiff's Objections and Responses to Defendants' First Set of Interrogatories, Requests for Production and Requests for Admission served in Adv. Pro. No. 21-03928 (JCW) (the "SubCon Proceeding"), and the "FT Response" refers to The Official Committee of Asbestos Personal Injury Claimants' Responses and Objections to Trane Defendants' First Set of Interrogatories, Requests for Production and Requests for Admission served in Adv. Pro. No. 22-03028 (JCW) (the "FT Proceeding"). The "Responses" collectively refers to the SubCon Response and FT Response.

[2] Notably, the Committee has never argued that its members are not "parties" to this proceeding or that their information is not in its possession, custody or control. *See Motion for Protective Order By the Official Committee of Asbestos Personal Injury Claimants* [Dkt. No. 86]; *The Official Committee of Asbestos Personal Injury Claimants' Reply in Support of Motion For a Protective Order* [Dkt. No. 110]. Nor to our knowledge has the Court ever agreed with either of those positions. *See* Feb 25, 2021 Hr'g Tr. at 62:1–64:17.

Please advise if the Committee will agree to include within the Responses information in the possession, custody, or control of the Committee members, as well as their counsel and other representatives. If the answer is no, please provide the legal basis for your refusal, as Defendants would like to understand the reasons they must serve subpoenas on the individual Committee members for the requested documents and information.

Apart from that issue, Defendants would like to understand what sources of information the Committee agrees *are* within the Committee's possession, custody, or control. For example, does the Committee consider documents in the Committee counsel's possession—or in the possession of the Committee's other professional advisors—to be within the Committee's possession, custody, or control? If the answer is no, please provide the legal basis for your response.

* * *

The Committee also asserts a litany of other General Objections. Rather than debating the merits of these remaining objections at this time, please identify any discovery requests for which the Committee refuses to search for and produce responsive information on the basis of any objection (apart from the attorney-client privilege, the work product doctrine, and any mediation privilege). This will allow the parties to focus on material issues in dispute.

Interrogatories

Defendants reject the Committee's assertion that the Interrogatories exceed the maximum number allowed by the *Order Establishing Joint Discovery Plan and Report (ESI Protocol)* [Adv. Pro. No. 21-03029 (JCW), Dkt. No. 142; Adv. Pro. No. 22-03028 (JCW), Dkt. No. 69 (the "FT Discovery Plan")]. Defendants did not create separate Interrogatories by asking the Committee to include specific information in its responses. *See* 8B Charles Alan Wright, Arthur R. Miller & Richard L. Marcus, Federal Practice and Procedure § 2168.1 (3d ed. 2010) ("[A]n interrogatory containing subparts directed at eliciting details concerning a common theme should be considered a single question."); *accord Mezu v. Morgan State Univ.*, 269 F.R.D. 565, 573 (D. Md. 2010). To the extent the Committee did not respond to an Interrogatory on the ground it exceeded the maximum number of allowed interrogatories, Defendants hereby demand the Committee immediately respond fully to such Interrogatory, and Defendants reserve all of their rights and remedies should the Committee still refuse to do so.

RFAs

The Committee denies 7 of the RFAs issued in the SubCon Proceeding[3] and each of the RFAs issued in the FT Proceeding for various reasons, including the Committee's contentions that certain matters will be subject to future expert testimony and that certain information is in Defendants' possession, custody, or control. The Committee further qualifies each denial as "[s]ubject to and with waiving" a panoply of frivolous general objections. The Committee's responses to the RFAs violate the standards imposed by Fed. R. Civ. P. 36.

Fed. R. Civ. P. 36 states that "[a] denial must fairly respond to the substance of the matter; and when good faith requires that a party qualify an answer or deny only a part of a matter, the answer must specify the part admitted and qualify or deny the rest. The answering party may assert lack of knowledge or information as a reason for failing to admit or deny only if the party states that it has made reasonable inquiry and that the information it knows or can readily obtain is insufficient to enable it to admit or deny."

The Committee's responses to the RFAs fail to comport with the standards imposed by Fed. R. Civ. P. 36. The Committee's position that it cannot in good faith admit a single fact, even on a qualified basis, is implausible and indefensible.

The Committee's general objections and qualified, but complete, denials of the RFAs are likewise improper. "Rule 36 expressly permits a party to qualify an answer, but only when good faith requires." *Poole ex rel. Elliott v. Textron, Inc.*, 192 F.R.D. 494, 499 (D. Md. 2000). A responding party cannot "undermine the efficacy of the rule by crediting disingenuous, hair-splitting distinctions whose unarticulated goal is unfairly to burden an opposing party." *Thalheim v. Eberheim*, 124 F.R.D. 34, 35 (D. Conn. 1988); *see also Poole*, 192 F.R.D. at 499 (finding responses that contained both objections and an answer impermissible). General objections "are prohibited by" Fed. R. Civ. P. 36. *Fisher v. Baltimore Life Ins. Co.*, 235 F.R.D. 617, 630 (N.D.W. Va. 2006); *see also Henry v. Champlain Enterprises, Inc.*, 212 F.R.D. 73, 80 (N.D.N.Y. 2003) ("Rule 36 is quite clear that the objection must be addressed to the specific matter with reasons therefore stated." (citation and internal quotation marks omitted)).

The Committee's RFA responses fail to meet the above standards. The Committee's objections to these RFAs cannot support its denials because they consist only of boilerplate devoid of any supporting facts.

[3] The Committee admits SubCon Proceeding RFA 6 and claims it "cannot admit or deny" SubCon Proceeding RFAs 8, 9, and 10.

Defendants, therefore, demand the Committee revisit its blanket denials of the RFAs. If the Committee refuses to address the deficiencies with its denials, then Defendants reserve all of their rights and remedies with respect thereto.

SubCon Proceeding

General Objections

1. General Objection 26

The Committee objects to the SubCon Proceeding discovery requests "to the extent that Defendants are attempting to use these Discovery Requests to invoke an estoppel or waiver." SubCon Response, Gen. Obj. 26. Please provide the basis for this objection, including any hearing date, transcript cite, or decision that supports the Committee's position that "[t]he Court has recognized that, given the myriad unknowns regarding the Funding Agreements, alternative positions regarding the Debtors' financial position are permissible." *Id.* In addition, please let us know if the Committee intends to withhold any documents on the basis of General Objection 26.

Interrogatories

1. Interrogatory 1

Interrogatory 1 asks: "State all facts and reasons you contend support any assertion in paragraphs 46 and 47 of the Motion that, *subsequent to the Corporate Restructuring*, creditors and/or asbestos claimants 'dealt with' TTC and Aldrich Pump as 'one legal entity' and Trane and Murray Boiler as 'one legal entity.' Identify each creditor and/or asbestos claimant who so 'dealt with' TTC and Aldrich Pump and TUI and Murray, respectively, and Identify any Persons whom you contend have knowledge of any of those facts." The Committee's response purports to explain how claimants dealt with legal entities *prior to*—rather than, as asked, *subsequent to*—the Corporate Restructuring. Defendants ask that the Committee supplement its response to answer the inquiry posed.

Separately, the Committee claims that "[w]hen asbestos claimants reached settlements with Ingersoll-Rand and/or Old Trane," they were "relying on those entities" to pay settlements. Please state the factual basis for this contention, which otherwise appears to be pure supposition.

Finally, rather than identify any claimant with personal knowledge of how claimants "dealt with" legal entities, the Committee lists dozens of Trane-associated personnel and outside counsel or experts. If no claimants possess knowledge of how claimants allegedly dealt with TTC and Aldrich Pump as one entity, or who dealt with TUI and Murray as one entity, then the Committee should say that. If, on the other hand, the Committee knows of claimants with such knowledge, they should be identified.

2. Interrogatory 4

Interrogatory 4 requests that the Committee "[s]tate all facts and reasons you contend support the assertion"—which the Committee made in moving to dismiss the Debtors' bankruptcies— "that '[t]he Debtors *are not* in financial distress: they can fully pay all their creditors in the ordinary course of business, and their economic viability is not threatened by their liabilities,' Dismissal Motion at 2, and Identify any Persons whom you contend have knowledge of any of those facts." The Committee's response does not answer the question posed. Instead, the Committee's response begins by answering a question that Interrogatory 4 does not ask: "[T]he Committee contends that the Debtors *are* in financial distress because their current and future asbestos liabilities exceed the value of the assets they were left with in connection with the Corporate Restructuring."

SubCon Defendants certainly do not agree that the Committee can take diametrically opposed positions whenever it suits them. The Committee evidently believes otherwise. Regardless of who is right, SubCon Defendants are entitled to understand the purported factual basis for both of the Committee's positions, or receive an answer that the Committee has no such factual basis. Accordingly, we ask that the Committee supplement its response to answer the question posed.

3. Interrogatories 5 and 7; RFPs 5, 7, and 21

SubCon Defendants propounded multiple discovery requests directed at learning the Committee's position concerning the amount of the Debtors' asbestos liabilities, since it is those liabilities that are the basis for the Committee's claim that the Debtors are insolvent (and the purported reason for these adversary proceedings). *See* Interrogatories 5 and 7; RFPs 5, 7, and 21. The Committee objects to these requests on privilege and work product grounds. The Committee further claims that these requests are premature and states it will respond to these discovery requests at a later time.

While work product and privilege may apply to a subset of documents, correspondence, or other information responsive to these requests, and while the Committee's ultimate estimation of the Debtors' asbestos liabilities may be informed by expert analysis and disclosed in expert reports, this does not excuse the Committee from providing responsive, clearly relevant information today. There is no provision in the Federal Rules that allows the Committee to forgo its discovery obligations with a summary assertion that its calculation will be developed further through expert discovery. *Cf., e.g.*, *In re Oakwood Homes Corp.*, 340 B.R. 510, 514 (Bankr. D. Del. 2006) ("'If estimates are made which might be subject to revision with expert opinion, that is entirely permissible, but the requirements of Fed. R. Civ. P. 26(a)(1)(C) cannot be avoided if the opposing party insists on compliance.'") (quoting *Dixon v. Bankhead*, 2000 WL 33175440, *1 (N.D. Fla. Dec. 20, 2000)); *Olaya v. Wal-Mart Stores*, Inc., 2012 WL 3262875, at *2 (D. Nev.

Aug. 07, 2012) ("future expert analysis does not relieve the Plaintiffs of the obligation to provide [damages] information reasonably available"); *Frontline Med. Assocs., Inc. v. Coventry Health Care*, 263 F.R.D. 567, 570 (C.D. Cal. 2009) ("expert analysis does not relieve Plaintiff of its obligation to investigate and provide [damages] information available to it"). This is especially true here, where the Committee has asserted that the proposed resolution offered by the Debtors and the FCR amounts to a "lowball" offer. *See* Dismissal Motion ¶ 21. The Committee must have had some basis for that assertion when it was made. SubCon Defendants are entitled to either learn that basis, or have the Committee admit it never had such a basis.

Accordingly, SubCon Defendants request that the Committee supplement its response to Interrogatories 5 and 7 and search for and produce information responsive to RFPs 5, 7, and 21.

4. Interrogatory 8

Interrogatory 8 requests that the Committee "[s]tate all facts and reasons you contend support the assertions that the Debtors are 'undercapitalized,' insolvent, or 'cash-starved,' Opposition ¶¶ 21, 37-38, Identify the time period that you contend the Debtors are, have been, or may be insolvent, and Identify what facts or circumstances would determine whether the Debtors are, have been, or may be insolvent." The Committee responds by referencing its responses to Interrogatories 2 and 4. Neither of those responses, however, considers either the insurance proceeds available to the Debtors or the $270 million qualified settlement fund ("QSF"), which "will be funded and used to resolve or satisfy current and future asbestos-related claims asserted against or related to the Debtors[.]" Dkt. No. 994 at ¶ 3.

SubCon Defendants request that the Committee supplement its response to Interrogatory 8 to incorporate consideration of the insurance available to the Debtors and the QSF.

5. Interrogatory 12

The Committee objects to Interrogatory 12 by claiming it "mischaracterize[es] the Complaint and Motion." SubCon Defendants disagree. The Complaint in the SubCon Proceeding states: "TTC and Trane are not required to provide payments that 'exceed the aggregate amount necessary' for the Debtors to fund all 'Permitted Funding Uses,' *thus giving TTC and Trane leeway* to determine what is 'necessary' and the ability to reduce payments if either disagrees with the use of the funds." SubCon Compl. ¶ 36 (emphasis added). The Interrogatory asks that the Committee "identify any *provisions in the Funding Agreements* that would *permit* TTC and TUI to decline to honor their obligations or to 'reduce payments' below the amounts requested by the Debtors because they might "disagree with the use of the funds" (emphasis added). The Committee's response fails to do so, instead dumping multiple paragraphs of objection, and a cross reference to other Interrogatories which ask different questions.

The Committee has made the charge contained in the quoted language, or similar charges, throughout these bankruptcy cases, and it is a central contention behind the claims in the adversary proceedings. The Committee's current response provides no basis for such charges. SubCon Defendants ask that the Committee revise its response to identify any such basis for the contention.

6. Interrogatory 16

Interrogatory 16 requests that the Committee "[s]tate all facts you contend support any contentions that (i) TTC or TUI is unable to fulfill their obligations under the Funding Agreements as a result of any internal cash management procedures, dividends or distributions paid to TTC's and TUI's parent companies, any dividends paid by Trane plc, any stock buybacks by Trane plc, any debt repayments by Trane plc, or any acquisitions made by Trane plc, before or after the Corporate Restructuring or (ii) asbestos claimants have been prejudiced or otherwise harmed by any such procedures, transfers, or transactions." The Committee references its responses to Interrogatories 2, 9, 10, and 11, but none of those responses, nor any of the minimal additional detail that the Committee adds, provides any facts as to how or why the payment of dividends, distributions, debt repayments, or other financial transactions referenced in this Interrogatory would impact TTC's and TUI's *ability to satisfy* their funding obligations.

SubCon Defendants, therefore, ask that the Committee supplement its response to answer the question posed in Interrogatory 16.

RFPs

1. RFPs 18 and 20

In response to RFPs 18 and 20, which seek information regarding the retention and payments to professionals, the Committee identifies various pleadings made in the bankruptcy case. Given the Committee's various objections, it is not clear whether the cited materials identify *all* of the professionals the Committee has retained or paid.

If the Committee has engaged or paid professionals not covered by the materials cited, then the Committee must produce "all Documents relating to the hiring or engagement of any outside counsel, professional services firm, financial advisors, accounting firm, and/or consulting firm, and other experts, lawyers, or consultants by the Committee, including any engagement letters or agreements" and "all Documents relating to payments made to attorneys, advisors, consultants, or any other person or entity that provided services to the Committee."

2. RFPs 25 and 26

The Committee states that it "does not intend" to produce any documents responsive to RFPs 25 and 26. RFP 25 seeks documents related to meetings of the Committee, while RFP 26 seeks documents sufficient to show the dates and attendees of Committee meetings. In the adversary proceedings and the underlying bankruptcy proceedings, the Committee has alleged that the "Texas Two-Step" approach to bankruptcy is preventing a consensual resolution of the Debtors' bankruptcy proceedings. The information sought in these RFPs relates directly to that issue (among others).

While privilege may protect the production of certain documents responsive to these RFPs, not all of the information requested is likely to be privileged. We do not see how "documents sufficient to show the dates and attendees of any Committee meeting from the Petition Date to the present" (RFP 26) are privileged. Nor do we see how all materials discussed at Committee meetings are necessarily privileged or protected. If there are, in fact, privileged documents or communications responsive to these requests, please comply with your discovery obligations by producing versions of those documents and communications that redact the portions of those documents and communications that would be covered by such a privilege.

3. RFP 27

The Committee claims that RFP 27 "encompasses all issues in this Proceeding" and therefore, it incorporates its objections and responses to RFPs 1-26 and 28-41. The RFP is not so broad but, instead, is limited to communications between the Committee and asbestos claimants containing factual information pertinent to their claims.

SubCon Defendants, therefore, ask that the Committee search for and produce documents responsive to RFP 27.

4. RFPs 28, 29, and 30

In response to RFPs 28, 29, and 30, the Committee again asserts a series of objections and claims that the terms "third party" and "concerning this bankruptcy" are vague and ambiguous terms that "fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee and requires the Committee to speculate as to its meaning." That objection is meritless because the meaning of those phrases is self-evident.

SubCon Defendants nonetheless clarify that these RFPs do not apply to professionals approved by the Bankruptcy Court or expert reports prepared under Fed. R. Civ. P. 26. Additionally, the term "this bankruptcy," obviously, refers to the bankruptcy underlying these adversary proceedings. With this clarification, SubCon Defendants request that the Committee

search for and produce documents responsive to RFPs 28, 29, and 30. If the Committee is refusing to search for or is withholding documents responsive to these RFPs on any basis, please identify what categories of documents are not being searched or are being withheld.

RFAs

1. RFAs 1, 2, 3, 4, 5, 6, 7, and 11

The Committee responded to RFAs 1, 2, 3, 4, 5, 6, 7, and 11 with qualified answers that either admit or deny the request "for purposes of this Proceeding." We are unaware of any legal authority that permits answers to requests for admissions to include such a qualification. We ask that the Committee revise its answers to provide an unqualified admission or denial.

2. RFA 8

The Committee does not provide an appropriate response to RFA 8. It asserts a variety of objections and, based on those objections, states that it "cannot admit or deny this Request." Such a response is generally permissible only when a party states that, after a reasonable inquiry, it lacks knowledge or information to admit or deny a request. It does not appear that the Committee has made a reasonable inquiry, or that the Committee is basing its inability to admit or deny this RFA on a lack of knowledge. *Lynn v. Monarch Recovery Mgmt., Inc.*, 285 F.R.D. 350, 364 (D. Md. 2012) ("Unaccompanied by reasons, a general statement that a party can neither admit nor deny a matter is an insufficient response to a request for admission."). It is thus unclear which objection, if any, prevents the Committee from providing an answer.

Moreover, to the extent the Committee maintains that it cannot provide a response because of the Mediation Order, please identify what provisions of the Mediation Order prevent the Committee from admitting it has "never made the Debtors a monetary settlement offer on the terms of a consensual plan."

3. RFAs 9 and 10

RFAs 9 and 10 ask the Committee to admit a simple fact: that it has (RFA 9) or has not (RFA 10) "developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related Liabilities." Instead of admitting or denying these requests, the Committee cites a litany of objections and states it "cannot admit or deny" these RFAs. It is unclear how any of these objections prevent the Committee from admitting or denying these requests.

SubCon Defendants, therefore, request that the Committee supplement its answers to RFAs 9 and 10 by explaining which objection, if any, prevents the Committee from admitting or denying these RFAs. If no objection prevents the Committee from admitting or denying these RFAs, please amend your answers by doing so.

4. RFA 11

RFA 11 asks the Committee to admit that it is "aware of no instance where an asbestos claimant fixed a judgement lien on any or all of Old IRNJ's or Old Trane's assets." In its explanation for denying the RFA (see response to Interrogatory 17), the Committee "refers Defendants to its Objection/Response to Interrogatory No. 16 and its Objection/Response to Request for Production No. 16 to detail the basis for denying Request for Admission No. 11." Interrogatory 16 asks the Committee to address how or why the payment of dividends, distributions, debt repayments, or other financial transactions would impact TTC's and TUI's ability to fund their funding obligations, which has no connection to the subject matter of RFA 11 and does not provide a basis to deny the Request.

Please amend your response to Interrogatory 17 by explaining the basis for the Committee's denial of RFA 11.

Fraudulent Transfer Proceeding

Interrogatories[4]

1. Interrogatories 1-4

Interrogatories 1-4 ask the Committee to identify the factual bases underpinning the fraudulent transfer claims asserted against FT Defendants in the FT Proceeding. Specifically, these Interrogatories ask the Committee to state the facts supporting its allegations that (i) the Corporate Restructuring rendered the Debtors insolvent, (ii) the Corporate Restructuring did not provide the Debtors with reasonably equivalent value "'to the obligations that were allocated to and assumed by'" the Debtors, (iii) the Corporate Restructuring left the Debtors "'with an unreasonably small amount of assets in relation to their liabilities and thus were engaged in business or a transaction for which the property and assets remaining with Aldrich [Pump] and Murray [Boiler] were an unreasonably small capital,'" and (iv) "through the Corporate Restructuring the Debtors 'intended to incur, or believed or reasonably should have believed that Aldrich [Pump] and Murray [Boiler] would incur, asbestos debts beyond the ability of Aldrich [Pump] and Murray [Boiler] to pay such asbestos liabilities as they became due.'" The Committee responds by repeating various paragraphs in prior pleadings and dodging any actual, substantive answers to the questions posed.

[4] To the extent the Committee intends to withhold documents responsive to RFPs 1-4, 6, 7, and 9 in reliance on the baseless objections and deficient responses to the related Interrogatories outlined below, the Committee's refusal to produce such documents fails for the same reasons those Interrogatory responses are deficient.

Interrogatories 1-4 seek the specific facts supporting the Committee's allegations in its Complaint, an inquiry entirely consistent with the fundamental purpose of an interrogatory. *See In re M & L Bus. Mach. Co., Inc.*, 184 B.R. 366, 369 (D. Colo. 1995) (ruling a trustee must respond to interrogatory seeking factual basis for specific allegations in complaint); *Sargent-Welch Sci. Co. v. Ventron Corp.*, 59 F.R.D. 500, 503 (N.D. Ill. 1973) (finding "defendants are entitled to know the facts upon which plaintiffs [sic] claim is founded" and requiring plaintiff to respond to "interrogatories by disclosing . . . the factual basis or source of the allegations contained in the complaint"). The Committee objects to these basic discovery requests on the ground, among others, that FT Defendants propound same "before substantial discovery has taken place in the" FT Proceeding. However, the Committee already received voluminous document discovery and obtained substantial deposition testimony in the preliminary injunction adversary proceeding, Adv. Pro. No. 20-03041 (JCW) (the "PI Proceeding"). Moreover, the Committee made these allegations in its Complaint and, presumably, already possess factual bases or sources upon which it based these allegations. The Committee must disclose the factual bases or sources for its allegations in the Complaint *now*. The Committee's pending requests for additional (and largely duplicative) discovery does not relieve the Committee from responding to the Interrogatories.

Moreover, courts repeatedly have held that even before any discovery has taken place, a complaint pleading a constructive fraudulent transfer claim must provide sufficient facts showing a debtor's actual assets and liabilities on the date of a transfer. *In re Bateman*, No. 10-06206-8-RDD, 2012 WL 1110080, at *2 (Bankr. E.D.N.C. Apr. 2, 2012).[5] Given that this case has moved past the pleading stage, the Committee cannot plausibly claim that Interrogatories 1-4 are premature and that it is too early for the Committee to value the Debtors' assets and liabilities on the date of the Corporate Restructuring. Because the Committee contends the Debtors received unreasonably small capital, the Committee's calculation also must include "'all reasonably anticipated sources of operating funds, which may include new equity infusions, cash from operations, or cash from secured or unsecured loans over the relevant time period.'" *In re Bay*

[5] *See also In re Cyr*, 602 B.R. 315, 332 (Bankr. W.D. Tex. 2019) (finding the trustee failed to state a constructive fraudulent transfer claim because it "presented no allegations regarding the value of the [debtor's] debt relative to the value of the [debtor's] assets at the time the transfers were made"); *In re PostRock Energy Corp.*, No. 16-11230, 2018 WL 4279472, at *4 (Bankr. W.D. Okla. Sept. 6, 2018) (finding insufficient to allege insolvency "[t]he Complaint's allegations that financial difficulties placed significant stress on the PostRock Debtor's liquidity position in the years leading up to the Petition Date"); *In re Innovation Fuels, Inc.*, No. 11-12911, 2013 WL 3835827, at *14 (Bankr. D.N.J. July 22, 2013) (observing the trustee failed to plead insolvency because its constructive fraudulent transfer claim was based on information and belief, when the trustee had the debtors' books and records for two years and failed to take any additional discovery); *In re Crucible Materials Corp.*, No. 09-11582, 2012 WL 5360945, at *7 (Bankr. D. Del. Oct. 31, 2012) (concluding the trustee failed to state a claim under Section 548(a)(1)(B) because it did not allege any "underlying facts" that the transfers were made while the debtor was insolvent); *In re Glob. Link Telecom Corp.*, 327 B.R. 711, 718 (Bankr. D. Del. 2005) (dismissing constructive fraudulent transfer claim because plaintiff "presents no information on the Debtors' financial status or the value of what was received in exchange").

Vista of Virginia, Inc., 428 B.R. 197, 225 (Bankr. E.D. Va. 2010) (quoting *Peltz v. Hatten*, 279 B.R. 710, 745 (D. Del. 2002)). The Committee must disclose this information in its discovery responses.

Further, rather than identify any claimant with knowledge of the Committee's "factual contentions," the Committee's responses to Interrogatories 1-4 list dozens of Trane-associated personnel and outside counsel or experts. The Committee's responses, therefore, indicate that no asbestos claimant, including no Committee member, possesses any knowledge of any facts supporting the Committee's fraudulent transfer claims. If the Committee intends to assert otherwise, then it must identify all claimants possessing such knowledge.

2. Interrogatory 6

Interrogatory 6 asks the Committee to "[i]dentify each meeting held by the Committee since the Petition Date, including the date of such meeting, the members of the Committee attending such meeting, and the identities of all other Persons who attended, participated in, listened to, or otherwise had access to such meeting." The Committee objected to this Interrogatory on the ground it somehow "does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee."

FT Defendants contend that the Committee's claims have been brought in bad faith. FT Defendants believe that the prosecution of these claims is driven by plaintiffs' firms seeking to protect their business model rather than to recover damages for some purported deficiency in the Debtors' assets. FT Defendants seek information concerning the Committee's meetings to further assess this issue and their potential defenses to the Committee's claims.

Moreover, the Committee sought derivative standing and commenced the FT Proceeding based on its assertion that the Corporate Restructuring involved fraudulent transfers that prevent a consensual resolution of the Debtors' bankruptcy proceedings. Interrogatory 6 relates directly to that claim because the identified meetings will shed light on the purported bases for the Committee's assertion and the extent to which the Committee actually considers its claims to possess merit. Such meetings also will identify individuals for further discovery, including depositions, on these issues. Accordingly, the Committee must answer fully Interrogatory 6.

3. Interrogatory 7

Interrogatory 7 asks the Committee to "[i]dentify the amount of damages You seek to recover in the Complaint, including the amount of damages You contend have been suffered by the Current Asbestos Claimants, the amount of damages You contend have been suffered by the Future Asbestos Claimants, and Your calculations of such amounts." The Committee objects to

Interrogatory 7, claiming it somehow "misstates the record." The Committee, however, indisputably filed the Complaint and indisputably seeks damages from FT Defendants.

The Committee, therefore, must answer fully Interrogatory 7 by identifying the amount of the damages it seeks and how it arrived at same.

4. Interrogatory 9

Interrogatory 9 asks the Committee "[t]o the extent You contend that the amount of the Debtors' assets is less than the amount of the Debtors' liabilities as of the date of Your response to this Interrogatory, identify the basis for such contention, the amount of any purported deficiency in the Debtors' assets, and explain Your calculation of such amount." The Committee fails to provide the requested information, contending that Interrogatory 9 is "premature" and "being propounded before substantial discovery has taken place."

As set forth above, the Committee already received voluminous document discovery and obtained substantial deposition testimony in the PI Proceeding. The Committee's pending requests for additional (and largely duplicative) discovery does not relieve the Committee from responding to Interrogatory 9. Further, the Committee's citations to various pleadings that disregard the Funding Agreements and the QSF fail to comport with the Committee's obligation to respond to Interrogatory 9.

RFAs

1. RFA 1

The Committee denies RFA 1 "because filing a chapter 11 petition creates an estate" Please provide the legal authority supporting your contention that the creation of a bankruptcy estate is a transfer of a debtor's interest in property. Further, the Committee's response to Interrogatory 12 fails to explain the Committee's basis for denying that portion of RFA 1 requesting that the Committee admit the Debtors' bankruptcy filing was not the incurrence of an obligation.

2. RFAs 2, 7, 11, 13, and 15

The Committee denies these RFAs based on its contention that they will be subject to future expert testimony. A party may not deny a request for admission based on the party's contention that an issue may be subject to future expert testimony. *See Anderson v. United Air Lines, Inc.*, 49 F.R.D. 144, 148-149 (S.D.N.Y. 1969).

3. RFAs 3, 4, 5, 6, 8, and 9

The Committee's responses to RFAs 3, 4, 5, 6, 8, and 9 are deficient because (1) the Committee fails to state whether it has made any effort to determine the answers to these RFAs based on information available to it and/or readily obtainable by it, and (2) fails to admit any portion of the RFAs despite the Committee's objections suggesting that only portions of the RFAs are objectionable and/or in dispute.

4. RFA 5

The Committee's response to RFA 5 is deficient because the Committee fails to admit any portion of the RFA despite the Committee's objection suggesting that only a portion of the RFA is allegedly objectionable and/or in dispute.

5. RFAs 10 and 12

RFAs 10 and 12 ask the Committee to admit what assets were allocated to the Debtors pursuant to the Corporate Restructuring. The Committee denies each, explaining in its response to Interrogatory 12 that it denied RFAs 10 and 12 because "the Committee seeks to avoid the transactions described therein as alleged in the Complaint." The Committee's claims to avoid the subject transactions are not a basis for the Committee to deny the facts set forth in RFAs 10 and 12.

6. RFA 14

The Committee claims that its basis for denying RFA 14 is the same basis for its denial of RFA 10. The Committee's claims to avoid the subject transactions are not a basis for the Committee to deny the facts set forth in RFA 14.

As set forth above, the Committee's responses to the RFAs fail to comply with the Committee's obligations to respond under Fed. R. Civ. P. 36. FT Defendants demand the Committee immediately amend its responses to the RFAs to comply with the standards imposed by the applicable rules.

RFPs

1. RFPs 1, 3-5, 7, 9-12, 14, 16, 18-20, and 25

The Committee responds to each of these RFPs by claiming it "has no responsive, non-privileged documents to produce" that are not "publicly available, produced by other parties, and/or within the Defendants' possession, custody, or control." Documents responsive to these RFPs, however, would include, *inter alia*, communications between and/or among Committee

members, Committee counsel, and/or third parties. To the extent the Committee is in possession, custody, or control of documents responsive to these RFPs, then it must produce such documents and/or a privilege log. If FT Defendants subsequently discover the Committee was in possession, custody, or control of responsive documents and did not produce or log them, FT Defendants will seek the imposition of appropriate sanctions against the Committee.

* * *

Please respond accordingly. If you believe it is necessary to meet and confer on these matters, please let us know.

Very truly yours,

/s/ Morgan R. Hirst
Morgan R. Hirst

/s/ Gregory J. Mascitti
Gregory J. Mascitti

EXHIBIT E

ALDRICH PUMP LLC and MURRAY BOILER LLC, by and through their undersigned counsel, defendants.

TRANE TECHNOLOGIES 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, by and through their undersigned counsel, defendants.

March 7, 2025

VIA E-MAIL

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Re: *Official Committee of Asbestos Personal Injury Claimants v. Aldrich Pump*, Adv. Pro. No. 21-03029 (JCW); *Official Committee of Asbestos Personal Injury Claimants v. Ingersoll-Rand Global Holding Company Limited, et al.*, Adv. Pro. No. 22-03028 (JCW)

Counsel:

On behalf of Defendants, we write in response to the Committee's October 23, 2024 letter (the "Committee's Letter") regarding deficiencies in the Committee's May 28, 2024 discovery responses.[1]

As set forth in Defendants' July Letter, the Committee has failed to provide adequate responses to a number of Defendants' discovery requests. The Committee's Letter maintains the evasive position that, as a creditors' committee, the Committee enjoys immunity from discovery. *See, e.g.*, Committee FT Responses General Objection 29 ("The Committee also objects to the Interrogatories and Requests for Production on the basis that the Committee did not exist prepetition and therefore has no responsive Documents other than those that are publicly available or that were previously produced by the Defendants."). That position is incorrect. *See, e.g.*, *In re Adelphia Commc'ns Corp.*, 348 B.R. 99, 109 (Bankr. S.D.N.Y. 2006) ("[N]o case has ever held that a fee committee has a 'discovery immunity[.]'").

Defendants are entitled to understand the claims asserted against them and the factual bases, if any, underlying the Committee's contentions in its pleadings. In an effort to narrow the remaining disputes, this letter focuses on issues that should be simple to resolve – i.e., discovery concerning the Committee's allegations. Nevertheless, by focusing on the issues identified below, Defendants do not waive the right to seek resolution of the other issues and deficiencies identified in Defendants' July Letter.

GENERAL OBJECTIONS (GLOBAL)

Based on the Committee's Letter, Defendants understand the Committee will not respond to any of Defendants' discovery requests based on documents and information in the possession, custody, or control of individual committee members and/or their counsel. Instead, the Committee will require Defendants to serve separate discovery requests on such individuals and/or counsel. Defendants reserve their right to do so.

GENERAL OBJECTIONS (INTERROGATORIES – GLOBAL)

The Committee objects to Defendants' Interrogatories on the ground they exceeded the maximum number allowed under the *Order Establishing Joint Discovery Plan and Report (ESI Protocol)*.[2] Notwithstanding such objection, the Committee claims it "fully responded to all of the Interrogatories." However, the Committee's responses do not fully address all of the requests in each Interrogatory. For example, the Committee's response to Interrogatory 2 in the FT

[1] All terms defined in Defendants' letter to the Committee dated July 18, 2024 ("Defendants' July Letter") shall have the same meanings herein.

[2] Adv. Pro. No. 21-03029 (JCW), Dkt. No. 142; Adv. Pro. No. 22-03028 (JCW), Dkt. No. 69.

Proceeding fails to state the amount of value the Committee contends would have been reasonably equivalent to the obligations that were allocated to and assumed by the Debtors in the Corporate Restructuring, and its response to Interrogatory 4 likewise fails to identify the amount and timing of the asbestos debts the Committee contends were beyond the ability of the Debtors to pay as they became due. The Committee similarly ignores or fails to fully respond to subparts in other Interrogatories. Defendants demand the Committee address these deficiencies in its responses and provide all of the information requested in each Interrogatory.

GENERAL OBJECTIONS (RFPS – GLOBAL)

The Committee refuses to produce any documents on the grounds that the Committee is not in possession, custody, or control of any non-privileged documents other than documents publicly available or produced by Defendants. The Committee then admits its counsel received requests for comment from certain news publications and asserts it did not respond to such requests. Such communications are not privileged, are not publicly available, and were not produced by Defendants – yet the Committee inexplicably refuses to produce them. Other responsive documents likely exist. The Committee's blanket refusal to produce any documents is clearly baseless, and Defendants renew their demand for the production of all responsive documents in the Committee's possession, custody, or control.

GENERAL OBJECTIONS (RFAS – GLOBAL)

The Committee bizarrely "objects to the Defendants' attempts to use discovery requests to have the Committee ratify or endorse Defendants' factual contentions and legal conclusions." The Committee further "objects to Defendant's efforts to use the RFAs to invoke estoppel or waiver." Pursuant to Fed. R. Civ. P. 36, Defendants are entitled to request that the Committee admit the truth of facts and the application of law to facts. Fed. R. Civ. P. 36(a)(5) further provides that a party may not object to a request for admission "solely on the ground that the request presents a genuine issue for trial." The Committee cannot evade discovery simply on the grounds it does not want to "ratify or endorse" the factual contentions or legal conclusions asserted by Defendants or because it seeks to avoid the transactions at issue. Defendants demand the Committee respond to the RFAs in accordance with Fed. R. Civ. P. 36.

SUBCON PROCEEDING

General Objections

1. General Objection 26

The Committee's Letter fails to address the issues Defendants identified related to General Objection 26, where the Committee objects "that Defendants are attempting to use these Discovery Requests to invoke estoppel or waiver." As noted in our July Letter, this objection is

not a basis for refusing to respond to discovery. Discovery is designed to elicit and discover facts and evidence. The Court, applying applicable law, will determine whether such facts and evidence give rise to an estoppel or waiver. A party is not entitled to evade discovery to avoid the legal consequences arising from such facts and evidence. The parties' disagreement over the legal effect of the Committee's differing positions on the Debtors' financial condition is not a basis to refuse to answer discovery requests. Defendants demand the Committee disclose whether it is refusing to produce any documents, declining to provide any interrogatory answers, or denying any request for admission based on General Objection 26.

Interrogatories and Requests for Production and Admissions

1. Interrogatory 1

Once more, the Committee fails to respond to Interrogatory 1. As Defendants have previously clarified, Interrogatory 1 asks the Committee to state "all facts and reasons you contend support *any* assertion in paragraphs 46 and 47 of the Motion that, *subsequent to the Corporate Restructuring*, creditors and/or asbestos claimants 'dealt with' TTC and Aldrich Pump as 'one legal entity' and Trane and Murray Boiler as 'one legal entity.' Identify each creditor and/or asbestos claimant who so 'dealt with' TTC and Aldrich Pump and TUI and Murray, respectively, and Identify any Persons whom you contend have knowledge of any of those facts." The Committee responds by characterizing those paragraphs of the Motion as "discuss[ing] how claimants dealt with the entities prior to the Corporate Restructuring." Committee's Letter at 5. That clearly is not what Interrogatory 1 asks. The Committee's continued effort to evade providing a response to what the Interrogatory does ask, is wholly improper. Interrogatory 1 asks for the facts and reasons that the Committee contends support "any" assertion that claimants dealt with the entities as one "***subsequent*** to the Corporate Restructuring" (emphasis added). If the Committee has no fact or reason to support that contention, it must say so.

The Committee goes on to argue that it is premature to identify "any claimant with personal knowledge of how claimants 'dealt with' TTC and Aldrich Pump as one entity, or TUI and Murray as one entity," claiming that "[i]f appropriate, the Committee will supplement its response at the appropriate time." Committee's Letter at 6. Although the Committee may supplement its responses with facts learned at a later date, the Committee is obligated to respond to this Interrogatory now, with the knowledge and facts in its possession at this moment. *See In re Trantex Corp.*, 10 B.R. 235, 238 (Bankr. D. Mass. 1981) ("[T]he operative fact in dispute is who . . . is available to substantiate the allegations in the complaint, and the Committee should be required to provide that information, insofar as it is able.").

2. Interrogatories 4, 12, and 16

The Committee's responses to Defendants' contention interrogatories—particularly, its responses to Interrogatories 4, 12, and 16—are inadequate. Rather than providing the factual

support that the Interrogatories call for, the Committee obfuscates its response by reciting a litany of objections followed by conclusory allegations, opinions, argument, or supposition, but no facts.

Each of these Interrogatories seeks the factual support for the Committee's contentions, including that "[t]he Debtors are not in financial distress" (Interrogatory 4), that TTC or TUI may not honor their obligations under the Funding Agreements (Interrogatory 12), and that TTC or TUI is unable to fulfill its obligations under its Funding Agreement or that asbestos claimants have been prejudiced by TTC's or TUI's actions (Interrogatory 16). These Interrogatories "serve legitimate and useful purposes, such as ferreting out unsupportable claims, narrowing the focus and extent of discovery, and clarifying the issues for trial." *In re Continental Capital Inv. Servs., Inc.*, 2009 WL 1661918, at *6 (Bankr. N.D. Ohio Mar. 6, 2009). The information that Defendants seek is thus "necessary in order for [Defendants] to determine the proof required to defend against [the Committee's] claims." *Id.*

Like Interrogatory 1, the Committee's estoppel and prematurity objections provide no basis for the Committee to withhold information responsive to these Interrogatories. Unless the claims asserted by the Committee in the SubCon Complaint are baseless, the Committee possessed facts relevant to its claims at the time it filed the complaint. Defendants are entitled to know those facts in response to their Interrogatories seeking their disclosure. Defendants again demand the Committee supplement its responses to these interrogatories.

3. Interrogatories 5 and 7; RFPs 5, 7 and 21

As previously explained, the Committee's responses—or lack thereof—to discovery directed at learning the Committee's position as to the amount of the Debtors' asbestos liabilities fail to comply with the Committee's discovery obligations. The Committee completely ignores the authority on this point set forth in Defendants' July Letter.

Defendants reiterate these requests and demand the Committee either: (1) provide the facts and documents supporting its contentions or (2) confirm it does not have any facts or documents responsive to these requests.

4. RFAs 9 and 10

The Committee's refusal to respond to these RFAs based on the Mediation Order is baseless. The Requests at issue do not have anything to do with the Mediation Order. RFA 9 requests an admission that "the Debtors' equity holders have an interest in the Debtors' assets to the extent the Debtors' assets exceed the Debtors' liabilities." RFA 10 seeks an admission that certain identified "assets were allocated to Aldrich Pump in accordance with the TTC Plan of Divisional Merger." Neither involve the Mediation Order in anyway, and the Mediation Order is

not a basis to refuse to respond to these RFAs. Defendants demand the Committee properly respond.

5. RFA 11

The Committee's Letter fails to address RFA 11 and Interrogatory 17. If the Committee is aware of an instance where an asbestos claimant fixed a judgment lien on Old IRNJ's or Old Trane's assets, then the Committee must identify such asbestos claimant in its response to Interrogatory 17. If the Committee is not aware of any such asbestos claimant, then the Committee must admit RFA 11. Defendants demand the Committee comply with its obligations to appropriately respond to these requests.

FRAUDULENT TRANSFER PROCEEDING

Interrogatories and Requests For Admission

1. Interrogatories 1-4

The Committee avoids responding substantively to Interrogatories 1-4 by baselessly arguing the FT Defendants are only entitled to "principal" or "material" facts. The FT Defendants reject the Committee's narrow view on the scope of its duty to respond to interrogatories and its purported compliance. The single case cited by the Committee, *E.R. v. Beaufort County School District*, No. 22- 04482, 2023 WL 3605000, at *3 (D.S.C. May 23, 2023), is distinguishable because the plaintiff in that case served an interrogatory broadly seeking information "directed at all the allegations in the complaint." In contrast, Interrogatories 1-4 are directed to specific allegations made by the Committee in the FT Complaint. Further, the facts sought in Interrogatories 1-4 ***are*** the "principal" and "material" facts regarding the Committee's alleged fraudulent transfer claims. The Committee has indisputably failed to satisfy its discovery obligations by refusing to provide the information requested in Interrogatories 1-4.

The Committee further absurdly claims it is premature to provide substantive responses to these Interrogatories because it has not taken any document discovery or depositions in the FT Proceeding. A plaintiff asserting a fraudulent transfer claim, like the Committee here, must identify the value of the subject assets and liabilities at the pleading stage. *See, e.g.*, *In re Cyr*, 602 B.R. 315, 332 (Bankr. W.D. Tex. 2019) (finding the trustee failed to state a constructive fraudulent transfer claim because it "presented no allegations regarding the value of the [debtor's] debt relative to the value of the [debtor's] assets at the time the transfers were made"); *In re PostRock Energy Corp.*, No. 16-11230, 2018 WL 4279472, at *4 (Bankr. W.D. Okla. Sept. 6, 2018) (finding insufficient to allege insolvency "[t]he Complaint's allegations that financial difficulties placed significant stress on the PostRock Debtor's liquidity position in the years

leading up to the Petition Date").[3] Moreover, in this case, the Committee has already received the extensive discovery conducted in the PI Proceeding, including the 90,000 pages of documents[4] produced to the Committee and the 22 depositions taken by the Committee, all of which has been incorporated as discovery in the FT Proceeding. The Committee has had such discovery for *over four years*. In addition, the Committee has received the Debtors' historical claims database and over 167,000 pages of documents in response to its discovery requests in the Estimation Proceeding, all of which has also been incorporated as discovery in the FT Proceeding. The Committee's refusal to respond to the discovery requests propounded in the FT Proceeding as "premature" is meritless. Accordingly, the FT Defendants demand the Committee answer Interrogatories 1-4 to provide the information requested therein.

2. Interrogatory 6

The Committee next refuses to provide a substantive answer to Interrogatory 6. Instead, the Committee complains that the FT Defendants are attempting to relitigate the Court's grant of derivative standing and the information sought does not serve a "legitimate purpose." As the Committee is aware, the FT Defendants believe this litigation was brought in bad faith by the plaintiffs' firms controlling the Committee. The fact that the Committee has yet to identify any amount of asbestos liabilities or any deficiency in the Debtors' ability to pay such liabilities further supports the FT Defendants' belief that these claims were commenced, and are being prosecuted, in bad faith. The FT Defendants are entitled to discovery on this potential defense. The dates of Committee meetings and the individuals present will allow the FT Defendants to evaluate their potential defenses, determine the existence of documents the Committee has refused to produce, and further assess any claims of privilege as to documents and/or information shared during such meetings. If the Committee has not held any meetings, then it should so state. The FT Defendants demand the Committee respond to Interrogatory 6.

3. Interrogatory 9

The FT Defendants refer the Committee to the discussion on Interrogatories 1-4 above as to why the Committee is obligated to provide a full and complete response to Interrogatory 9 at this time.

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[3] The Committee erroneously claims the cases cited by the FT Defendants are inapposite because most address the sufficiency of a plaintiff's pleading. The Committee misses the point. If a plaintiff asserting a fraudulent transfer claim must provide the type of facts requested by Interrogatories 1-4 at the pleading stage, then the Committee cannot maintain that Interrogatories 1-4 are premature, particularly in light of the substantial discovery received by the Committee to date.

[4] This number does not include the voluminous number of documents Defendants subsequently de-designated as privileged and produced to the Committee.

4. RFA 1

The Committee refuses to admit that a bankruptcy filing is not a transfer of assets or the incurrence of debt. The FT Defendants demand the Committee provide any case law supporting its denial.

5. RFAs 3-6, 8-9, 10, 12, 14

The Committee proposed meeting and conferring to discuss the adequacy of its responses to the above-referenced RFAs. We propose to add that topic to the agenda for the parties' meet and confer call being scheduled for the week of March 10, 2025.

* * *

We look forward to meeting and conferring next week on these issues and any other issues concerning discovery relating to the above-captioned matters. Defendants, however, believe that the Committee's responses discussed herein are clearly and obviously deficient under the discovery rules and readily remediable by the Committee. We demand the Committee provide full and complete answers to Defendants' discovery requests as soon as possible.

Very truly yours,

/s/ Morgan R. Hirst
Morgan R. Hirst (as counsel for certain Defendants in, and as to the sections of the letter relating to, the SubCon Proceeding only)

/s/ Gregory J. Mascitti
Gregory J. Mascitti

/s/ K. Elizabeth Sieg
K. Elizabeth Sieg

EXHIBIT F

ALDRICH PUMP LLC and MURRAY BOILER LLC, by and through their undersigned counsel, defendants.

TRANE TECHNOLOGIES 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, by and through their undersigned counsel, defendants.

November 5, 2025

VIA E-MAIL

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Re: *Official Committee of Asbestos Personal Injury Claimants v. Aldrich Pump*, Adv. Pro. No. 21-03029 (JCW); *Official Committee of Asbestos Personal Injury Claimants v. Ingersoll-Rand Global Holding Company Limited, et al.*, Adv. Pro. No. 22-03028 (JCW)

Counsel:

In advance of our next meet-and-confer, Defendants respond to the Committee's August 7, 2025 letter ("August 2025 Letter") regarding its responses to Defendants' written discovery requests in the Adversary Proceedings. This letter is a good faith effort by Defendants to resolve or narrow the remaining discovery disputes between the parties prior to motion practice.

General Objections (Global)

The Committee's "Possession, Custody, and Control." Based on prior correspondence between the parties, we understand the Committee refuses to respond to any discovery requests or interrogatories where the responsive documents or information are in the possession, custody, or control of individual committee members and/or their counsel. Given the recent revelations regarding committee membership, Defendants question how the Committee determined to take this position, as it makes obtaining the production of responsive documents more difficult for Defendants without any corresponding benefit to individual committee members or their estates (who may need to engage separate counsel and expend their own resources to respond to individually-directed requests). Defendants ask the Committee to reconsider its position on this issue.

The parties previously set forth their positions on what information (whether that be documents or information responsive to interrogatories or requests for admission) is in the Committee's possession, custody, and control. We understand the Committee asserts its "possession, custody, and control is limited to documents in its members' or professionals' possession, custody, or control *while and to the extent* they are acting in their capacity as Committee members or professionals." August 2025 Letter at 2 (citing Committee Oct. 23, 2024 Letter at 3). Even applying this limited (and legally incorrect) interpretation of possession, custody, or control, the Committee still refuses to produce any documents based on its self-serving assertions that (a) an "overwhelming majority" of documents in the Committee's possession are allegedly "'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.'" *Id.*

While some materials in the possession of the Committee members and their professionals may ultimately prove to be protected or irrelevant, neither assertion is grounds for a blanket refusal to even respond, let alone, comply with Defendants' discovery requests. For example, basic information relating to Committee meetings (such as dates, agenda items, and attendees) is both responsive to Sub Con RFPs 25 and 26 and Fraudulent Transfer Interrogatory 6 and not protected from discovery. Any other privileged or otherwise protected information responsive to these requests can be redacted, similar to Defendants' productions of meeting minutes in these proceedings. Moreover, any non-privileged documents or other information in

the possession of Committee members or counsel responsive to Defendants' specific, affirmative requests in these proceedings, such as Sub Con Interrogatories/RFPs 1-3 and Fraudulent Transfer Interrogatories/RFPs 1-5, must be produced *regardless of whether such documents or information came into their possession in their capacities as Committee members or professionals.* As an example, if any Committee member possesses information responsive to whether creditors and/or asbestos creditors "dealt with" TCC and Aldrich Pump as "one legal entity" and Trane and Murray Boiler as "one legal entity" (Sub Con RFP/Interrogatory 1) or "extended credit" to "Old Trane, Old IRNJ, Aldrich, or Murray" (Sub Con RFP/Interrogatory 3), the Committee should produce such information regardless of whether the individual obtained such information in his or her capacity as a Committee member.[1]

Please advise whether the Committee will search for, and produce, documents and information responsive to Defendants' requests in the possession, custody, or control of (i) the Committee's members, past and current, (ii) any professionals representing an individual committee member on the Committee, through a proxy or otherwise, and (iii) the Committee's professionals.

General Objections (Interrogatories - Global)

In its August 2025 Letter, the Committee asserts it did not withhold any information from its interrogatory responses based on its objection that Defendants exceeded the permitted number of interrogatories. Nevertheless, the Committee still failed to respond in full to Defendants' interrogatories and, instead, stated it "will be prepared to discuss these issues during the next meet and confer." August 2025 Letter, p. 2. The Committee's refusal to respond to an interrogatory in full is self-evident from the Committee's partial interrogatory responses, and it is unclear what issues require a meet and confer where the Committee has simply failed to respond to a request in full.

General Objections (RFAs - Global)

In its August 2025 Letter, the Committee continues its refusal to properly respond to Defendants' requests for admissions on the ground it cannot be forced to "ratify or endorse Defendants' factual contentions and legal conclusions." August 2025 Letter, p. 3. Federal Rule of Civil Procedure 36 allows a party to request an admission of any "matters within the scope of Rule 26(b)(1) relating to: (A) facts, the application of law to fact, or opinions about either; and (B) the genuineness of any described documents." Pursuant to Rule 36, a party may respond to a request for admission with: (1) an admission; (2) a denial; (3) a detailed explanation as to why the matter can be neither admitted nor denied, which may include a lack of knowledge and

[1] The same rationale applies to any professional who, in representing an individual committee member, acted as a member of the Committee.

insufficient information after reasonable inquiry; (4) a good faith qualified response that admits certain matters, if possible, but denies or gives a qualified answer to the rest; or (5) an objection on a clearly stated ground—for example, on the basis that the matter demanded to be admitted is beyond the scope of discovery permitted by Fed. R. Civ. P. 26(b)(1). *See* Rule 36(a)(4); *see also Watkins v. Lincare, Inc.*, No. 3:22-CV-00109, 2023 WL 5490181, at *1 (S.D.W. Va. Aug. 24, 2023); *Michael v. Wes Banco Bank, Inc.*, No. CIVA 5:04CV46, 2006 WL 1705935, *2 (N.D.W. Va. June 16, 2006). The Committee's responses to Defendants' requests for admission fall short of the above standard under Rule 36, and the out-of-context quotes in the case law cited by the Committee on page 3 of its August 2025 Letter do not support the Committee's strategy of evading the undisputed facts and the undisputed application of law to such facts in this litigation.

To the extent the Committee objects to a request for admission on the grounds it is vague, ambiguous, or compound, the Committee should be prepared to discuss the specific requests for admissions subject to such objections at the next meet and confer.

Finally, in its October 2024 letter, the Committee states it is "willing to consider providing additional information in response to the RFAs as part of the meet and confer process." October 2024 letter, p. 5. Defendants request the Committee identify the specific requests for admission for which the Committee will provide additional information in advance of the next meet and confer.

Substantive Consolidation Proceeding

Lack of Financial Distress Assertion (Sub Con Interrogatory/RFP 4). Sub Con Interrogatory 4 requests that the Committee: "[s]tate all facts and reasons you contend support the assertion that '[t]he Debtors are not in financial distress: they can fully pay all their creditors in the ordinary course of business, and their economic viability is not threatened by their liabilities, Dismissal Motion at 2, and Identify any Persons whom you contend have knowledge of any of those facts." As stated in Defendants' July 18, 2024 letter, the Committee's response to Interrogatory 4—explaining why the Debtors *are* in financial distress—fails to provide the basis for an assertion (that the Debtors are *not* in financial distress) *the Committee* has made and *continues to make* in these bankruptcy and associated appellate proceedings.

The Committee seeks to justify not answering the interrogatory actually posed by saying it "has the right to plead and pursue alternative claims." Committee Oct. 23, 2024 Letter at 6. Whatever the merits of that position, Defendants are nonetheless entitled to discover evidence for use in the Adversary Proceedings pertinent to the Committee's alternative positions, including its alternative contention the Debtors are not in financial distress. Defendants disagree with the Committee's unsupported "position that the Debtors' solvency is no defense to the remedy of substantive consolidation and is irrelevant." *Id.* The Committee raised the relevancy of this information by alleging the Debtors' are "undercapitalized," insolvent, and "cash-starved" in its

Sub Con pleadings. *Plaintiff's Opposition to Debtors' Motion to Dismiss*, Adv. Pro. No. 21-03029 (JCW), [Dkt. 30] at ¶¶ 21, 37-38. The Debtors' solvency is also, of course, relevant to whether substantive consolidation is necessary to "avoid some harm or to realize some benefit." *Id.* at 13 (quoting *In re Auto-Train Corp.*, 810 F.2d 270, 276 (D.C. Cir. 1987)). *See also Reply in Support of Debtors' Motion to Dismiss Adversary Complaint*, Adv. Pro. No. 21-03029 (JCW), [Dkt. 35] at 4 n.3.

Accordingly, Defendants reiterate their prior demand that the Committee supplement its response to Sub Con Interrogatory/RFP 4.

Information Regarding Debtors' Aggregate Asbestos Liability (Sub Con Interrogatories 5, 7; Sub Con RFPs 5, 7, and 21; Sub Con RFAs 9-10). As noted in the August 2025 Letter, Defendants' discovery includes several interrogatories regarding the Debtors' aggregate asbestos liability. The Committee objected to these requests as premature and subject to expert testimony and indicated it will respond to these requests in connection with deadlines set forth in the Estimation Proceeding. Aug. 7, 2025 Letter at 3-5. The Committee has now since served the Initial Expert Report of Andrew J. Sackett, J.D., Ph.D titled "Initial Liability Estimate" (the "Sackett Report"). If the Sackett Report reflects the Committee's information responsive to these discovery requests, please update your responses to the pertinent requests to reflect as much. If not, please provide the information that is responsive to these requests.

Sub Con RFPs 28-30. In its October 23, 2024 letter, the Committee indicated it would supplement its response to Sub Con RFPs 28-30. We do not believe the Committee has served a supplemented version of these responses and hereby ask you to do so now.

Sub Con RFAs 1-7 and 11. The Committee's October 23, 2024 letter indicated it would supplement its response to Sub Con RFAs 1-7 and 11 to remove its qualifying "for purposes of this Proceeding" language. Once again, we do not believe that the Committee has served a supplemented version of these responses and hereby ask you to do so now. With respect to Sub Con RFA 11, please update the Committee's response to include the admission contained in the August 2025 Letter ("… 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 …").

Fraudulent Transfer Proceeding

Interrogatories and Request for Admission. As set forth in FT Defendants' March 7, 2025 letter, the Committee failed to adequately respond to Interrogatories 1-4, Interrogatory 6, Interrogatory 9, Request for Admission 1, and Requests for Admission 3-6, 8-9, 10, 12, and 14.

Rather than address any of these deficiencies over the five months since the March 7, 2025 letter, the Committee's August 2025 Letter simply states the Committee "will be prepared to discuss these issues further during the next meet and confer." The parties, however, have had multiple meet and confers since the August 2025 Letter, and the Committee has not addressed this issue during any of those sessions. While the FT Defendants remain willing to meet and confer with the Committee on the issues identified in the FT Defendants' March 7, 2025 letter, the FT Defendants reserve all of their rights to seek appropriate relief given the Committee's ongoing failure to timely address such issues.

Very truly yours,

/s/ Morgan R. Hirst
Morgan R. Hirst (as counsel for certain Defendants in, and as to the sections of the letter relating to, the SubCon Proceeding only)

/s/ Gregory J. Mascitti
Gregory J. Mascitti

/s/ K. Elizabeth Sieg
K. Elizabeth Sieg

EXHIBIT G

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

October 23, 2024

VIA EMAIL

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Re: *In re Aldrich Pump LLC, et al.*, Case No. 20-30608 (LMJ); Adv. Pro. No. 21-3029 (JCW) (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 July 18, 2024 letter ("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 SubCon Proceeding and the Fraudulent Transfer Proceeding. As outlined in greater detail below, the Committee largely disagrees with the contentions raised in Defendants' Letter and believes that said contentions are based on misinterpretations of the law or the substantive information the Committee is providing and has agreed to provide as part of the Responses. The Committee maintains that the Responses are robust, complete, and were prepared carefully in good faith. The Committee is willing to meet and confer as necessary, including to determine, in our discretion, whether any supplementation of the Responses is warranted.

I. General Objections (Global)

Defendants' Letter asserts that the Committee should be deemed to have possession, custody, or control of information in the possession, custody, or control of its members as well as their counsel or "other representatives." In support of this assertion, Defendants' Letter cites a case that has nothing to do with possession, custody, or control. In contrast, the Committee identified relevant authority in the Responses, which makes clear that a Committee does not have possession, custody, or control of the documents of individual claimants. *See In re Circle K Corp.*, 199 B.R. 92, 100 (Bankr. S.D.N.Y. 1996), *aff'd*, 1997 WL 31197 (S.D.N.Y. Jan. 28, 1997) (holding that for purposes of bankruptcy proceedings, creditors' committee constituents are not clients of the committee's attorneys); *In re Snyder*, 51 B.R. 432, 438-39 (Bankr. D. Utah 1985) (acknowledging that a committee's attorneys represent only the committee, and that individual creditors are represented by their respective attorneys).

Bankruptcy courts that have addressed this precise issue in asbestos bankruptcy cases have held that discovery served on a committee cannot require responses by or on behalf of individual claimants or their individual counsel. As the Committee pointed out in the Responses, in *In re G-I Holdings*, the bankruptcy court ruled that "discovery served on the Committee which is admittedly a party, cannot properly require responses by and on behalf of individual claimants or the tort counsel who represent them." Hr'g Tr. at 15:15-18, *In re G-I Holdings, Inc.*, No. 01-30135 (Bankr. D.N.J. Sept. 10, 2003) (attached hereto as **Exhibit A**).

In re Garlock Sealing Technologies, LLC, a case also brought in the Bankruptcy Court for the Western District of North Carolina, addressed a very similar issue. The court there made several findings that are instructive here in connection with a motion brought by the debtors to compel the asbestos claimants committee to respond to discovery. The debtors sought non-public solicitation communications and documents. The *Garlock* court observed that debtors were "really asking for . . . communications by individual members and the claimants and their attorneys." Hr'g Tr. at 12:22-24, *In re Garlock Sealing Techs., LLC* (Bankr. W.D.N.C. Dec. 28, 2015) (excerpt attached hereto as **Exhibit B**). Such a request, the *Garlock* court found, "couldn't be sent to the ACC as an entity, but would have to be made to the individual members." *Id.* at 12:25-13:2. The court also opined that such a request would be unduly burdensome and would provide limited and speculative benefit. *Id.* at 13:3-16:3. Ultimately, the court denied the debtors' motion to compel and granted the committee's motion for a protective order. *Id.* Here, likewise, to the extent the Defendants seek information or documents held by the individual members of the Committee, those requests should be directed to the individual members and not to the Committee.

Moreover, courts that have analyzed overly broad discovery requests directed to creditors' committees have rejected arguments demanding that the Committee provide excessive information about the claimants. After all, a creditors' "[c]ommittee cannot reasonably be expected to be privy to all business information of all creditors." *In re Trantex Corp.*, 10 B.R. 235, 238 (Bankr. D. Mass. 1981). As explained in our Responses, the Committee does not represent individual claimants so it cannot be deemed to have possession, custody, or control of ***all*** information in the possession, custody, or control of its individual members, their counsel or "other representatives."

In particular, the assertions raised in Defendants' Letter as it relates to the Fraudulent Transfer Proceeding are especially attenuated, since the Committee is a derivative plaintiff that is standing in the Debtors' shoes.[1]

Defendants ask that the Committee advise whether documents in the possession of the Committee's counsel, or the Committee's other professional advisors, are within the Committee's possession, custody, or control. Defs.' Letter at 3. For one, the Committee had no prior existence until its creation in this bankruptcy case. All documents and information in the control of counsel for the Committee are not somehow imputed to the control of the Committee, any more than all documents maintained by a law firm for its clients are in the possession, custody or control of all new clients that come to the firm. To the extent Defendants are seeking an explanation as to what documents are in the Committee's possession, custody and control, those sources of information include documents in the Committee members' possession, custody, or control ***while and to the extent*** they are acting as Committee members, as well as documents in Committee professionals' possession, custody, or control ***while and to the extent*** they are acting as representatives of the Committee. However, as the Defendants are aware, this information overwhelmingly consists of information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, and other privileges and protections governing communications relating to mediation and/or settlement discussions about these Proceedings. As such, any non-privileged information is extremely limited and irrelevant to the issues at hand. To that end, if the Committee were to undergo the exercise of collecting and reviewing its own documents after the Proceedings commenced, which are undoubtedly privileged, it would pose an unnecessary and unreasonable burden that is not proportional to the needs of this case. Moreover, there is nothing that is likely to be gained from this futile exercise.

Separately, the discovery served on the Committee is especially burdensome because, among other reasons, the significant privilege concerns imposed by Defendants' demands would require Committee members or their lawyers to collect and review documents from other litigations that are not relevant to the Proceedings. Thus, Defendants' demands risk the disclosure of irrelevant documents that are subject to privilege or some other protection.

Next, Defendants' Letter requests the Committee to "identify any discovery requests for which the Committee refuses to search for and produce responsive information." This information is already made clear in the Responses. In the Responses, the Committee specifically states when it agrees to search for responsive, non-privileged documents; and when the Committee objects and does not agree to undertake a search based on those objections, that is specifically stated in the Reponses.[2] In any event, to date, the Committee has not located any responsive, non-privileged

[1] The Committee reserves any and all rights to assert that it should have unfettered access to the Debtors' by virtue of its derivative status.

[2] *See, e.g.,* Committee's Resp. and Objs. to Request No. 13 (responding that the Committee will "conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control" but "will not produce publicly available documents or documents previously produced by other parties, such as the Debtors and/or the Defendants" upon request to produce "[a]ny Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Interrogatories"); Committee's Resp. and Objs. to Request No. 15 (responding that the Committee will "conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control" but "will not produce publicly available documents or documents

documents in its possession, custody, or control that are not either publicly available or previously produced by other parties, such as the Debtors and/or the Defendants.

II. Interrogatories (Global)

Defendants' Letter asserts that their Interrogatories have not exceeded the maximum number allowed by the *Order Establishing Joint Discovery Plan and Report (ESI Protocol)* Adv. Pro. No. 21-03029, Dkt. No. 142; Adv. Pro. No. 22-03028, Dkt. No. 69 (the "FT Discovery Plan"). While the Committee continues to believe that the Interrogatories exceeded the maximum number allowed, there is no actual controversy on this point, since the Committee fully responded to all of the Interrogatories. The Committee reserves its rights to seek a protective order should Defendants serve additional Interrogatories.

III. RFAs (Global)

In discussing the Committee's RFA responses, Defendants' Letter takes issue with the Committee's denials of certain RFAs and the use of general objections in the RFA responses. For one, the Committee's objections to and denials of certain RFAs in no way support the assertions in Defendants' Letter that the Committee made "a panoply of frivolous general objections." Instead, as detailed in the Committee's RFA responses, the RFAs included numerous vague, ambiguous, and subjective terms (e.g., "fully performed" "value," and "liable or indebted") with other RFAs being blatantly compound or being based on legal conclusions. And, as the Committee's RFA responses make clear, the Committee provided responses in good faith subject to its objections.

Defendants also contend that the Committee's responses to the RFAs do not comply with Federal Rule of Civil Procedure 36, insisting that the Committee's objections to these RFAs cannot support its denials, and additional explanations and facts are required. Defendants' Letter at 4. Defendants further assert that it is "implausible and indefensible" that the Committee does not admit a "single fact." *Id.* As the Committee stated in General Objection 24 to the SubCon discovery, it objects to the Defendants' attempts to use discovery requests to have the Committee ratify or endorse Defendants' factual contentions and legal conclusions. SubCon Resps. at 8, General Obj. 24. The Committee also objects to Defendants' efforts to use the RFAs to invoke estoppel or waiver for the reasons set forth in SubCon General Objection 26. SubCon Resps. at 9. The Committee denied all but three of the RFAs in their entirety. It explained for those three RFAs (8, 9 and 10) why it could not admit or deny.

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previously produced by other parties, such as the Debtors and/or the Defendants" upon request to produce "[a]ny Documents or Communications relied upon, referred to, or reviewed in preparing Your responses to the First Set of Requests for Admission"); Committee's Resp. and Objs. to Request No. 17 (responding that the Committee will "conduct a reasonable search and produce any responsive, nonprivileged documents in its possession, custody, or control" but "will not produce publicly available documents or documents previously produced by other parties, such as the Debtors and/or the Defendants" upon request to produce "[a]ny Documents or Communications relied upon, referred to, or reviewed in making Your decision to file the FT Complaint").

Nevertheless, in a further expression of good faith, the Committee is willing to consider providing additional information in response to the RFAs as part of the meet and confer process. The Committee is also willing to meet and confer should Defendants be willing to clarify their RFAs or separate those that are compound into individual RFAs.

Substantive Consolidation Proceeding

IV. General Objections (Substantive Consolidation Proceeding)

1. General Objection 26

SubCon Defendants ask the Committee to provide authority for the statement in General Objection 26 that "[t]he Court has recognized that, given the myriad unknowns regarding the Funding Agreements, alternative positions regarding Debtors' financial position are permissible." Defs.' Letter at 5 ("Please provide the basis for this objection, including any hearing date, transcript cite, or decision that supports the Committee's position"). The Committee provided citations for this statement in the Responses. *See* SubCon General Obj. 26 (citing Order Denying Debtors' Mot. to Withdraw Derivative Standing from the Committee at 2-3, No. 3:20-bk-30608, ECF No. 2046 and Fed. R. Civ. P. 8(d)). SubCon Defendants do not explain if or why they deem that authority inadequate.

V. Interrogatories (Substantive Consolidation Proceeding)

1. Interrogatory 1

SubCon Defendants assert that the Committee's response to Interrogatory l fails to provide the "facts and reasons" that, "subsequent to the Corporate Restructuring, creditors and/or asbestos claimants 'dealt with' TTC and Aldrich Pump as 'one legal entity' and Trane and Murray Boiler as 'one legal entity.'" Defs.' Letter at 5. Interrogatory 1 asked the Committee to provide the facts and reasons supporting the assertions made in paragraphs 46 and 47 of the Motion of the Committee for Substantive Consolidation of Debtors' Estates with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors' Asbestos Liabilities to Those Affiliates[3] ("Motion"), regarding how claimants dealt with the entities. In those paragraphs of the Motion, the Committee discussed how claimants dealt with the entities prior to the Corporate Restructuring. *See* Mot. ¶¶ 46-47. The Committee thus set out how claimants dealt with these legal entities prior to the Corporate Restructuring in its response to Interrogatory 1. Paragraphs 46 and 47 of the Motion for Substantive Consolidation did not address subsequent treatment.

Next, SubCon Defendants ask for the factual basis for the Committee's statement that "[w]hen asbestos claimants reached settlements with Ingersoll-Rand and/or Old Trane, they were relying on those entities to pay settlements" Defs.' Letter at 5 (quotations omitted). The Committee based this statement on the facts cited throughout its Response to Interrogatory 1, including the basic definition of a settlement agreement, and the fact that "[a]sbestos claimants and non-asbestos creditors alike looked to Ingersoll-Rand and Old Trane to satisfy the debts and

[3] No. 20-30508, ECF No. 851.

obligations to them." SubCon Resps. at 12 (citing Findings of Fact and Conclusions of Law ¶¶ 31-34, No. 3:20-ap-03041, ECF No. 308 ("Court's Findings and Conclusions"); Hr'g Tr. at 92:18-94:5, May 5, 2021 (Tananbaum Direct); *id.*, Debtors' Ex. 8 at 1-2; DEBTORS_00016104 (naming, *inter alia,* Ingersoll-Rand and Old Trane as defendants). The Committee also relied upon the finding made by the Court that "[p]rior to the Corporate Restructuring, both Ingersoll-Rand and Old Trane often pursued a settlement strategy in lawsuits that could not be dismissed, reaching agreements with asbestos claimants." SubCon Resps. at 13 (citing Court's Findings and Conclusions ¶ 33; Hr'g Tr. 94:11-18, May 5, 2021 (Tananbaum Direct); DEBTORS_00050827; DEBTORS_00051082). Further, the Committee relied upon the statement in the Debtors' Informational Brief that Ingersoll-Rand and Trane settled "approximately 900 mesothelioma claims each year," as well as thousands of other asbestos-related claims. SubCon Resps. at 12 (citing Informational Br. of Aldrich Pump LLC and Murray Boiler LLC at 31-32, No. 3:20-bk-30608, ECF No. 5). The SubCon Defendants do not explain if or why they deem this authority inadequate. Nevertheless, discovery remains ongoing and the Committee will supplement its response if it becomes necessary to do so.

SubCon Defendants also ask that the Committee clarify if it knows of any claimant with personal knowledge of how claimants "dealt with" TTC and Aldrich Pump as one entity, or TUI and Murray as one entity. Defs.' Letter at 5. The Debtors have first-hand knowledge regarding claimants that have settled claims since the Corporate Restructuring. Those claimants are in the Debtors' own database. Additionally, the Committee objects to this request as premature as discovery remains ongoing. If appropriate, the Committee will supplement its response at the appropriate time.

2. Interrogatory 4

SubCon Defendants insist that the Committee's response to this interrogatory, which seeks "all facts and reasons you contend support the assertion . . . that '[t]he Debtors *are not* in financial distress," is nonresponsive, and ask the Committee to revise or supplement. Defs.' Letter at 6. The Committee explained in its answer that, for purposes of this specific SubCon Proceeding, it contends that the Debtors are in financial distress, and set forth the basis for that position. SubCon Resps at 46-47. The Committee objects to discovery requests that attempt to require the Committee to endorse Defendants' preferred facts and legal positions, or to invoke estoppel or waiver. *See id*. at 9. The Committee has the right to plead and pursue alternative claims—particularly where the facts are predominantly in the possession and control of the Defendants.

Moreover, the Committee has taken the position that the Debtors' solvency is no defense to the remedy of substantive consolidation and is irrelevant. *See* Pl.'s Opp. to Debtors' Mot. to Dismiss, No. 21-03029, ECF No. 30 at 21-22 ("none of the applicable legal standards for substantive consolidation requires a showing of insolvency"); *see also id.* at 22-23 ("the Debtors' alleged solvency, a characterization with which the Committee strongly disagrees, is of no moment here"). SubCon Defendants are not entitled to propound discovery that is irrelevant to any party's claim or defense in the SubCon Proceeding, and they have made no attempt to justify its relevance in the SubCon Proceeding. The Committee's response to this request is complete.

3. Interrogatories 5 and 7; RFPs 5, 7, and 21

Defendants characterize these requests as "directed at learning the Committee's position concerning the amount of the Debtors' asbestos liabilities." Defs.' Letter at 6. The Committee objected to these requests as premature because they seek expert opinions that will be prepared and examined subject to a scheduling order in the estimation proceeding, an entirely separate proceeding from the one at hand focused solely upon estimating the Debtors' aggregate asbestos liabilities, in which discovery is not yet complete, and expert opinions are not yet due. *See* First Am. Case Management Order for Estimation of Asbestos Claims, No. 20-30608, ECF No. 1804 (June 12, 2023). The Committee also made clear that it would respond to these requests at the appropriate time, consistent with its disclosure obligations under the Civil Rules, the Bankruptcy Rules, the Local Rules, and the Discovery Plan. SubCon Resps. at 50-56.

Defendants insist that the Committee is "forgoing" its discovery duties and must investigate and provide all damages information available to it now, in this proceeding, in which the Committee seeks an equitable remedy. Defs.' Letter at 6. The Committee has not refused to respond to this discovery, however. It has agreed to respond to these requests completely at the appropriate time. This is not a simple case where a plaintiff is alleging its own reasonably ascertainable damages and has an opinion and knowledge regarding its basic damages. An estimate of aggregate asbestos liabilities is set to occur in a related but separate proceeding; it is complex and the sole subject of that proceeding, and the parties have all retained experts to develop such estimates. The Court has set a specific schedule for that proceeding, including deadlines for expert discovery. The Committee is following that schedule. Discovery is still substantially incomplete in that proceeding and will inform the Committee's expert's estimate. The Committee objects to Defendants' attempt to supersede that schedule. The discovery is premature.

Defendants also ask that the Committee provide its basis for characterizing Defendants' prior offer as "lowball" in the Motion of the Committee to Dismiss the Debtors' Chapter 11 Cases[4] ("Dismissal Motion"). Defs.' Letter at 7. The Committee set forth the basis for this statement in the Dismissal Motion. *See* Dismissal Mot. ¶ 21 (the offer was "a lowball amount that is a fraction of the more than $2.5 billion in asbestos claims coverage transferred to the Debtors in connection with the Corporate Restructuring.") (citing Joint Plan of Reorg. of Aldrich Pump LLC and Murray Boiler LLC, ECF No. 831; Plan Supp. Agreement, ECF No. 832 (among the Debtors, the New Trane Entities, and the FCR); and Mot. of the Debtors for an Order Authorizing Establishment of a Qualified Settlement Fund for Payment of Asbestos Claims, ECF No. 834)). SubCon Defendants do not address this explanation or these authorities, nor do they explain why they are inadequate. Moreover, SubCon Defendants do not explain why the Committee's characterization of Defendants' prior offer as a "lowball" is relevant to the SubCon Proceeding.

4. Interrogatory 8

SubCon Defendants request that the Committee supplement its response to Interrogatory 8 to address the insurance available to the Debtors and the QSF. Defs.' Letter at 7. The Committee does not agree that either the insurance or the QSF are unconditionally available to the Debtors,

[4] No. 20-30608, ECF No. 1756.

however. Those are not part of the facts or reasons the Committee has alleged support its assertions that the Debtors are undercapitalized, insolvent, or cash-starved. The Committee stands by its original answer, including its objection to the request as prematurely seeking expert opinions. *See* SubCon Resps. at 56. The Committee also expressly stated that it would supplement this Response if and when it was appropriate. *Id*. Further, as the Committee has stated, it objects to requests that ask the Committee to endorse SubCon Defendants' factual contentions. SubCon Resps. at 8, General Obj. 24. The Committee also objects to SubCon Defendants' clear efforts to use this Interrogatory to invoke estoppel or waiver. SubCon Resps. at 9, SubCon General Obj. 26.

5. Interrogatory 12

SubCon Defendants insist that Interrogatory 12 requires the Committee to provide support from the Funding Agreements for the statement in the Complaint in the SubCon Proceeding that: "TTC and Trane are not required to provide payments that 'exceed the aggregate amount necessary' for the Debtors to fund all 'Permitted Funding Uses,' thus giving TTC and Trane leeway to determine what is 'necessary' and the ability to reduce payments if either disagrees with the use of the funds." Defs.' Letter at 7 (quoting Compl. for Substantive Consolidation of Debtors' Estates with Certain Nondebtor Affiliates or, Alternatively, to Reallocate Debtors' Asbestos Liabilities to Those Affiliates[5] ¶ 36). The Committee specifically cited to authority that supported these statements in the SubCon Complaint. *See* SubCon Compl. at 12-13, nn.58-63. SubCon Defendants do not address these authorities or explain why they are inadequate.

6. Interrogatory 16

SubCon Defendants contend that the Committee's response to Interrogatory 16, which references its responses to Interrogatories 2, 9, 10, and 11, fails to provide any facts as to how or why the payment of dividends, distributions, debt repayments, or other financial transactions referenced in this Interrogatory would impact TTC's and TUI's ability to satisfy their funding obligations. Defs.' Letter at 8. The Committee set forth extensive facts supported by citations to authority in those Interrogatory Responses that answered this Interrogatory completely, and it stands by its Responses. *See* SubCon Resps.

VI. Requests for Production (Substantive Consolidation Proceeding)

1. Requests for Production 18 and 20

SubCon Defendants claim that it is not clear whether the Committee has identified all of the professionals the Committee has retained or paid. The Committee confirms that the cited materials identify all of the professionals the Committee has retained or paid to date.

[5] No. 20-30608, ECF No. 850.

2. Requests for Production 25 and 26

The Committee has fully responded to these Requests for Production and stands on its objections. *See* SubCon Resps. at 113-14.

3. Request for Production 27

The Committee has fully responded to this Request for Production and stands on its objections and responses. *See generally* SubCon Resps.

4. Requests for Production 28-30

The Committee fully responded to these Requests for Production and maintains its objections and responses to these Requests for Production are accurate and complete. *See* SubCon Resps. at 115-18. Subject to the general and specific objections previously stated in the SubCon Responses, the additional objections stated in this letter, and the further objection that "presentations" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning and in this letter, the Committee will supplement its previous answer to respond that no such presentations, Documents, or Communications exist with respect to Requests for Production 29 and 30. With respect to Request for Production 28, the Committee will supplement its previous answer to respond that certain news publications, including but not limited to Law360 and ReorgResearch, have sent unsolicited requests for comment to Committee counsel following hearings or certain filings in these cases. Committee counsel has not responded to these requests for information.

VII. Requests for Admission (Substantive Consolidation Proceeding)

1. Requests for Admission 1-7 and 11

The Committee's Responses to these Requests for Admission state that they are "for purposes of this Proceeding." Defendants assert that they are unaware of any legal authority that permits answers to requests for admissions to include such a qualification and ask that the Committee provide an unqualified admission or denial. The Committee agrees to remove this qualification because it is redundant. The Committee denied all of these requests. Denials of requests for admission do not have a binding effect in the SubCon Proceeding or any other proceeding. *See Langer v. Monarch Life Ins. Co.*, 966 F.2d 786, 805 (3d Cir. 1992) (observing that "a denial of a Rule 36 request for admission simply leaves the denied proposition in dispute for trial."); *Sarachek v. Jaffe,* (*In re Agriprocessors, Inc.)*, No. 10-09170, 2013 WL 1332428, at *6 (Bankr. N.D. Iowa Mar. 28, 2013) ("Unlike admissions, denials of requests for admissions do not have conclusive effect.") (citing Fed. R. Civ. P. 36(b)). Moreover, the notes to Rule 36 of the Civil Rules, made applicable here by Rule 7036 of the Bankruptcy Rules, explains that the rule "give[s] an admission a conclusively binding effect, for purposes only of the pending action, unless the admission is withdrawn or amended."

2. Request for Admission 8

SubCon Defendants insist that it is not evident that the Committee has made a reasonable inquiry, or that the Committee is basing its inability to admit or deny this RFA on a lack of knowledge. The Committee's response makes clear that it has, indeed, considered its answer carefully, and has made a reasonable inquiry. As the Committee plainly stated, SubCon Defendants already know whether any such offers have been made. SubCon Resps. at 132-33.

The Committee has also already provided a reference to the provisions of the Order Establishing Mediation Protocol (ECF No. 1608) ("Mediation Order") that protect such information. *See* SubCon Resps. at 132 ("information responsive to this Request is protected by the Confidentiality provisions set forth in section D of the Mediation Order."). SubCon Defendants fail to explain if or why that citation is inadequate.

3. Requests for Admission 9 and 10

SubCon Defendants request that the Committee supplement its answers to RFAs 9 and 10 by explaining which objection, if any, prevents the Committee from admitting or denying these RFAs. The Committee clearly provided its basis for its answers in response to those RFAs and in response to Interrogatory 17. *See* SubCon Resps. at 87-92, 133-35. The Committee objected to these RFAs on the basis that, *inter alia*, they called for information protected by the Mediation Order. The parties have mediated, and the Committee's decision to prepare or not to prepare an estimate for purposes of mediation, as well as any estimate itself, is confidential and protected.

Fraudulent Transfer Proceeding

VIII. Interrogatories (Fraudulent Transfer Proceeding)

1. Interrogatories 1-4

Although the Fraudulent Transfer Defendants take issue with the Committee's responses and objections to Interrogatories 1 through 4—contention interrogatories that seek the "full factual basis" for the Committee's fraudulent transfer claims—the Committee's responses and objections are entirely proper and sufficient at this stage of the proceedings. As an initial matter, contrary to what your letter suggests, the Fraudulent Transfer Defendants are not entitled to *every* possible fact that might support the Committee's fraudulent transfer claims. Indeed, as courts have repeatedly held, "[c]ontention interrogatories that systematically track all of the allegations in an opposing party's pleadings, and that ask for each and every fact and application of law to fact that supports the party's allegations, are an abuse of the discovery process because they are overly broad and unduly burdensome." *E.R. v. Beaufort Cnty. Sch. Dist.*, No. 22-cv-04482-DCN, 2023 WL 3605000, at *3 (D.S.C. May 23, 2023) (quotation and citation omitted); *see also id.* ("Contention interrogatories should not require a party to provide the equivalent of a narrative account of its case, including every evidentiary fact, details of testimony of supporting witnesses, and the contents of supporting documents.") (quotation and citation omitted). Rather, the Fraudulent Transfer Defendants are only entitled to the "principal" or "material" facts supporting the Committee's fraudulent transfer claims. *See id*. (explaining that "contention interrogatories

may ask for the material or principal facts that support a particular allegation"). That is precisely what the Committee provided in its responses to these interrogatories.[6] That the Fraudulent Transfer Defendants may not like or agree with the Committee's responses does not make those detailed responses—consisting of approximately 27 cumulative pages of responses to these four interrogatories—somehow insufficient or deficient.

Moreover, the Civil Rules specifically contemplate supplementing responses to interrogatories when and if a party discovers additional responsive information. *See* Fed. R. Civ. P. 26(e)(1)(A) ("A party who has made a disclosure under Rule 26(a)—or who has responded to an interrogatory, request for production, or request for admission—must supplement or correct its disclosure or response: (A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing . . . .").[7] The Committee fully intends to comply with this obligation to supplement its responses to these—and any other—interrogatories should additional responsive information be identified through fact or expert discovery. There is simply nothing improper about disclosing the currently known factual bases called for by these interrogatories—which the Committee did—and supplementing the responses as discovery progresses, particularly given the nature of these contention interrogatories and the fact that they call for information that will be the subject of expert discovery.[8]

The fact that the Committee received document discovery and conducted certain depositions in the preliminary injunction adversary proceeding, Adv. Pro. No. 20-03041 (JCW) (the "PI Proceeding"), is of no moment. As the Fraudulent Transfer Defendants are well aware, the Fraudulent Transfer Proceeding is a separate proceeding from the PI Proceeding and the

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[6] The Fraudulent Transfer Defendants reliance on the out-of-circuit cases *In re M & L Bus. Mach. Co., Inc.*, 184 B.R. 366 (D. Colo. 1995), and *Sargent-Welch Sci. Co. v. Ventron Corp.*, 59 F.R.D. 500 (N.D. Ill. 1973), is misplaced. In *M&L*, the trustee objected to the interrogatories and responded solely by invoking Rule 33(d) without providing additional responses. As such, the case is entirely distinct from the situation here, where the Committee not only objected to the interrogatories but provided responses based on currently available information subject to those objections, rather than simply referring the Fraudulent Transfer Defendants to documents in their possession. In *Sargent-Welch*, an opinion issued over fifty years ago, the defendants argued that the plaintiff's objections were without substance and its "conclusory answers" to the interrogatories were inadequate. In holding that "the defendants are entitled to know the facts upon which plaintiff's claim is founded," the court explained that "[e]ither party may compel the other to disclose what relevant facts he has in his possession." *Id*. at 503. Here, the Committee has provided more than "conclusory answers" to Interrogatories 1 to 4 by disclosing the facts responsive to these interrogatories that are in its possession at this time. As stated below, the Committee will supplement its responses if appropriate as discovery proceeds.

[7] *See also Capacchione v. Charlotte-Mecklenburg Schs.*, 182 F.R.D. 486, 489 (W.D.N.C. 1998) (explaining that "[d]ue to the nature of contention interrogatories, they are more appropriately used after a substantial amount of discovery has been conducted—typically, at the end of the discovery period," and holding that the defendant's "objection to the timing of such interrogatories was not without justification" and stating that the defendant "will be allowed to supplement its responses at a later date, which it has promised to do" and setting a date for after the deadline for serving the defendant's expert reports).

[8] *See, e.g.*, Fed. R. Civ. P. 33, Adv. Cte. Notes, 1970 Amendments ("Since interrogatories involving mixed questions of law and fact may create disputes between the parties which are best resolved after much or all of the other discovery has been completed, the court is expressly authorized to defer an answer.").

Fraudulent Transfer Defendants have yet to produce *any* documents in the Fraudulent Transfer Proceeding, nor have any witnesses been deposed in the Fraudulent Transfer Proceeding. In any event, the Committee has not simply objected to these requests. The Committee has actually responded to these requests. You completely ignore the fact that the Committee's responses to these interrogatories, among other things, cite to documents produced and depositions conducted in the PI Proceeding. Moreover, as stated above, the Committee will supplement its interrogatory responses if and when additional responsive information is discovered. As such, the Fraudulent Transfer Defendants are in no way prejudiced by the Committee's current responses and objections to these interrogatories.

In addition, the cases relied upon at page 12 and footnote 5 of your letter are entirely inapposite. None of the cases you cite discuss in any way what is required in responding to interrogatories. Rather, all but one are decisions on motions to dismiss that address the sufficiency of the plaintiffs' *pleadings*, and the other case you cite has no bearing on the sufficiency of the Committee's interrogatory responses.[9] Here, as the Fraudulent Transfer Defendants concede, "this case has moved past the pleadings stage." Defs.' Letter at 12. As such, the cited cases offer no support for your contention that the Committee's responses and objections to these interrogatories are somehow deficient.

Finally, based on the nature of and information sought by Interrogatories 1 through 4—facts related to the Debtors' insolvency, the lack of reasonably equivalent value received by the Debtors, the Debtors' unreasonably small amount of assets in relation to their liabilities, and the Debtors' incurrence of asbestos debts beyond the Debtors' ability to pay such asbestos liabilities—it should come as no surprise that the Committee's responses do not identify any claimants. Individual claimants should not be expected to possess these specific facts regarding the Debtors' financial status, and the Fraudulent Transfer Defendants offer no basis to believe otherwise. Again, should the Committee later identify any claimants with knowledge supporting these contentions, the Committee will supplement its interrogatory responses as contemplated and permitted by the discovery rules.

Because the Committee's responses set forth the principal or material facts known to date in support of the Committee's fraudulent transfer claims, the Committee's responses and objections to Interrogatories 1 through 4 are entirely proper and sufficient. Nothing more is required at this time.

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[9] *In re Bay Vista of Va., Inc.*, 428 B.R. 197 (Bankr. E.D. Va.), in no way involves a challenge to interrogatory responses. Rather, the opinion reflects the court's findings of fact and conclusions of law following trial pursuant to Federal Rule of Bankruptcy Procedure 7052, *see id*. at 201, and the passage you quote simply reflects the Third Circuit's test for unreasonably small capital, *see id*. at 225.

2. Interrogatory 6

Interrogatory 6 is wholly improper, harassing, and seeks completely irrelevant information. Nothing sought in that interrogatory will permit the Fraudulent Transfer Defendants to "further assess . . . their potential defenses to the Committee's claims," and your attempt to explain or justify this interrogatory does nothing to suggest that it serves any legitimate discovery purpose.

Your claim that the Committee brought the Fraudulent Transfer Proceeding in "bad faith" and as part of some alleged scheme "driven by plaintiffs' firms seeking to protect their business model" is not only insulting, but it is entirely baseless. While you have attempted to challenge the Court's ruling on the Committee's standing on at least two separate occasions, the Court has consistently found that the Committee's fraudulent transfer claims are colorable, that the Committee is acting for legitimate reasons in bringing the Fraudulent Transfer Proceeding, including that the Debtors are hopelessly conflicted and thus would never pursue these claims, and that the Committee has standing to pursue these claims.[10] Indeed, as the Court explained at length in granting the Committee derivative standing:

- "I agree with the ACC. What we have here are colorable claims that can't be expected for the debtor to pursue and if they aren't pursued, then we have a problem in the case and a potential hole." Transcript of Proceedings, *In re Aldrich Pump LLC, et al.*, Case No. 20-30608 (Bankr. W.D.N.C. Jan. 27, 2022) at 16:7-10.

- "As to whether colorable claims exist, you, you've read the Findings of Fact and Conclusions of Law and I made those based on the parties' prior evidence and, and presentations and briefing. Those are, certainly, preliminary findings and they can be re-examined later in the bankruptcy case. But at the moment, it looks to me like that there are colorable claims and having voluntarily undertaken the pre-petition restructuring and having successfully advocated for a stay and injunction that prevents individual claimants from bringing such claims against the non-debtor parties in the tort system, it seems to me that the debtor and affiliates can hardly complain that a claimant's fiduciary committee be empowered to examine those transactions and, if appropriate, contest them." *Id.* at 16:11-23.

- "The debtor and its professionals, in my opinion, are conflicted here. A lot of the same participants are, were engaged in that, those transactions. The debtor, of course, is controlled by its parents and the affiliated entities and it have an insider relationship. The debtor sought the injunction to prevent the assertion of the causes of action, the ones that the movants want to investigate. I appreciate that the debtors don't believe that there are any such claims, but the bottom line is that is another eye-of-the-beholder type assertion

[10] *See Order Granting Motion of The Official Committee of Asbestos Personal Injury Claimants for Entry of an Order Granting Leave, Standing, and Authority to Investigate, Commence, Prosecute, and to Settle Certain Causes of Action* (Case No. 20-30608, ECF No. 1121); *Order Denying Motion of the Debtors to (i) Define the Scope of The Committee's Standing, or (ii) Reconsider Order Granting The Committee's Request for Standing* (Case No. 20-30608, ECF No. 1120); *Order Denying Debtors' Motion to Withdraw Derivative Standing from The Official Committee of Asbestos Personal Injury Claimants* (Case No. 20-30608, ECF No. 2046).

and it's contrary to what I saw based on what the preliminary injunction record looked like." *Id.* at 16:24-17:9.

- "I told you in the PI ruling why I thought there were colorable claims. The debtor isn't inclined to bring them, has said as much, and for the reasons I stated earlier could be reasonably expected to bring them." *Id.* at 18:1-4.

It is wholly improper for the Fraudulent Transfer Defendants to try to relitigate the Court's standing decision for a third time through interrogatories. Your baseless claims that the Committee is somehow acting in bad faith in bringing the Fraudulent Transfer Proceeding are belied by the Court's earlier findings that the Committee's claims are colorable.

Leaving aside the fact that the Committee's counsel is ethically obligated to bring only claims that they believe have merit, the Fraudulent Transfer Defendants are not entitled to know "the extent to which the Committee actually considers its claims to possess merit." Discussions between Committee members and the Committee's counsel regarding the Committee's litigation are unquestionably privileged, and it is absurd for the Fraudulent Transfer Defendants to even suggest that they may be entitled to discover such information. In any event, a list of Committee meetings held since the Petition Date would in no conceivable way "shed light on the purported bases for the Committee's assertion" that "the Corporate Restructuring involved fraudulent transfers" or "the extent to which the Committee actually considers its claims to possess merit." The Committee's objections to Interrogatory 6 are entirely appropriate and the Committee stands by those objections.

3. Interrogatory 7

Your demand that the Committee must "answer fully" Interrogatory 7 because you claim that the Fraudulent Transfer Proceeding complaint ("FT Complaint") "indisputably seeks damages from FT Defendants" is, to say the least, perplexing. The Committee *does not* seek compensatory damages in the Fraudulent Transfer Proceeding. As clearly stated in the section titled "Prayer for Relief" in its FT Complaint, the Committee through the Fraudulent Transfer Proceeding seeks a judgment "[a]voiding the Corporate Restructuring that separated Ingersoll-Rand's and Old Trane's asbestos liabilities from Defendants' assets for the benefit of the Debtors, the Debtors' estates, and the Debtors' creditors and recovering, for the benefit of the Debtors' estates, the property transferred." FT Compl., Prayer for Relief, at ¶ A.[11]

Although the Committee's complaint also demands a judgment finding that the Fraudulent Transfer Defendants' conduct was, among other things, wanton, willful, malicious, outrageous,

[11] The Prayer for Relief also demands certain other findings—"that Defendants completely dominate the Debtors, such that the Debtors are the alter ego or mere instrumentality of Defendants;" "that New TTC is the successor of Old IRNJ and Aldrich and the asbestos liabilities that were transferred to Aldrich and is therefore liable as such;" and "that Trane is the successor of Old Trane and Murray and the asbestos liabilities that were transferred to Murray and therefore is liable as such," Fraudulent Transfer Proceeding Complaint at Prayer for Relief ¶¶ B, C, D—as well as an award of attorneys' fees and the costs and disbursements of this action, *see id.* ¶ F, but these are also not damages.

and intentional justifying the imposition of punitive damages, Interrogatory 7 is not directed to punitive damages, which are a question for jury determination.

4. Interrogatory 9

The Fraudulent Transfer Defendants' claims that the Committee's response to Interrogatory 9 is somehow deficient simply rehashes the same baseless assertions raised by the Fraudulent Transfer Defendants in challenging the Committee's response to Interrogatories 1 through 4, discussed above. The Committee will not repeat the reasons why the Fraudulent Transfer Defendants' arguments are without merit, but notes that the Committee's response to Interrogatory 9 similarly sets forth the principal or material facts known to the Committee at the present time,[12] which, as discussed above, is all that is required. *See E.R.*, 2023 WL 3605000, at *3. Should the Committee uncover additional facts responsive to this interrogatory through fact or expert discovery, the Committee will supplement its response as required by the discovery rules.

IX. RFAs (Fraudulent Transfer)

1. RFA 1

The Fraudulent Transfer Defendants request "the legal authority supporting the Committee's contention that the creation of a estate is a transfer of a debtor's interest in property." Under 11 U.S.C. § 541(a), "[t]he commencement of a case . . . creates an estate" comprising various property, including "all legal or equitable interests of the debtor in property as of the commencement of the case." *See also Burgess v. Sikes (In re Burgess)*, 438 F.3d 493, 496 (5th Cir. 2006) ("[T]he scope of § 541 is broad: that section brings into the estate all of the debtor's legal and equitable interests 'wherever located and by whomever held.'") (internal citations omitted). In other words, commencing a chapter 11 case results in the transfer of various property interests from the debtor to the estate.

The Fraudulent Transfer Defendants also complain that the Committee's response to Interrogatory 12 "fails to explain the Committee's basis for denying that portion of RFA 1 requesting that the Committee admit the Debtors' bankruptcy filing was not the incurrence of an obligation." While the Committee believes its original response was adequate, in the interest of avoiding a dispute, the Committee is willing to meet and confer with the Defendants to determine, in the Committee's discretion, whether it will supplement its response to Interrogatory 12 to cite section 1107(a) of the Bankruptcy Code, which imposes various obligations on a debtor-in-possession upon the voluntary filing of a chapter 11 case.

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[12] Although your letter again refers to the discovery conducted in the PI Proceeding, the Fraudulent Transfer Defendants once again conveniently ignore the fact that discovery from the PI Proceeding is part of the Committee's response to Interrogatory 9. However, as that is a separate proceeding, there is nothing to preclude the Committee from supplementing this response should additional responsive information be uncovered through discovery in the Fraudulent Transfer Proceeding.

2. RFAs 2, 7, 11, 13, and 15

The Fraudulent Transfer Defendants next complain that the Committee improperly denied RFAs 2, 7, 11, 13, and 15 based in part on its objection that those requests are premature because they will be subject to expert testimony. The Fraudulent Transfer Defendants claim that "[a] party may not ***deny*** a request for admission based on the party's contention that an issue may be subject to future expert testimony." (citing *Anderson v. United Air Lines, Inc.*, 49 F.R.D. 144, 148-49 (S.D.N.Y. 1969)). The single out-of-circuit, decades-old case that the Fraudulent Transfer Defendants have cited, however, addresses whether a party must ***respond*** to a request that potentially calls for expert testimony. *See id.* The Committee did not use its objection as a basis to refuse to respond to these RFAs, so the Fraudulent Transfer Defendants' authority is irrelevant. Rather, the Committee lodged its objection and then, subject to that objection, the Committee responded and ***denied*** the RFAs. "Where, as here, issues in dispute are requested to be admitted, a denial is a perfectly reasonable response." *United Coal Cos. v. Powell Const. Co.*, 839 F.2d 958, 967 (3d Cir. 1988). As the Fraudulent Transfer Defendants know, the Committee disputes Defendants' positions on valuation. Accordingly, it was "perfectly reasonable" for the Committee to deny the Fraudulent Transfer Defendants' requests.

What's more, the Fraudulent Transfer Defendants ignore that they have served these RFAs at the outset of the Fraudulent Transfer Proceeding, while fact discovery is still in its infancy, and well in advance of any expert discovery in this matter. Courts have repeatedly recognized that when RFAs seek responses requiring expert opinions, parties should be required to respond only ***after*** the retention and designation of testifying experts. *See, e.g.*, *Baugh v. Bayer Corp.*, 2012 WL 4069582, at *2 & n.3 (D.S.C. Sept. 17, 2023) (requiring responses to requests for admission only on party's "deadline for expert witness disclosures" because party "may need to rely on its expert(s) to respond"); *McKinneyPearl Restaurant Partners, LP v. Metropolitan Life Ins. Co.*, 322 F.R.D. 235, 251-54 (N.D. Tex. 2016) (collecting cases and requiring parties to respond to requests for admission involving expert opinions when "answering party has already retained experts and disclosed its testifying expert witnesses"); *Williamson v. Corr. Med. Servs.*, 2009 WL 1364350, at *2-3 (D. Del. May 14, 2009) (sustaining objections to requests for admission served before experts had been identified); *see also Odom v. Roberts*, 337 F.R.D. 347, 352 (N.D. Fla. 2020) ("Rule 36 does not require a party to retain an expert witness simply to answer a request for admission[.]"). The Committee could have relied on this authority to refuse to provide any response to the Fraudulent Transfer Defendants' requests but instead chose to respond in good faith.[13] The Fraudulent Transfer Defendants' arguments to the contrary are meritless.

3. RFAs 3-6 and 8-9

The Fraudulent Transfer Defendants claim that the Committee's responses to these requests are deficient because "the Committee fails to state whether it has made any effort to determine the answers to these RFAs based on information available to it and/or readily obtainable by it." Again,

[13] The Committee will, of course, follow its obligation under Rule 26(e)(1) to supplement its responses to requests in a timely manner based on future developments in these proceedings, including any subsequent designations of expert testimony.

the Fraudulent Transfer Defendants ignore that the Committee ***denied*** most of these requests.[14] Rule 36(a)(4) requires a party to state "that it has made reasonable inquiry and that the information it knows or can readily obtain is insufficient to enable it to admit or deny" only when an answering party "assert[s] lack of knowledge or information as a reason for ***failing to admit or deny***." Fed. R. Civ. P. 36(a)(4) (emphasis added). That simply does not apply here. *See also United Coal Cos.*, 839 F.2d at 967 ("In this case, [the answering party] did deny each of the six contested requests for admission. Thus, the provision in Rule 36(a) requiring a statement of reasons why the party cannot truthfully admit or deny has no application.").

The Fraudulent Transfer Defendants also argue that the Committee improperly failed to admit any portion of the requests despite "objections suggesting that only portions of the RFAs are objectionable and/or in dispute." While the Committee believes its initial responses were appropriate, in a good faith effort to minimize discovery disputes, the Committee is willing to meet and confer with the Defendants to determine, in the Committee's discretion, whether it will supplement its responses to certain requests to provide some qualified admissions.

4. RFA 5

The Fraudulent Transfer Defendants claim that the Committee's response to this request is deficient because the Committee did not provide a qualified admission. As stated above, while the Committee believes its initial responses were appropriate, in a good faith effort to avoid a dispute, the Committee is willing to meet and confer with the Defendants to determine, in the Committee's discretion, whether it will provide a qualified admission.

5. RFAs 10 and 12

The Fraudulent Transfer Defendants claim that the Committee improperly denied these requests because claims to avoid the subject transactions are not a basis to deny facts. The Fraudulent Transfer Defendants provide no explanation or authority for this argument. Further, the Fraudulent Transfer Defendants wholly ignore the Committee's objection that both requests—each of which contains ***eight sub-parts***—are compound and therefore improper. Nevertheless, in a good faith effort to avoid a dispute, the Committee is willing to meet and confer with the Defendants to determine, in the Committee's discretion, whether it will provide a qualified admission to the non-compound portions of these requests.

6. RFA 14

The Fraudulent Transfer Defendants argue that the Committee has improperly cited its claims to avoid the subject transactions as its basis for denying RFA 14. The Fraudulent Transfer Defendants do not explain why the Committee's response is insufficient. The Fraudulent Transfer Defendants also ignore that the Committee objected to this Request on multiple other grounds, including that it is compound that it seeks information outside the Committee's possession,

[14] In response to RFA 6, the Committee ***did*** make the required statement about a reasonable inquiry, so the Fraudulent Transfer Defendants' complaint is meritless.

custody, or control. The Committee is willing to meet and confer with the Fraudulent Transfer Defendants if they continue to dispute the sufficiency of the Committee's response.

X. RFPs (Fraudulent Transfer)

1. RFPs 1, 3-5, 7, 9-12, 14, 16, 18-20, and 25

As explained in furtherance of the Committee's General Objections, the Committee's possession, custody, and control does not extend to all information in the possession, custody, or control of the Committee's members—let alone those members' counsel or "other representatives." The Fraudulent Transfer Defendants cite no relevant authority for their contention that a party's agreement to serve on an official committee in a chapter 11 case may also subject that party, its counsel, and its "other representatives" to wide-ranging discovery requests, and the Committee is aware of none. To the extent that the Committee has information within its possession, custody, or control, the documents are associated with the Committee ***while and to the extent*** its members are acting as Committee members. The same applies to documents in the possession, custody, or control of the Committee's professionals. In this instance, virtually all such documents either are already in the Fraudulent Transfer Defendants' possession or are protected from disclosure by attorney-client privilege, work product doctrine, or any other applicable privilege, doctrine, or protection.

The Fraudulent Transfer Defendants' counsel appears to acknowledge that, to the extent any documents could be found in the Committee's possession, custody, or control, the documents would consist of communications between a party and its counsel and/or that contain legal advice and/or litigation strategy, and therefore fall squarely within the definition of documents protected from disclosure due to attorney-client privilege, work product doctrine, or any other applicable privilege, doctrine, or protection. The Committee is formed for the purpose of participating in a bankruptcy case, including filing pleadings and litigating matters, so attorney-client privilege is evident. The Fraudulent Transfer Defendants' requests for production are overly burdensome and the demand to log communications in response to these requests is overly burdensome, harassing, and unnecessary as it is unlikely to lead to the discovery of any non-privileged relevant documentation that could be deemed admissible evidence. *See In re Application for an Ord. Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in a Foreign Proceeding*, 286 F. Supp. 3d 1, 7 (D.D.C. 2017); *Dell Inc. v. DeCosta*, 233 F. Supp. 3d 1, 3-4 (D.D.C. 2017). Therefore, the Committee reiterates its objection to identifying documents on a withheld document log as unduly burdensome. The Committee did not exist prepetition, so by definition, all its documents are connected to a pending court proceeding and protected from discovery under the work product doctrine and/or the attorney-client privilege.

Requesting these documents in connection with the Fraudulent Transfer Proceeding particularly imposes an undue and disproportionate burden on the Committee, given that the proceeding focuses on the actions taken by the Fraudulent Transfer Defendants themselves, and the Committee is a derivative plaintiff that is standing in the Debtors' shoes. Therefore, the Committee is exceedingly unlikely to have unique, responsive documents other than documents obtained from the Fraudulent Transfer Defendants or otherwise available to the public.

* * *

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,

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EXHIBIT H

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

August 7, 2025

VIA EMAIL

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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.

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 *Adephia* 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.

* * *

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,

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EXHIBIT I

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

December 19, 2025

VIA EMAIL

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Counsel to Trane U.S. Inc. and Trane Technologies Company LLC ("**Non-Debtor Affiliates**" and, together with the Debtors, "**Defendants**")

Re: *In re Aldrich Pump LLC, et al.*, Case No. 20-30608 (LMJ); Adv. Pro. No. 21-3029 (LMJ) ("**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 "**Adversary Proceedings**")

Counsel:

On behalf of the Official Committee of Asbestos Personal Injury Claimants ("**Committee**" or "**Plaintiff**"), we write in response to your letter of November 5, 2025 ("**Defendants' Letter**") regarding certain remaining discovery disputes between the parties in connection with the Committee's May 28, 2024 responses and objections ("**Responses**") to the interrogatories ("**Interrogatories**"), requests for production ("**RFPs**"), and requests for admission ("**RFAs**") served by Defendants in the Adversary Proceedings.

The Committee incorporates by reference its prior letters dated October 23, 2024 and August 7, 2025 ("**Prior Letters**"), which address these same issues. As you know, the parties have been working for some time to schedule a meet and confer. Our August 7 letter requested such a meeting to address Defendants' stated concerns, and your November 5 letter acknowledged that request while providing a letter in advance of any discussion. The parties ultimately met and conferred on December 12, 2025. During that discussion, very little additional detail was provided beyond Defendants' statement that our Responses were "deficient." However, as to the few instances where Defendants provided detail, particularly with respect to the Fraudulent Transfer Proceeding, we appreciate the discussion and are considering whether it is appropriate to amend or otherwise supplement our Responses. In the meantime, the Committee remains available to meet and confer on any of the matters discussed in Defendants' Letter or herein, in advance of any motion practice.

I. General Objections (RFPs – Global)

As a preliminary matter, the Committee has not presented Defendants with "a blanket refusal" to respond. The fact that Defendants disagree with the Committee's position does not mean the Committee has failed to provide a response. The Committee maintains that Defendants have not identified any factual basis for their assertion that the Committee possesses responsive, non-privileged documents relevant to any issues in the Adversary Proceedings or that such documents are otherwise in the Committee's custody or control. Defendants broadly reference "basic information relating to Committee meetings (such as dates, agenda items, and attendees)," but have failed to identify a legitimate basis for how such information is *relevant* to any issues in the Adversary Proceedings. The sole argument Defendants have made—that they seek to establish whether the Adversary Proceedings have been filed in "bad faith"—is no more than mere speculation and unfounded,[1] and this Court has already rejected it in denying Defendants' Rule 2004 examination,[2] as well as in granting the Committee standing to pursue the Fraudulent Transfer Proceeding.[3] It is also irrelevant to the Defendants' defenses.

Moreover, as we have mentioned in the Prior Letters, "discovery served on the Committee . . . cannot properly require responses by and on behalf of individual claimants or the tort counsel who represent them." Hr'g Tr. at 15:15-18, *In re G-I Holdings, Inc.*, No. 01-30135 (Bankr. D.N.J. Sept. 10, 2003); *see also In re Circle K Corp.*, 199 B.R. 92, 100 (Bankr. S.D.N.Y. 1996), *aff'd*, 1997 WL 31197 (S.D.N.Y. Jan. 28, 1997) (holding that for purposes of bankruptcy proceedings, constituents of creditors' committee are not clients of the committee's attorneys); *In re Snyder*, 51 B.R. 432, 438-39 (Bankr. D. Utah 1985) (acknowledging that a committee's attorneys represent only the committee, and that individual creditors are represented by their respective attorneys); Hr'g Tr. at 12:22-16:3, *In re Garlock Sealing Techs., LLC* (Bankr. W.D.N.C. Dec. 28, 2015) (denying a motion to compel and granting a committee's protective order and holding that discovery requests seeking "communications by individual members and the claimants and their attorneys . . . couldn't be sent to the ACC as an entity," would be unduly burdensome, and would provide limited and speculative benefit). Consistent with applicable case law, 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.

II. General Objections (Interrogatories – Global)

As already stated in our Prior Letters, the Committee disagrees that it failed to fully respond to Defendants' Interrogatories. The Committee maintains that its responses to the Interrogatories are complete and in compliance with applicable discovery obligations, including with respect to the two Interrogatories Defendants identified as "deficient" in their March 7, 2025 letter.

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[1] *Dmarcian, Inc. v. DMARC Advisor BV*, No. 1:21-cv-00067-MR, 2024 WL 1722468, at *2 (W.D.N.C. Apr. 22, 2024) ("The Court will not grant a motion to compel based on sheer speculation.").

[2] Hr'g Tr. 43:13, Nov. 20, 2025 (James, J.) (denying Debtors' Rule 2004 motion); *see also id.* at 11:10-12:11 (Ms. Abel explaining her investigation into the Committee and that she was satisfied that a "backward-looking investigation . . . is not helpful or appropriate" and Judge James affirmatively responding and agreeing with Ms. Abel's position).

[3] *Order Granting Motion of the Official Committee of Asbestos Personal Injury Claimants for Entry of an Order Granting Leave, Standing, and Authority to Investigate, Commence, Prosecute, and to Settle Certain Causes of Action*, No. 20-30608 (LMJ), ECF No. 1121; *see also Order Denying Debtor's [sic] Motion to Withdraw Derivative Standing from the Official Committee of Asbestos Personal Injury Claimants*, No. 20-30608 (LMJ), ECF No. 2046.

Defendants have not provided any factual basis to support their claim that additional information is required, nor have they explained how the requested information is relevant to any issue in the Adversary Proceedings.

With that said, as it relates to the Fraudulent Transfer Proceeding, and with the benefit of the limited material discussion on our recent meet and confer on December 12, 2025, we are assessing whether it is appropriate to amend or otherwise supplement certain Interrogatory Responses.

As stated previously, in the interim, the Committee is available to further meet and confer to discuss Defendants' purported concern.

III. General Objections (RFAs – Global)

Defendants' assertion that the Committee is "evading" its discovery obligations is incorrect, and Defendants' assertion that certain facts or law is "undisputed" is, at best, misleading.

As set forth in our Prior Letters, the Committee maintains that its responses to the RFAs meet all applicable standards under Federal Rule of Civil Procedure 36. The Committee provided a "clear and unequivocal response" to every RFA, rendering its responses sufficient as a matter of law. *Watkins v. Lincare, Inc.*, No. 3:22-CV-00109, 2023 WL 5490181, at *3 (S.D.W. Va. Aug. 24, 2023); *see also, e.g., id.* at *7 ("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). There is no obligation for the Committee to answer further.

Additionally, Defendants' assertion that the Committee is obligated to explain its denials is unsupported. Once a party has responded to a request for admission with a denial, "[n]o further [response] is warranted," as the "Federal Rules of Civil Procedure 'do not require parties to explain a denial.'" *Michael v. Wes Banco Bank, Inc.*, 2006 WL 1705935, at *3 (N.D.W. Va. June 16, 2006) (quoting *Scherer v. GE Cap. Corp.*, 2000 WL 303145, *3 (D. Kan. Mar. 21, 2000)). Nor may Defendants "seek a pre-trial determination of the accuracy of" the Committee's denials even if Defendants contend that "the evidence does not support that denial." *Id.* at *2 (quoting *United States v. Operation Rescue Nat'l*, 111 F. Supp. 2d 948, 968 (S.D. Ohio 1999)). The Committee is likewise under no obligation to do Defendants' work for them and parse the various elements of their overly broad requests. *See Keralink Int'l, Inc. v. Stradis Healthcare, LLC*, 2021 WL 1198150, at *12 (D. Md. Mar. 30, 2021) (holding, in part, that challenged responses to requests for admission were sufficient, including blanket denials of multiple statements); *see also James v. Maguire Corr. Fac.*, 2012 WL 3939343, at *4 (N.D. Cal. Sept. 10, 2012) (stating that "the requesting party bears the burden of setting forth its requests simply . . . in such a manner that they can be answered with a simple admit or deny without an explanation . . . .") (citing *Henry v. Champlain Enters., Inc.*, 212 F.R.D. 73, 77 (N.D.N.Y. 2003)).

Notwithstanding the above, as it relates to the Fraudulent Transfer Proceeding, and with the benefit of the limited material discussion on our recent meet and confer on December 12, 2025,

we are assessing whether it is appropriate to amend or otherwise supplement certain RFA Responses.

IV. SubCon Proceeding

A. SubCon Interrogatory/RFP No. 4

The Committee refers Defendants to its positions on these discovery requests set forth in the Prior Letters. Defendants point to no authority for their assertion that they are "entitled to discover evidence for use in the Adversary Proceedings pertinent to the Committee's alternative positions, including its alternative contention the Debtors are not in financial distress." Defendants' Letter at 4. The Committee maintains, *inter alia*, that these discovery requests are irrelevant to the Committee's claims and the Defendants' defenses in the SubCon Proceeding. *See, e.g., United Oil Co. v. Parts Assocs., Inc.*, 227 F.R.D. 404, 410 (D. Md. 2005) ("The commentary to the 2000 amendments to Fed.R.Civ.P. 26 admonishes courts to 'focus on the actual claims and defenses involved in the action' in determining relevance."); *Per-Co Ltd. v. Great Lakes Factors, Inc.* (*In re Great Lakes Factors, Inc.*), 331 B.R. 347 (Bankr. N.D. Ohio 2005) ("By conditioning relevancy . . . on the claim and/or defense of a party, any controversy regarding its existence must necessarily focus on those claims and defenses raised by the parties in their pleadings."). Indeed, the discovery requests on their face concern a statement made outside of the SubCon Proceeding.

Moreover, Defendants themselves have argued alternative positions on these same issues. As Judge Whitley noted in his order denying the motions to dismiss, the Debtors have argued that they are financially distressed:

> However, from the Debtors' perspective there was plenty of distress: nearly 90,000 pending asbestos-related claims with thousands more to come, having a projected cost of at least $547 million. Findings of Fact and Law, Case No. 20-03041, Doc. 308, ¶ 36; Informational Brief, Doc. 5, p. 36. This was compounded by a lack of insurance: as projected, these asbestos liabilities would surpass insurance recoveries by almost $240 million. Findings of Fact and Law, Case No. 20-03041, Doc. 308, ¶ 39. There were so many claims that one could not even defend the claims on the merits; if any asbestos lawsuits could not be dismissed quickly, there would be no choice but to pay to settle them. Thus, while Aldrich and Murray don't agree on whether it is a requirement for filing chapter 11, they consider themselves (and their parent companies) to have been under quite a bit of financial distress at the filing date. Debtor's Response, Doc. 1781 at p. 58.[4]

[4] *Order Denying Motions to Dismiss*, at 12, No. 20-30608 (LMJ), ECF No. 2047; *see also Debtors' Objection to Maune Raichle Claimants to Dismiss Chapter 11 Cases*, at 52, No. 20-30608 (LMJ), ECF No. 1781 ("This situation, where the Debtors are paying $100 million per year simply because of the overwhelming number of cases against them, legitimate or not, clearly constitutes financial distress. . . . To suggest that a company paying hundreds of millions of dollars in asbestos-related costs and facing tens of thousands of claims, with tens of thousands more likely to be asserted for decades, is not facing financial distress, especially where its actual liability and case load should be dramatically lower, is unsupportable."); *Joinder of the Non-Debtor Affiliates to the Debtors' Objection to Motion of Maune Raichle Claimants to Dismiss Chapter 11 Cases*, No. 20-30608 (LMJ), ECF No. 1784 (joining the Debtors' objection).

In contrast, the Defendants have taken the position that they have sufficient assets to satisfy asbestos claims in full at numerous points during these bankruptcies.[5]

To the extent that the Committee's positions on these issues are relevant to the Committee's claims and the Defendants' defenses in the Fraudulent Transfer Proceeding, which the Committee disputes, the Committee will address these issues in a forthcoming letter.

B. SubCon Interrogatory Nos. 5, 7; RFP Nos. 5, 7, and 21; RFA Nos. 9-10

The Committee continues to contend that Defendants' requests are premature. Several of the deadlines set forth in the *Second Amended Case Management Order for Estimation of Asbestos Claims* ("Second Amended Estimation CMO")[6] have not yet passed.[7] The Second Amended Estimation CMO set forth that the Committee would provide an Initial Expert Report for reasons particular to the estimation proceeding in the main case, not in the Adversary Proceedings.[8] The Second Amended Estimation CMO also provides in relevant part that "[a]ny party that produces an Initial Expert Report shall have the opportunity to supplement that report (each, a 'Supplemental

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[5] *See, e.g.*, *Informational Brief of Aldrich Pump LLC and Murray Boiler LLC*, at 34, No. 20-30608 (LMJ), ECF No. 5 ("(a) the combination of assets owned by Aldrich and Murray, including legacy insurance assets, and (b) certain funding agreements that are in place between (i) Aldrich and New Trane Technologies and (ii) Murray and New Trane ensure that each of the Debtors has the same ability to satisfy asbestos claims that Old IRNJ and Old Trane had prior to the restructurings. As a result, asbestos claimants' ability to recover on their claims has not been adversely affected by the 2020 Corporate Restructuring."); *Declaration of Ray Pittard in Support of First Day Pleadings*, ¶ 22, No. 20-30608 (LMJ), ECF No. 27 ("The Debtors have sufficient assets, including cash available under the Funding Agreements, to fund a section 524(g) trust to efficiently and fairly review and compensate legitimate current and future asbestos claimants and otherwise qualify for section 524(g) relief."); *Debtors' Motion to Dismiss Adversary Complaint and Memorandum of Law in Support Thereof*, ¶ 9, Adv. Pro. No. 21-03029 (LMJ), ECF No. 17 ("In these cases, the Debtors are fully solvent. As such, substantive consolidation is nonsensical, since all of the Debtors' creditors will be paid in full without substantive consolidation."); *Defendants' Answer and Affirmative Defenses*, Adv. Pro. No. 22-03028 (LMJ), ECF No. 11, ¶ 39 ("With respect to the allegations of paragraph 39 of the Complaint, Defendants admit that Trane plc is capable of fully satisfying its obligations to creditors, affirmatively allege that the Debtors are capable of fully satisfying their obligations to creditors, including the Asbestos Liabilities, and deny the remaining allegations of paragraph 39 of the Complaint."); *Debtors' Objection to Motion of Official Committee of Asbestos Personal Injury Claimants to Dismiss Debtors' Chapter 11 Cases*, at 23, No. 20-30608 (LMJ), ECF No. 1813 ("Here, the Debtors ensured that there were sufficient assets from the beginning of the cases to pay asbestos claimants in full . . . ."); *id.* at 17 ("[T]he Debtors undisputedly have the resources necessary to confirm the FCR Plan without even resorting to the Funding Agreements. In any case, the Debtors' access to the Funding Agreements ensures that the Debtors have sufficient resources to reorganize." (footnote omitted)).

[6] No. 20-30608 (LMJ), ECF No. 2656.

[7] *E.g.*, Second Amended Estimation CMO, ¶ 2 ("The deadline for the production of all documents pursuant to the Claims File Protocol is March 27, 2026 (the 'Claims Files Production Deadline')."); *id.*, ¶ 3 ("The due date for any Supplemental Expert Report shall be determined . . . ."); *id.*, ¶ 5 ("The Debtors shall respond to the ACC's Interrogatory #1 and Document Request #1, previously served on September 1, 2022, on or before June 26, 2026 (the 'Interrogatory Response Deadline')."); *id.*, ¶ 6 ("The parties shall meet and confer after the Interrogatory Response Deadline to negotiate a deadline for the completion of the remaining written discovery (the 'Written Discovery Deadline'). If the Debtors do not file a motion to establish the Written Discovery Deadline within 30 days of the Interrogatory Response Deadline, the Court will set a status hearing to be held on the next available Omnibus Hearing date."); *id.*, ¶ 7 ("The parties shall serve preliminary disclosures of the subjects of expert testimony and fields of expertise (but not the experts' identities), separate from those identified in Paragraph 3 above, for their respective cases-in-chief no later than 90 days before the Written Discovery Deadline.").

[8] *Id.*, ¶ 3 ("The Debtors and ACC shall exchange their initial expert reports setting forth their estimate of the Debtors' liability for current and future mesothelioma claims, plus the application of a 'gross-up' for non-mesothelioma claims (each, an 'Initial Expert Report') on or before September 15, 2025.").

Expert Report') to take into account new facts discovered after August 15, 2025." Second Amended Estimation CMO, ¶ 3. Moreover, the Court orally granted *The Future Asbestos Claimants' Representative's Motion for an Order Commencing the Estimation Trial with Hearings Based on Tort System Values and the Parties' Expert Reports* ("FCR Estimation Motion"),[9] which the Court acknowledged would pause and/or modify certain deadlines within or contemplated by the Second Amended Estimation CMO. The Committee is prepared to meet and confer regarding deadlines related to an estimation trial based on tort system values.

Furthermore, the *Second Amended Case Management Order* in these Adversary Proceedings ("Adversary Proceeding CMO")[10] only sets forth fact discovery deadlines, not expert discovery deadlines, which will follow. *See* Adversary Proceeding CMO, § 5.ix. This makes sense because expert reports are based on the information obtained during the factual discovery phase, "which often . . . concludes before expert discovery so that the parties may rely on a complete factual record to inform their own experts and depose their opponents' experts." *Gore v. 3M Co.*, No. 5:16-CV716-BR, 2017 WL 5076021, at *2 (E.D.N.C. Nov. 3, 2017); *see also Booker v. P.A.M. Transp., Inc.*, No. 2:23-CV18 WJ/KRS, 2024 WL 4664420, at *9 (D.N.M. Nov. 4, 2024) ("Defendants cannot be expected to produce expert reports when relevant fact discovery is still on-going. For this reason, it is common for some courts to stage discovery in two phases: fact discovery first, followed by expert discovery."). Accordingly, the Committee stands on its objections, and reserves the right to modify and/or supplement its responses to these Interrogatories, RFPs, and RFAs in the future.

Finally, to the extent that the Committee's positions on these issues are relevant to the Committee's claims and the Defendants' defenses in the Fraudulent Transfer Proceeding, the Committee will address these issues in a forthcoming letter.

C. SubCon RFP Nos. 28-30

The Committee is working on supplementing its responses to these RFPs.

D. SubCon RFA Nos. 1-7 and 9-11

The Committee is working on supplementing its responses to these RFAs.

* * *

The Committee remains willing to further meet and confer with Defendants on these issues.

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

[9] No. 20-30608 (LMJ), ECF No. 2941.

[10] Adv. Pro. No. 21-03029 (LMJ), ECF No. 197; Adv. Pro. No. 22-03028 (LMJ), ECF No. 124; Adv. Pro. No. 22-03029 (LMJ), ECF No. 98.

Sincerely,

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EXHIBIT J

CONFIDENTIAL—SUBJECT TO AGREED PROTECTIVE ORDER GOVERNING CONFIDENTIAL INFORMATION

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	Chapter 11
ALDRICH PUMP LLC, *et al.*,[1]	No. 20-30608 (LMJ)
Debtors.	(Jointly Administered)
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS,	
Plaintiff,	
v.	Adv. Pro. No. 21-03029 (LMJ)
ALDRICH PUMP LLC, MURRAY BOILER LLC, TRANE TECHNOLOGIES COMPANY LLC, and TRANE U.S. INC.,	
Defendants.	

PLAINTIFF'S SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION, AND REQUESTS FOR ADMISSION

Pursuant to Rules 7026, 7033, 7034, and 7036 of the Federal Rules of Bankruptcy Procedure ("**Bankruptcy Rules**"), Rules 26, 33, 34, and 36 of the Federal Rules of Civil Procedure ("**Civil Rules**") incorporated therein, and the Local Rules of the United States Bankruptcy Court for the Western District of North Carolina, Plaintiff, the Official Committee of Asbestos Personal Injury Claimants ("**Committee**"), hereby further objects and responds to the *Defendants' First Set of Interrogatories, Requests for Production, and Requests for Admission Directed to the Official*

[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.

Committee of Asbestos Personal Injury Claimants, ("**Interrogatories**," "**Requests for Production**," and "**Requests for Admission**" respectively, and collectively, "**Discovery Requests**"), as propounded by Aldrich Pump LLC ("**Aldrich**") and Murray Boiler LLC ("**Murray**," and together with Aldrich, "**Debtors**"), Trane Technologies LLC ("**TTC**") and Trane U.S. Inc. ("**Trane**," and together with TTC, "**Affiliates**," and together with the Debtors, "**Defendants**"), dated March 12, 2024, as follows:

GENERAL OBJECTIONS AND RESERVATIONS OF RIGHTS

The Committee reasserts and maintains the General Objections it asserted in *Plaintiff's Objections and Responses to Defendants' First Set of Interrogatories, Requests for Production, and Requests for Admission*, dated May 28, 2024 ("**Initial Responses**").[2] The General Objections are incorporated into each of the Committee's individual responses to the Discovery Requests as if fully set forth therein and are not necessarily repeated in response to each individual Discovery Request. The Committee intends each specific response to be subject to the General Objections regardless of whether the General Objections are repeated in response to each enumerated Discovery Request. The assertion of the same, similar, or additional Specific Objections in response to a Discovery Request does not waive any of the Committee's General Objections to that Discovery Request or to any other Discovery Request.

Reserving the General Objections as to all Discovery Requests and their Instructions and Definitions and without waiving, but on the contrary expressly reserving, any questions or objections as to the relevance, competence, materiality, genuineness, admissibility, and authenticity of any documents and evidence for any purpose in this Proceeding or in any

[2] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Initial Responses.

subsequent proceedings, the Committee specifically responds and objects to the individual Discovery Requests as set forth below.

SUPPLEMENTAL OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION NOS. 28-30 AND REQUESTS FOR ADMISSION NOS. 1-7 AND 9-11

REQUEST FOR PRODUCTION NO. 28: *Produce all Documents and Communications, excepting expert reports prepared under Rule 26 of the Federal Rules of Civil Procedure, between the Committee (or any of its members' or representatives') and any third party, including without limitation public relation firms and law professors, concerning this bankruptcy.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request on the grounds that is overbroad, unduly burdensome, and disproportionate to the needs of this Proceeding. The Committee further objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. Additionally, the Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19.

The Committee objects to this Request on the basis that "third party" is vague, ambiguous, and fails to describe whether this Request should include the Committee's professionals, resulting

in a failure to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, and requiring the Committee to speculate as to its meaning. Likewise, the Committee objects to this Request because "concerning this bankruptcy" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee and requires the Committee to speculate as to its meaning.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: certain news publications, including but not limited to Law360, ReorgResearch, and Bloomberg, have sent unsolicited requests for comment to Committee counsel and, in one instance, Committee counsel provided a reporter with pleadings from the bankruptcy case; however, none of these or related communications are relevant to any of the claims or defenses in this Proceeding. No other responsive Documents exist with respect to this Request. The Committee reserves the right to supplement, amend, or correct its response to this Request in accordance with Civil Rule 26(e).

REQUEST FOR PRODUCTION NO. 29: *Produce all presentations concerning this bankruptcy prepared or made by the Committee (or any of its members and representatives) and shared with any third party, concerning any basis for Substantive Consolidation or Reallocating Asbestos-Related Liabilities, including without limitation how creditors dealt with Old IRNJ, Old Trane, Aldrich Pump, TTC, TUI, or Murray Boiler, alleged structural subordination of asbestos claimants, and/or the need to avoid some harm or to realize some benefit.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it

seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is neither relevant to any party's claim or defense nor proportionate to the needs of this Proceeding. The Committee further objects to this Request on the grounds that is overbroad and unduly burdensome. Additionally, the Committee objects to this Request to the extent it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19.

The Committee objects to this Request on the basis that "concerning this bankruptcy" and "concerning any basis for Substantive Consolidation or Reallocating Asbestos-Related Liabilities" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee and requires the Committee to speculate as to its meaning. As such, the Committee does not interpret "third party" to include its own professionals for the purposes of this Request.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, and the objections set forth in the Committee's October 23, 2024 letter, including that the term "presentations" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the

Committee to speculate as to its meaning, the Committee supplements its Initial Response as follows: no such presentations, Documents, or Communications exist with respect to this Request. The Committee reserves the right to supplement, amend, or correct its response to this Request in accordance with Civil Rule 26(e).

REQUEST FOR PRODUCTION NO. 30: *Produce all Documents and Communications referencing, discussing, constituting, or evaluating information about divisional/divisive mergers, whether under the laws of Texas, Delaware, or otherwise, including any Documents and Communications concerning any objection to or plan to discourage the use of divisional-merger or "Texas two-step" bankruptcies, including without limitation any Documents and Communications with public relations firms or law professors.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. The Committee also objects to this Request because it seeks information that is neither relevant to any party's claim or defense nor proportionate to the needs of this Proceeding. The Committee further objects to this Request on the grounds that is overbroad and unduly burdensome.

Subject to and without waiving its General and Specific Objections, the Committee responds that it does not intend to produce any Documents responsive to this Request.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: certain news publications, including but not limited to Law360, ReorgResearch, and Bloomberg, have sent unsolicited requests for comment to Committee counsel and, in one instance, Committee counsel provided a reporter with pleadings

from the bankruptcy case; however, none of these or related communications are relevant to any of the claims or defenses in this Proceeding. No other responsive Documents exist with respect to this Request. The Committee reserves the right to supplement, amend, or correct its response to this Request in accordance with Civil Rule 26(e).

REQUEST FOR ADMISSION NO. 1: *Admit that you contend the Debtors are not in financial distress.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "financial distress" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. The Committee further objects that, to the extent the Committee's position on the Debtors' financial distress is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 2: *Admit that the following statements, made by Committee counsel during the July 14, 2023 oral argument on the Committee's Motion to Dismiss, represent the Committee's position:*

- *"So Aldrich and Murray are not financially distressed. They're holding 270 million in a QSF. They're holding 2.5 billion in face amount of insurance coverage. They have these contract rights with funding agreements against entities worth at least $10.8 billion. They are not facing any existential threat" (Hr'g Tr. at 42:17-22, July 14, 2023);*

- *"Bankruptcy requires – and there are a hundred ways we could put this – financial distress, economic distress, threat to viability, inability to fully and timely pay all of the debts. On the date this came to, before the Court, none of that existed and none of it exists still." (Id. at 53:16-21).*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "the Committee's position," "financially distressed," "financial distress," "economic distress," "threat to viability," and "inability to fully and timely pay all of the debts" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee further objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. To the extent the Committee's position on the Debtors' financial distress is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert

opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 3: *Admit that you contend the Debtors are solvent. See Dismissal Motion at 42 n. 171 ("The Debtor in* LTL*, like the Debtors here, was solvent.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "solvent" is vague, ambiguous, and fails to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purports to require the Committee to speculate as to its meaning. Moreover, to the extent the Committee's position on the Debtors' solvency is relevant to this Proceeding, it would likely 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 4: *Admit that you contend the Debtors' creditors face no threat to full payment of compensation.* See *Dismissal Motion, ¶ 45 ("[The Debtors'] creditors face no threat to full payment of compensation for their injuries as established in the tort system.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "threat," "full payment," and "compensation" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. Additionally, to the extent the Committee's position on the Debtors being capable of paying their asbestos creditors in full is relevant to this Proceeding, it would likely 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. The Committee further objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 5: *Admit that, during the pendency of any Bankruptcy Case, TTC and TUI, as Payees under the Funding Agreement, are obligated to pay any costs of and expenses of the Debtors to the extent that any cash distributions received by the Debtors from its subsidiaries are insufficient to pay those costs and expenses.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "obligated to pay," "costs of and expenses of the Debtors," "cash distributions," and "insufficient" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee further objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. Moreover, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 6: *Admit that you contend Aldrich Pump and Murray Boiler are "cash-starved debtors" and are "inadequately capitalized."* See *Opposition ¶ 37, n. 55 ("On the contrary, Aldrich and Murray are "cash-starved debtor[s]."); Motion ¶ 63 ("Third, as a result of the Corporate Restructuring, asbestos claimants are facing Debtors that have no operating business and are inadequately capitalized.").*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee also objects that this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee admits this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee admits that it made the statements quoted in this Request. The Committee otherwise denies this Request.

REQUEST FOR ADMISSION NO. 7: *Admit that you do not contend that Substantive Consolidation is warranted under the second prong of the* Augie/Restivo *and* Owens Corning *tests.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response, as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "warranted," "second prong of the *Augie/Restivo* and *Owens Corning* tests" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it calls for information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover, to the extent the Committee's position on the second prong of the *Augie/Restivo* and *Owens Corning* tests is relevant to this Proceeding, it 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. Additionally, this Request is premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request for Admission after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: the Committee denies this Request.

REQUEST FOR ADMISSION NO. 9: *Admit that the Committee has developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related Liabilities.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "estimate" and "aggregate dollar value" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover, information responsive to the Request is shielded from discovery by the mediation privilege. *See* General Objection No. 8. In addition, all information responsive to this Request is protected by the confidentiality provisions set forth in section D of the Mediation Order. To the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities is relevant to this Proceeding, it would likely 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. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will

not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. For all these reasons, the Committee cannot admit or deny this Request.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the objections set forth in the Committee's October 23, 2024 and August 7, 2025 letters, including that the Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—are premature, and that this Request plainly implicates the Mediation Order, the Committee supplements its Initial Response as follows: the Committee admits that the Committee is a party to an estimation proceeding in the main bankruptcy case. As part of that, and in compliance with—and subject to the conditions outlined in—the then-in-effect Second Amended Estimation Case Management Order, the Committee's estimation expert prepared a preliminary expert report regarding the Debtors' or the Debtors' predecessors' potential tort-system liability. The Debtors are in possession of that report and the necessary reliance materials. Notwithstanding, estimation-related discovery is ongoing, and the Committee continues to develop and refine an estimate of the aggregate value of the Debtors' Asbestos-Related Liabilities. Regardless, the Committee disputes the relevance of the estimation value of tort-system liability to this Proceeding. The Committee otherwise denies this Request.

REQUEST FOR ADMISSION NO. 10: *Admit that the Committee has not developed an estimate of the aggregate dollar value of the Debtors' Asbestos-Related Liabilities.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "estimate" and "aggregate dollar value" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that it seeks information protected from disclosure by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege, doctrine, immunity, or protection. Moreover, information responsive to the Request is shielded from discovery by the mediation privilege. *See* General Objection No. 8. Additionally, all information responsive to this Request is protected by the confidentiality provisions set forth in section D of the Mediation Order. Furthermore, to the extent the Committee's position on the dollar value of the Debtors' asbestos liabilities is relevant to this Proceeding, it would likely 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. The Committee objects to this Request because it seeks information that is not relevant to any party's claim or defense in this Proceeding, is not proportionate to the needs of this Proceeding, and will not lead to the discovery of admissible evidence. Because this Request does not seek legitimate discovery within the scope of Civil Rule 26(b)(1), it serves no useful purpose, causes unnecessary delay, needlessly increases the cost of litigation, and is intended to harass the Committee with cumulative and unnecessary discovery requests. *See* General Objection No. 5. For all these reasons, the Committee cannot admit or deny this Request.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the objections set forth in the Committee's October 23, 2024 and August 7, 2025 letters, including that the Defendants' requests for the Committee's estimation-related work before those deadlines have passed—or in some cases, even been set—are premature, and that this Request plainly implicates the Mediation Order, the Committee supplements its Initial Response as follows: the Committee admits that the Committee is a party to an estimation proceeding in the main bankruptcy case. As part of that, and in compliance with—and subject to the conditions outlined in—the then-in-effect Second Amended Estimation Case Management Order, the Committee's estimation expert prepared a preliminary expert report regarding the Debtors' or the Debtors' predecessors' potential tort-system liability. The Debtors are in possession of that report and the necessary reliance materials. Notwithstanding, estimation-related discovery is ongoing, and the Committee continues to develop and refine an estimate of the aggregate value of the Debtors' Asbestos-Related Liabilities. Regardless, the Committee disputes the relevance of the estimation value of tort-system liability to this Proceeding. The Committee otherwise denies this Request.

REQUEST FOR ADMISSION NO. 11: *Admit that the Committee is aware of no instance where an asbestos claimant fixed a judgement lien on any or all of Old IRNJ's or Old Trane's assets.*

OBJECTION/RESPONSE: The Committee incorporates each General Objection into this response as if fully set forth herein. The Committee objects to this Request as overbroad and unduly burdensome. The Committee also objects to this Request because "fixed a judgement lien" and "any or all of Old IRNJ's or Old Trane's assets" are vague, ambiguous, and fail to describe the information sought or the fact(s) to be admitted with sufficient particularity to allow for a meaningful response by the Committee, or purport to require the Committee to speculate as to their

meaning. The Committee objects to this Request on the grounds that it contains compound, conjunctive, or disjunctive statements. The Committee further objects to this Request on the basis that the Committee did not exist prepetition and therefore has no responsive information other than information that is publicly available or that was previously produced by the Defendants. The Committee objects to this Request on the ground it seeks information and/or documents in the possession, custody, or control of individual members of the Committee's constituency or their respective tort counsel, as those documents are not in the Committee's possession, custody, or control. *See* General Objection No. 19. In addition, the Defendants have access to a more comprehensive version of the Debtors' Claims Database than the Committee does and are therefore in a better position to identify whether any asbestos claimants fixed a judgment lien on any or all of Ingersoll-Rand's or Old Trane's assets. The Committee further objects to this Request on the basis that it is unreasonably cumulative and seeks an answer that can be obtained from a more convenient and less burdensome source, including Debtors and/or Defendants. This Request is also premature because it is being propounded before substantial discovery has taken place in this Proceeding and because it may call for expert opinion. *See* General Objection No. 21. As such, the Committee reserves its right to revise or supplement its response to this Request after substantial discovery, including expert discovery, has been completed. *See* General Objection No. 22.

Subject to and without waiving its General and Specific Objections, the Committee denies this Request for purposes of this Proceeding.

SUPPLEMENTAL OBJECTION/RESPONSE: The Committee incorporates its Initial Response to this Request as if fully set forth herein.

Subject to and without waiving its General and Specific Objections, the Committee supplements its Initial Response as follows: 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. However, discovery is ongoing and the Committee reserves its right to continue to review any materials that Defendants 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. The Committee will update this Supplemental 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 this Request.

Dated: January 23, 2026

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