IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION

In re: **WELDED CONSTRUCTION, L.P.** **Debtor.**	)	**Chapter 11** **Case No. 18-12378 (KG) (Bankr. D. Del.)** **(Jointly Administered)**
SUNBELT EQUIPMENT MARKETING, INC. **Plaintiff,** **v.** **COLUMBIA GAS TRANSMISSION, LLC, TRANSCANADA USA SERVICES Inc., and WELDED CONSTRUCTION, LP,** **Defendants.**	)	**Civil Action No.** 5:19-cv-320 (Removal from Circuit Court of Marshall County, Civil Action No. 19-C-186)

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1334(b), 1452, 1367, and 1446, and Federal Rule of Bankruptcy Procedure 9027, Columbia Gas Transmission, LLC ("Columbia") and Transcanada USA Services Inc. ("Transcanada") (collectively "these Defendants"), by counsel, give notice of removal of the above-captioned action from the Circuit Court of Marshall County, West Virginia, to the United States Bankruptcy Court for the Northern District of West Virginia. In support thereof, these Defendants state as follows:

I. NATURE OF REMOVED ACTION

1. On or about July 19, 2019, Plaintiff filed a Complaint in the Circuit Court of Marshall County, West Virginia, Civil Action No. 19-C-186, naming these Defendants as defendants.

2. In accordance with 28 U.S.C. § 1446(a) and Federal Rule of Bankruptcy Procedure 9027(a)(1), a copy of the docket sheet and a copy of all process, pleadings, and orders served upon the Defendant in the state court action are attached hereto as **Exhibit A**.

II. TIMELINESS OF REMOVAL

3. On September 19, 2019, the United States Bankruptcy Court for the District of Delaware entered an order extending the time for removal by the defendants in this instant case to November 25, 2019. *See* **Exhibit B**. As such, this Notice of Removal is timely filed.

III. PROPRIETY OF VENUE

4. Venue is proper in this district and division under 28 U.S.C. §§ 1441(a) and 1452(a), because the state court where the suit has been pending is located in this district and this division.

IV. BASIS OF REMOVAL

5. Removal in this case is proper pursuant to 28 U.S.C. § 1441(a), which provides that "any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending," as well as 28 U.S.C. § 1452, which provides that "[a] party may remove any claim or cause of action in a civil action other than a proceeding before the United States Tax Court or a civil action

by a governmental unit . . . to the district court for the district where such civil action is pending . . . ."

6. In this case, federal jurisdiction is founded upon bankruptcy court jurisdiction, pursuant to 28 U.S.C. § 1334(b), because this civil action arises in and/or is related to a pending case filed under Title 11, *In re: Welded Construction, L.P.*, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered).

7. Welded Construction, L.P. (the "Debtor"), filed a Voluntary Petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") on October 22, 2018. *See In re: Welded Construction, L.P.*, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered) (the "Bankruptcy Case").

8. This civil action seeks to enforce a mechanic's lien against Defendant arising from unpaid obligations of the Debtor to Plaintiff. Furthermore, upon information and belief, Plaintiff's mechanic's lien may attach to property of the Debtor's bankruptcy estate, including fixtures, appurtenances, and personal property of the Debtor situate in Marshall County.

9. Plaintiff has filed a proof of claim in the Bankruptcy Case for the obligation of the Debtor underpinning the mechanic's lien asserted against Defendant. *See* Claim No. 733. Determination of the amount of Plaintiff's claim against the Debtor—and the amount of the claim that will be allowed and paid from the Debtor's estate—is necessary to determine what amount, if any, Plaintiff can seek to recover from these Defendants through enforcement of its purported mechanic's lien.

10. Pursuant to 28 U.S.C. §1334(b), the civil action "arises in" the Debtor's Bankruptcy Case and is, thus, a "core proceeding." *See In re Mid-Atlantic Resources Corp.*, 283 B.R. 176, 186–89 (S.D. W. Va. 2002) (upholding the bankruptcy court's decision denying a motion to

remand in a removed case involving a mechanic's lien asserted against non-debtor entities arising from obligations of the debtor and finding that the action was a core proceeding).

11. The Bankruptcy Court has jurisdiction to hear and decide disputes arising in or related to the Bankruptcy Case. A determination of the amount owed to the plaintiff in the mechanic's lien proceeding could have an effect on the proof of claim filed by the plaintiff in the bankruptcy. *See Siskin Steel & Supply Co., Inc. v. Highland North, LLC*, 2013 WL 23906, *7 (W.D. Pa. Jan. 2, 2013) ("Any recovery by Siskin in the mechanic's lien claim would necessarily reduce Siskin's claim against SIAG in the bankruptcy estate for contribution by the same amount, thus altering the liability of the SIAG bankruptcy estate.") and *Longchamps Elec., Inc. v. Rothenberg (In re: Wrenn Assoc., Inc.*, 2004 WL 1746117, *4 (D.N.H. July 26, 2004) (bankruptcy court exercised subject-matter jurisdiction over a subcontractor's action to recover under a mechanic's lien statute against a property owner, reasoning that it would "impact [the general contractor's] bankruptcy case because ... a subcontractor's mechanic's lien is only valid to the extent that monies are owed the general contractor," which was the debtor in the bankruptcy case.).

12. The United States District Court for the Northern District of West Virginia has held that several virtually identical mechanic's lien actions were "related to" the Debtor's Bankruptcy Case. *See* Order Transferring Case, ECF No. 19, *Earth Pipeline Services, Inc. v. Columbia Gas Transmission, LLC*, Civ. Action No. 5:19-CV-172 (N.D. W. Va. June 26, 2019) (Bailey, J.))(determining that claims were "related to" the Bankruptcy Case), attached hereto as **Exhibit C**; Order Denying Motion to Remand, Granting Motion for Partial Dismissal, and Granting Motion to Transfer Venue, ECF No. 23, *Schmid Pipeline Construction, Inc. v. Columbia Gas Transmission, LLC*, Civ. Action No. 5-19-CV-257 (N.D. W. Va. October 21, 2019) (Bailey, J.)

(determining claims "related to" Bankruptcy Case in denying motion to remand and then transferring case), attached hereto as **Exhibit D**.

13. For the same reasons, this civil action may also be removed to United States District Court for the Northern District of West Virginia (the "District Court") under 28 U.S.C. §1452(a) because it is "related to" the Debtor's Bankruptcy Case.

14. Pursuant to 28 U.S.C. §157 and the Amended Standing Order of Reference entered in the District Court miscellaneous proceeding no. 5:13-MC-12 on April 2, 2013, the District Court has referred all matters arising in or related to a case under Title 11 to the bankruptcy judges for the District Court. This includes this civil action.

15. This civil action is a "core proceeding" that arises in the Bankruptcy Case within the meaning of 28 U.S.C. §§ 157(b) and 1334(b) and, to the extent that this Court finds that this civil action is not a "core proceeding," the civil action is at least a "non-core proceeding" that invokes the "related to" jurisdiction of the bankruptcy courts pursuant to 28 U.S.C. §§ 157, 1334, and 1452.

16. These Defendants consent to entry of final orders or judgment by the bankruptcy courts.

V. STATEMENT OF CONSENT TO REMOVAL

17. Consent by the Debtor is not required in order for these Defendants to properly remove this case. *See, e.g.*, *Fromhart v. Tucker*, No. 5:11CV97, 2011 WL 5202239, at *3 (N.D.W. Va. Oct. 31, 2011) ("based upon the differences in language between § 1441 and § 1452, which allows any 'party' to remove a claim over which jurisdiction exists under § 1334, the United States Court of Appeals for the Fourth Circuit has found that, under § 1452, 'any one party has the right to remove the state court action without the consent of the other parties.' *Creasy v. Coleman*

Furniture Corp., 763 F.2d 656, 660 (4th Cir.1985)."); *In re id-Atl. Res. Corp.*, 283 B.R. 176, 183 (S.D.W. Va. 2002) ("Although Appellants are correct that ordinarily all defendants must join in or register their consent to removal, this case involves bankruptcy and, as such, the bankruptcy removal statute found in 28 U.S.C. § 1452 controls. As noted by the Removing Defendants and as found by the bankruptcy court, the Fourth Circuit has held that under the bankruptcy removal statute 'any one party has the right to remove the state court action without the consent of the other parties.' *Creasy v. Coleman Furniture Corp.*, 763 F.2d 656, 660 (4th Cir.1985).")

VI. OTHER REMOVAL ISSUES

18. Pursuant to 28 U.S.C. § 1446(a) and Federal Rule of Bankruptcy Procedure 9027(a)(1), a copy of all process, pleadings, and orders served upon the Defendant is attached hereto as "Exhibit A" along with a copy of the docket sheet from the Circuit Court of Marshall County, West Virginia.

19. A Notice of Filing of Notice of Removal will be filed this day with the Circuit Clerk of Marshall County, West Virginia and served on the Plaintiff.

WHEREFORE, these Defendants, by counsel, respectfully advise that this civil action has been removed from the Circuit Court of Marshall County, West Virginia, to the United States Bankruptcy Court for the Northern District of West Virginia, and that this Court shall assume jurisdiction over this action.

COLUMBIA GAS TRANSMISSION, LLC, AND TRANSCANADA USA SERVICES, INC.

By Counsel

/s/ John J. Meadows

John J. Meadows (WV State Bar ID No. 9442)
Devon J. Stewart (WV State Bar ID No. 11712)
Chase Tower, Seventeenth Floor
707 Virginia Street, East
Post Office Box 1588
Charleston, WV 25326-1588
Telephone: (304) 353-8154
Facsimile: (304) 353-8180
John.Meadows@steptoe-johnson.com
Devon.Stewart@steptoe-johnson.com

STEPTOE & JOHNSON PLLC
Of Counsel

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION

In re: **WELDED CONSTRUCTION, L.P.** **Debtor.**	)	**Chapter 11** **Case No. 18-12378 (KG) (Bankr. D. Del.)** **(Jointly Administered)**
SUNBELT EQUIPMENT MARKETING, INC. **Plaintiff,** **v.** **COLUMBIA GAS TRANSMISSION, LLC, TRANSCANADA USA SERVICES Inc., and WELDED CONSTRUCTION, LP,** **Defendants.**	)	**Civil Action No. _____** (Removal from Circuit Court of Marshall County, Civil Action No. 19-C-186)

CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2019, I electronically filed the foregoing ***"Notice of Removal"*** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record, provided they are CM/ECF participants. In addition, I have further mailed complete copies of these filings to counsel below via First Class US Mail:

Charles R. Hughes., Esquire
Bowles Rice LLP
600 Quarrier Street
Charleston, WV 25301
chughes@bowlesrice.com
Counsel to Plaintiff

/s/ John J. Meadows

JS 44 (Rev. 09/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

SUNBELT EQUIPMENT MARKETING, INC.

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Charles R. Hughes, BOWLES RICE LLP, 600 Quarrier Street, Charleston, WV 25301 chughes@bowlesrice.com

DEFENDANTS

COLUMBIA GAS TRANSMISSION, LLC, TRANSCANADA USA SERVICES INC. and WELDED CONSTRUCTION, LP

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

John Meadows, Devon Stewart, STEPTOE & JOHNSON PLLC, P.O. Box 1588, Charleston, WV 25326; john.meadows@steptoe-johnson.com; devon.stewart@steptoe-johnson.com

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ❒ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ❒ 2 U.S. Government Defendant
- ❒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	❒ 1	❒ 1	Incorporated *or* Principal Place of Business In This State	❒ 4	❒ 4
Citizen of Another State	❒ 2	❒ 2	Incorporated *and* Principal Place of Business In Another State	❒ 5	❒ 5
Citizen or Subject of a Foreign Country	❒ 3	❒ 3	Foreign Nation	❒ 6	❒ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
❒ 110 Insurance	**PERSONAL INJURY**	**PERSONAL INJURY**	❒ 625 Drug Related Seizure of Property 21 USC 881	❒ 422 Appeal 28 USC 158	❒ 375 False Claims Act
❒ 120 Marine	❒ 310 Airplane	❒ 365 Personal Injury - Product Liability	❒ 690 Other	❒ 423 Withdrawal 28 USC 157	❒ 376 Qui Tam (31 USC 3729(a))
❒ 130 Miller Act	❒ 315 Airplane Product Liability	❒ 367 Health Care/ Pharmaceutical Personal Injury Product Liability		**PROPERTY RIGHTS**	❒ 400 State Reapportionment
❒ 140 Negotiable Instrument	❒ 320 Assault, Libel & Slander	❒ 368 Asbestos Personal Injury Product Liability		❒ 820 Copyrights	❒ 410 Antitrust
❒ 150 Recovery of Overpayment & Enforcement of Judgment	❒ 330 Federal Employers' Liability	**PERSONAL PROPERTY**	**LABOR**	❒ 830 Patent	❒ 430 Banks and Banking
❒ 151 Medicare Act	❒ 340 Marine	❒ 370 Other Fraud	❒ 710 Fair Labor Standards Act	❒ 835 Patent - Abbreviated New Drug Application	❒ 450 Commerce
❒ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	❒ 345 Marine Product Liability	❒ 371 Truth in Lending	❒ 720 Labor/Management Relations	❒ 840 Trademark	❒ 460 Deportation
❒ 153 Recovery of Overpayment of Veteran's Benefits	❒ 350 Motor Vehicle	❒ 380 Other Personal Property Damage	❒ 740 Railway Labor Act	**SOCIAL SECURITY**	❒ 470 Racketeer Influenced and Corrupt Organizations
❒ 160 Stockholders' Suits	❒ 355 Motor Vehicle Product Liability	❒ 385 Property Damage Product Liability	❒ 751 Family and Medical Leave Act	❒ 861 HIA (1395ff)	❒ 480 Consumer Credit (15 USC 1681 or 1692)
❒ 190 Other Contract	❒ 360 Other Personal Injury		❒ 790 Other Labor Litigation	❒ 862 Black Lung (923)	❒ 485 Telephone Consumer Protection Act
❒ 195 Contract Product Liability	❒ 362 Personal Injury - Medical Malpractice		❒ 791 Employee Retirement Income Security Act	❒ 863 DIWC/DIWW (405(g))	❒ 490 Cable/Sat TV
❒ 196 Franchise				❒ 864 SSID Title XVI	❒ 850 Securities/Commodities/ Exchange
				❒ 865 RSI (405(g))	❒ 890 Other Statutory Actions
REAL PROPERTY	**CIVIL RIGHTS**	**PRISONER PETITIONS**		**FEDERAL TAX SUITS**	❒ 891 Agricultural Acts
❒ 210 Land Condemnation	❒ 440 Other Civil Rights	**Habeas Corpus:**		❒ 870 Taxes (U.S. Plaintiff or Defendant)	❒ 893 Environmental Matters
❒ 220 Foreclosure	❒ 441 Voting	❒ 463 Alien Detainee		❒ 871 IRS—Third Party 26 USC 7609	❒ 895 Freedom of Information Act
❒ 230 Rent Lease & Ejectment	❒ 442 Employment	❒ 510 Motions to Vacate Sentence			❒ 896 Arbitration
❒ 240 Torts to Land	❒ 443 Housing/ Accommodations	❒ 530 General			❒ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
❒ 245 Tort Product Liability	❒ 445 Amer. w/Disabilities - Employment	❒ 535 Death Penalty	**IMMIGRATION**		❒ 950 Constitutionality of State Statutes
☒ 290 All Other Real Property	❒ 446 Amer. w/Disabilities - Other	**Other:**	❒ 462 Naturalization Application		
	❒ 448 Education	❒ 540 Mandamus & Other	❒ 465 Other Immigration Actions		
		❒ 550 Civil Rights			
		❒ 555 Prison Condition			
		❒ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

❒ 1 Original Proceeding ☒ 2 Removed from State Court ❒ 3 Remanded from Appellate Court ❒ 4 Reinstated or Reopened ❒ 5 Transferred from Another District *(specify)* ❒ 6 Multidistrict Litigation - Transfer ❒ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:

Brief description of cause:
Mechanic's lien related to bankruptcy proceedings

VII. REQUESTED IN COMPLAINT:

❒ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:

JURY DEMAND: ❒ Yes ❒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE
11/25/2019

SIGNATURE OF ATTORNEY OF RECORD
/s/John J. Meadows

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. **Origin.** Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

EXHIBIT
A

West Virginia Circuit Express (/DEFAULT.ASPX)

Civil
Case Information
Second Judicial Circuit of Marshall County

19-C-186
Judge: JEFFREY D. CRAMER
SUNBELT EQUIPMENT MARKETING, INC. VS. COLUMBIA GAS TRANSMISSION, LLC

Plaintiff(s)	Plaintiff Attorney(s)
SUNBELT EQUIPMENT MARKETING	N/A

Defendant(s)	Defendant Attorney(s)
COLUMBIA GAS TRANSMI TRANSCANADA USA SERV WELDED CONSTRUCTION, LP	N/A

Date Filed: 07/19/2019
Case Type: MISCELLANEOUS CIVIL
Appealed: 0
Final Order Date: N/A
Statistical Close Date: N/A

Line	Date	Action / Result
0001	07/19/2019	COMPLAINT, CCIS FORM, MOTION TO STAY, CERT OF SERV & SUMMONS
0002		FILED; COPIES ISSUED TO 3 DEFS BY SEC OF STATE (SLM)
0003	07/29/2019	RET SERV FROM SEC OF STATE FOR COLUMBIA GAS TRANS., WELDED
0004		CONST. LP, & TRANSCANADA USA SERV. INC ---- SERVED 7/26/19 (SLM)

These materials have been prepared by the Office of the Clerk of the various Circuit Courts from original sources and data believed to be reliable. The information contained herein, however, has not been independently verified by the Office of the Clerk or Software Computer Group, Incorporated. The Office of the Clerk of the Circuit Courts and Software Computer Group, Inc. assume no liability for the accuracy, completeness, or timeliness of the information contained herein.

Software Computer Group | PO Box 27 | Fraziers Bottom WV 25082

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

To the above-named Defendant: **TransCanada USA Services Inc.**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **30** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Rucki / S. McLaughlin
Clerk of Court

11140371.1

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

To the above-named Defendant: **Columbia Gas Transmission, LLC**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **30** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Rucci / S. McLaughlin
Clerk of Court

11140379.1

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

To the above-named Defendant: **Welded Construction, LP**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **30** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Ricci/S. McLaughlin
Clerk of Court

11140337.1

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

2019 JUL 19 PM 12:22

COMPLAINT

COMES NOW Plaintiff Sunbelt Equipment Marketing, Inc., by counsel, Charles R. Hughes and the law firm of Bowles Rice LLP, and for its Complaint against Defendants Columbia Gas Transmission, LLC, and TransCanada USA Services Inc, and Nominal Defendant Welded Construction, LP, states as follows:

PARTIES

1. Plaintiff, Sunbelt Equipment Marketing, Inc. ("SEMI"), is a Texas corporation having a principal office address of 500 Davenport , College Station, Texas 77845.

2. Defendant, Columbia Gas Transmission, LLC ("Columbia") is, upon information and belief, a Delaware limited liability company transacting business in the State of West Virginia. According to the records of the West Virginia Secretary State, Columbia has a principal office address of 700 Louisiana Street, Suite 700, Houston, Texas, 77002, and a Notice of Process address of 209 West Washington Street, Charleston, West Virginia 25302.

3. Defendant, TransCanada USA Services Inc ("TransCanada") is, upon information and belief, a Delaware corporation transacting business in the State of West Virginia. According to the records of the West Virginia Secretary State, TransCanada has a principal office address of 700 Louisiana Street, Suite 700, Houston, Texas, 77002, and a Notice of Process address of 209 West Washington Street, Charleston, West Virginia 25302.

4. Nominal Defendant, Welded Construction, LP ("Welded") is, upon information and belief, a Delaware limited partnership transacting business in the State of West Virginia. According to the records of the West Virginia Secretary of State, Welded has a principal office address of 2215 Sanders Road, Suite 400, Northbrook, Illinois 60062, and a Notice of Process address of 209 West Washington Street, Charleston, West Virginia 25302. Because Welded is an indispensable party to certain claims set forth below, SEMI has joined Welded as a nominal defendant.

JURISDICTION AND VENUE

5. SEMI restates the allegations contained in Paragraphs 1 through 4.

6. SEMI furnished and delivered certain equipment and machinery (the "Equipment") to Welded for use on the Mountaineer Express Pipeline Project (the "Project") in West Virginia.

7. Columbia and TransCanada (collectively herein, "Columbia Defendants") are the reputed owners of the Project. Welded served as a contractor for the construction of the Project.

8. The property owned by Columbia and TranCanada (collectively, the "Columbia Defendants") in West Virginia for and upon which SEMI furnished and delivered the Equipment to Welded for use in the construction of that portion of the Project known as "Spread 1", consists of approximately 99,436 linear feet of pipeline right-of-way, access roads and other areas from Station Number 0+00 to Station Number 994+36 and located in, on, or under, real estate owned or controlled by the Columbia Defendants in Marshall County and Wetzel County, West Virginia, situate from Mile Post 0.00 to Mile Post 18.83 (the "Property").

9. As set forth above, a portion of the Equipment furnished and delivered by SEMI to Welded was used in the construction of the Project and upon Property owned by the Columbia Defendants in Marshall County, West Virginia.

10. The Property upon which SEMI performed its work for Welded in West Virginia, including Marshall County, is more particularly described by the map and those certain rights of way identified and described by Exhibits A through C to the Notice of Mechanic's Lien SEMI has caused to be recorded in the Offices of the Clerks of the County Commissions for Marshall and Wetzel Counties.

11. The Property was benefitted and improved by the Equipment furnished and delivered by SEMI.

12. Based on the foregoing, jurisdiction and venue are appropriate in this Court.

FACTUAL ALLEGATIONS

13. SEMI restates the allegations contained in Paragraphs 1-12.

14. SEMI was a supplier for Welded for the furnishing and delivery of the Equipment necessary for the construction of the Project.

15. Welded agreed to pay SEMI for the Equipment furnished and delivered by SEMI.

16. SEMI furnished and delivered the Equipment for use in the construction of the Project upon the Property owned by the Columbia Defendants in Marshall and Wetzel Counties. The Property is specifically described and identified by the Notice of Mechanic's Lien (the "Mechanic's Lien") attached hereto as **Exhibit 1** (as recorded in Marshall County) and **Exhibit 2** (as recorded in Wetzel County), and the exhibits attached to the Mechanic's Lien as **Exhibits A, B and C.**

17. The Equipment delivered by SEMI to Welded for use in the construction of the Project upon the Property owned by the Columbia Defendants was of the nature and was furnished on the dates and in the quantities and at the prices as more particularly set out in the invoices included with **Exhibit D** to the Mechanic's Lien recorded in Marshall and Wetzel Counties, and attached hereto (the "Invoices"). Welded has failed to pay SEMI for the Invoices, totaling $322,815.12, which amount remains due and owing.

18. As a result of Welded's failure to pay the Invoices, SEMI was forced to, and did, record the Mechanic's Lien as to the interest of the Columbia Defendants in and to the Project and the Property for and upon which SEMI furnished and delivered the Equipment.

19. Specifically, SEMI recorded the Mechanic's Lien as to the Project and the Property described by the lien with the Clerk of the County Commission of Marshall County on January 22, 2019, (of record in Book 12, at Page 96), and with the Clerk of the County Commission of Wetzel County on January 22, 2019, (of record in Book 7, at Page 153).

20. Welded has not made payment to SEMI since the Mechanic's Lien was recorded.

COUNT I
BREACH OF CONTRACT / WELDED BANKRUPTCY

21. SEMI restates the allegations contained in Paragraphs 1-20.

22. SEMI and Welded entered into a valid contract for the furnishing and delivery of the Equipment for use in the construction of the Project and upon Property owned by the Columbia Defendants.

23. SEMI fulfilled all of its obligations to Welded and has performed all conditions precedent to payment under its contract with Welded.

24. Welded has not made full payment of the Invoices under its contract with Welded.

25. SEMI has also incurred additional costs as a result of Welded's failure to make payment on the Invoices pursuant to its contract with SEMI.

26. Welded's failure to make payment on the Invoices to SEMI represents a material breach of its contract with SEMI and SEMI has been damaged in the amount of $322,815.12.

27. On October 22, 2018, Welded and its affiliated debtors filed petitions for relief under Chapter 11 of the Bankruptcy Code (Case number 18-12378 (KG)) in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"). Accordingly, Welded is afforded certain protections pursuant to the automatic stay provided by 11 U.S.C. § 362(a) (the "Automatic Stay"),

28. Pursuant to West Virginia law, SEMI has a limited time to commence action to enforce and/or foreclose its Mechanic's Lien.

29. On July 3, 2019, SEMI perfected its Mechanics Lien with the Bankruptcy Court pursuant to 11 U.S.C. § 546(b), by filing a "Notice of Perfection, Continuance and Maintenance of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)", notwithstanding the Automatic Stay, to estop Welded and other parties in interest from claiming that any lawsuit to foreclose said Mechanics Lien was not timely commenced pursuant to West Virginia Civil Code § 38-2-34.

30. On July 5, 2019, SEMI sought relief from the Automatic Stay by filing a "Motion for Relief from Automatic Stay" with the Bankruptcy Court for purposes of commencing this action to enforce and preserve its Mechanic's Lien and all lien rights under West Virginia law (the "Motion").

31. On July 16, 2019, the Bankruptcy Court entered an order granting the Motion (the "Relief Order"), but only to the extent required to permit SEMI to commence this action naming Welded as a nominal defendant, and seeking to enforce and/or foreclose upon SEMI's asserted mechanic's lien rights and remedies, including, but not limited to commencing and pursing to completion this mechanic's lien action with respect to the Project; subject to the provision, however, that, pursuant to section 362 of the Bankruptcy Code, this action is to be stayed immediately after its filing for a period of not less than 90 days from the commencement of this action, and after the expiration of such 90 day period, SEMI shall be permitted to recommence this action without further order of the Bankruptcy Court. A copy of the Relief Order is attached hereto as **Exhibit 3**, and is incorporated herein by reference.

COUNTS II AND III
UNJUST ENRICHMENT
COLUMBIA AND TRANSCANADA

32. SEMI restates the allegations contained in Paragraphs 1-31.

33. SEMI furnished and delivered the Equipment with the expectation that it would receive payment from Welded for such Equipment furnished and delivered by SEMI as more particularly set out in the Invoices.

34. The Columbia Defendants knew that SEMI expected to be paid when Welded accepted and utilized the Equipment from SEMI.

35. The Columbia Defendants have been unjustly enriched by SEMI.

36. Equity requires that SEMI be compensated for the Equipment furnished and delivered by SEMI for use in the construction of the Project and the improvement of the Property.

37. The Columbia Defendants, having accepted, taken possession, and enjoying the benefit of the Equipment furnished and delivered by SEMI, and having utilized this Equipment without full compensation to SEMI, have been bettered and enriched at the expense of SEMI, for which SEMI has been damaged, and demands judgment in the amount of $322,815.12 and as set forth below.

COUNT IV
ENFORCEMENT OF MECHANIC'S LIEN

38. SEMI restates the allegations contained in Paragraphs 1-37.

39. SEMI delivered and furnished the Equipment for the benefit of the Project and upon Property owned by the Columbia Defendants.

40. SEMI recorded its Mechanic's Lien on January 22, 2019, with the County Clerk of Marshall County and on January 22, 2019, with the County Clerk of Wetzel County to secure payment in the amount of $322,815.12, which remains due and owing to SEMI for the Equipment furnished, delivered, provided, and incorporated into, the Property.

41. As required by West Virginia Code §38-2-1 et seq., and other applicable law, SEMI timely recorded its Notice of Mechanic's Liens in the proper offices and properly served notice of the Mechanic's Lien upon the Columbia Defendants.

42. The Notice of Mechanic's Lien recorded in Marshall and Wetzel Counties describe and identify the Project and the Property.

43. SEMI was granted relief from the Automatic Stay of 11 U.S.C. § 362(a) by the Bankruptcy Court to permit it to seek recovery against the real estate interests of the Columbia Defendants in West Virginia.

44. This suit is being filed within six months of the dates SEMI recorded its Mechanic's Lien in Marshall and Wetzel Counties.

45. The amount of $322,815.12 remains due at the time of the filing of this Complaint.

46. As of the date of this Complaint, the Mechanic's Lien will have been properly filed and perfected and SEMI hereby demands enforcement of said Mechanic's Lien pursuant to West Virginia Code §38-2-1 et seq., and other applicable law and demands judgment in the amount of $322,815.12 and as set forth below.

WHEREFORE, SEMI demands that:

a. pursuant to section 362 of the Bankruptcy Code, and the Relief Order entered by the Bankruptcy Court, this action be stayed immediately after its filing for a period of not less than 90 days from its commencement:

b. upon and after the expiration of such 90-day period, and consistent with the Relief Order entered by the Bankruptcy Court, SEMI be permitted to recommence this

action and obtain judgment against the Columbia Defendants in the amount of $322,815.12, plus pre-and post-judgment interest at the full legal rate;

c. that SEMI's claims against the Columbia Defendants be declared and adjudged a lien on the Property which is owned by the Columbia Defendants in West Virginia as described in the Notice of Mechanic's Lien attached to this Complaint, including the Project and all buildings and improvements thereupon the Property;

d. a judgment decree that SEMI's Mechanic's Lien be foreclosed;

e. the demands of all persons filing claims or liens on the Project and/or Property at issue be adjudged subordinate to that of SEMI's claims;

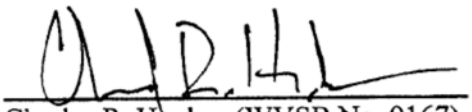
f. the Court appoint a Special Commissioner, or direct the Sheriffs of Marshall and Wetzel Counties, West Virginia, to sell the Property pursuant to West Virginia Code §38-2-25, and out of the proceeds, after paying costs, commissions, and expenses incurred, pay to SEMI, or its attorneys, the amount of SEMI's judgment;

g. SEMI be reimbursed for its costs incurred in the prosecution of this suit, including the cost of verifying and recording this suit, and other costs associated with this litigation; and

h. SEMI be granted all such other relief as this Court may deem just and proper.

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

SUNBELT EQUIPMENT MARKETING, INC.
By Counsel



Charles R. Hughes (WVSB No. 9167)
Bowles Rice LLP
600 Quarrier Street
Charleston, West Virginia 25301
Phone: 304-347-1100
Email: chughes@bowlesrice.com

EXHIBIT 2

CHARLES HUGHS
BOWLES RICE LLP
600 QUARRIER STREET
CHARLESTON WV 25301-2121

NOTICE OF MECHANIC'S LIEN

Columbia Gas Transmission, LLC
via West Virginia Secretary of State:
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

with a copy, via U.S. Certified Mail, to:
Columbia Gas Transmission, LLC
700 Louisiana Street, Ste. 700
ATTN: CORPORATE SECRETARY
Houston, TX 77002

and

Columbia Gas Transmission, LLC
c/o NiSource Corporate Services Legal Department
1700 MacCorkle Avenue SE
Charleston, WV 25314

and

Columbia Energy Group
300 Delaware Avenue, Suite 555
Wilmington, DE 19801

Welded Construction, LP
via West Virginia Secretary of State:
c/o CT Corporation System
5400 D Big Tyler Road
Charleston, WV 25313

with a copy, via U.S. Certified Mail, to:
Welded Construction, LP
26933 Eckel Road
Perrysburg, OH 43551

TransCanada USA Services Inc
via West Virginia Secretary of State:
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

with a copy, via U.S. Certified Mail, to:
TransCanada USA Services Inc
700 Louisiana Street, Ste. 700
ATTN: CORPORATE SECRETARY
Houston, TX 77002

and

TransCanada USA Services Inc
1700 MacCorkle Avenue, SE
Charleston, WV 25314

You will please take notice that the undersigned, **Sunbelt Equipment Marketing, Inc.**, has contracted with **Welded Construction, LP,** who was a contractor with you, for the furnishing and delivery of certain equipment and machinery ("the Equipment") for use in the construction of the "Mountaineer XPress Pipeline", in the State of West Virginia, as shown upon that certain "Preliminary Planning Map", attached hereto as **Exhibit A** ("the Project").

Sunbelt Equipment Marketing, Inc. furnished and delivered the Equipment to Welded Construction, LP, for use in the construction of that portion of the Project known as "Spread 1", consisting of approximately 99,436 linear feet of pipeline right-of-way, access roads and other areas from Station Number 0+00 to Station Number 994+36 and located in, on, or under, real estate owned or controlled by you in Marshall County and Wetzel County, West Virginia, situate from Mile Post 0.00 to Mile Post 18.83 ("the Property"). The Property is more particularly described, in part, by those certain instruments of record in the offices of the Clerks of the County Commissions of said counties, lists of which are attached to this Notice of Mechanic's Lien, and incorporated herein, as **Exhibit B** (Marshall County) and **Exhibit C** (Wetzel County).

The Equipment delivered by Sunbelt Equipment Marketing, Inc. to Welded Construction, LP, for the Project was of the nature and was furnished on the dates and in the quantities and at the prices shown in the account thereof, which is attached hereto, and incorporated herein, as **Exhibit D**.

You are further notified that the undersigned, Sunbelt Equipment Marketing, Inc. has not been paid the sum of **$322,815.12**, and that Sunbelt Equipment Marketing, Inc. claims a lien upon your interest in the Property, including, but not limited to, the real property and interests therein described by the instruments listed on **Exhibits B and C** to this Notice of Mechanic's Lien, and the buildings, structures and improvements thereon owned by you to secure payment of the sum of **$322,815.12**, plus interest.

Given under my hand this 11th day of January, 2019.

[Signature page follows]

SUNBELT EQUIPMENT MARKETING, INC.

By: _____
J. W. Gully

Its: President

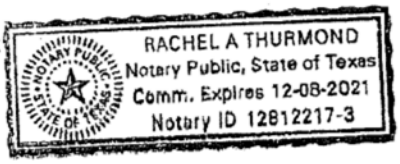
STATE OF TEXAS
COUNTY OF BRAZOS:

J. W. Gully, the President of Sunbelt Equipment Marketing, Inc, being first duly sworn, upon his/her oath says that the statements in the foregoing notice of mechanic's lien are true, as he verily believes.

Taken, subscribed and sworn to before me this 11th day of January, 2019.

My commission expires: 12.08.2021

_____
Notary Public

SEAL: 

This instrument was prepared by Charles R. Hughes, Esq., Bowles Rice, LLP, 600 Quarrier Street Charleston, West Virginia, 25301

EXHIBIT A

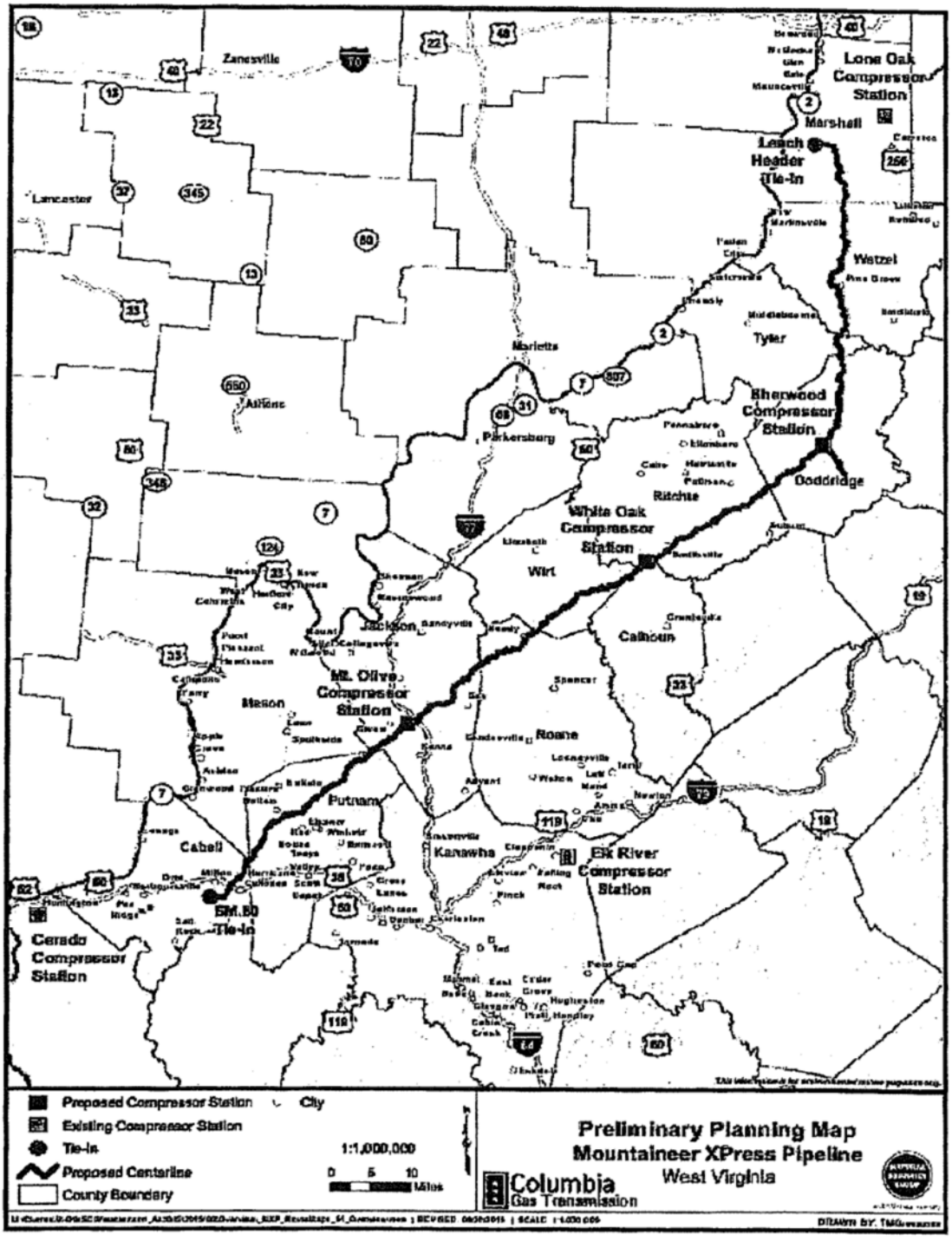

Zanesville
Lancaster
Athens
Marietta
Parkersburg
Marshall
Lone Oak Compressor Station
Leach Header Tie-In
Wetzel
Tyler
Sherwood Compressor Station
Doddridge
Ritchie
White Oak Compressor Station
Wirt
Calhoun
Jackson
Mason
Mt. Olive Compressor Station
Roane
Putnam
Cabell
Kanawha
Elk River Compressor Station
SM-80 Tie-In
Cenda Compressor Station
Proposed Compressor Station
Existing Compressor Station
Tie-In
Proposed Centerline
County Boundary
City
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0 5 10
Miles
Preliminary Planning Map
Mountaineer XPress Pipeline
West Virginia
Columbia Gas Transmission

EXHIBIT B

Descriptions of Rights of Way in MARSHALL COUNTY, West Virginia

Columbia Gas Transmission ROW Tract No.	ROW Record Book – Page Number	Date of ROW	ROW acreage	ROW distance	ROW Grantor Tract Owner(s)	Grantor tract acreage from which ROW is derived	Grantor tract Tax ID No(s). through which ROW passes	Tax District
WV-MA-0082.001	886-068	12-22-2015	0.230	208.00'	John T. Parker and Sharon R. Parker	5.036	05-04-22.00	Franklin
WV-MA-0082.002	886-077	12-22-2015	0.700	595.09'		90.880	05-04-03.60	
WV-MA-0082.004	905-161	09-12-2016	1.540	1,339.00'	Ralph A. Holmes and Robin R. Holmes	72.240	05-03-24.00	Franklin
WV-MA-0082.005	989-567	11-08-2016	0.370	319.77'	CNX Land Resources LLC	86.510	05-03-23.02	Franklin
WV-MA-0082.006	933-471	05-25-2017	0.260	225.00'	Glenn Cunningham and Ramona Cunningham	60.551	05-04-04.02	Franklin
WV-MA-0082.007						35.618	05-03-14.00	
WV-MA-0082.008	933-478	05-25-2017	0.280	208.00'	Brent C. Cunningham and Satona L. Cunningham	2.070	05-03-15.00	Franklin
WV-MA-0082.009			0.260	400.00'		60.441	05-03-22.00	
WV-MA-0082.010	894-317	03-08-2016	0.220	------	Kaine O. Howard and Angela M. McCombs	4.308	05-03-16.00	Franklin
WV-MA-0082.011	933-485	05-25-2017	1.140	990.00'	Bernard A. Stanley and Patricia L. Stanley	24.570	05-03-21.02	Franklin
WV-MA-0077.000	903-001	08-15-2016	------	5,587.00'	CNX Land Resources Inc.	86.510	05-03-23.00	Franklin
WV-MA-0082.003						15.638	05-03-27.00	Franklin
WV-MA-0082.012						83.172	09-01-20.01	Meade

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WV-MA-0082.013						105.000	09-01-21.00	Meade
WV-MA-0082.015						59.000	09-01-22.00	
WV-MA-0082.014	911-068	11-17-2016	1.600	1,390.00'	George Chris Lagos and Donna Jean Lagos	44.149	09-01-22.02	Meade
WV-MA-0083.000	895-586	04-11-2016	0.980	850.00'	Peter A. Miller and Jennifer L. Miller	43.669	09-01-24.00	Meade
WV-MA-0083.002	952-588	09-27-2017	2.720	2,373.00'	Thomas B. Clark and Annette K. Clark	81.315	09-05-02.00	Meade
WV-MA-0096.000	952-582	09-27-2017	1.150	999.00'		42.559	09-04-09.01	
WV-MA-0102.000	894-311	02-28-2016	3.160	2,749.00'	Aniela Payne Ennis (Helen Robertson Payne)	85.260	09-05-03.00	Meade
WV-MA-0102.005	933-459	05-26-2017	0.340	296.00'	Kevin E. McGilton and Teresa E. McGilton	13.390	09-07-20.00	Meade
WV-MA-0102.006	933-491	05-30-2017	1.120	973.00'	Brenda J. Whetzel (life estate); Larry J. Whetzel, Jr. (Remiander Interest), and Wendy S. Kelly (Remainder Interest)	36.000	09-11-23.00	Meade
WV-MA-0102.007						82.858	09-11-07.00	
WV-MA-0147.000						10.690	09-11-06.00	
WV-MA-0147.001						30.240	09-11-06.01	
WV-MA-0103.000	905-167	09-05-2016	1.710	1,490.00'	Elmer L. Aston	108.225	09-05-04.00	Meade
WV-MA-0132.001	952-594	10-30-2017	3.560	3,101.00'	Teresa Anne Hughes	139.790	09-07-24.00	Meade
	964-149	01-12-2018			Larry Lee Conkle			
	964-155	01-12-2018			Brenda Joyce Whetzel			
	964-161	01-11-2018			Roy A. Conkle, Sr.			
WV-MA-0132.002	964-167	01-10-2018	1.880	1,640.00'	Brian N. Conkle and Amanda J. Conkle	51.49	09-07-13.00	Meade
WV-MA-0139.000	933-501	05-26-2017	2.710	2,360.00'	Arnie Goodnight and Bobbie B. Goodnight	62.180	09-07-05.00	Meade
WV-MA-0139.001	949-562	08-18-2017	1.940	1,686.00'		39.550	09-07-14.00	
WV-MA-0141.000	895-592	04-19-2016	0.840	733.00'	Robert L. Clark and Deanna L. Clark	18.000	09-11-10.00	Meade

	933-465	05-25-2017			Jacqueline Holliday			
	933-507	05-26-2017			Lloyd G. Baker			
	959-019	11-27-2017			John Crow			
	959-025	12-01-2017			Sandra K. Nelson			
	959-031	12-01-2017			Sheila M. Krull			
	959-041	12-07-2017			Sandra Kay Richmond			
	959-047	12-09-2017			Kimberly Ellen DeNoon			
	959-053	12-09-2017			Kelly Ann DeNoon			
	959-059	12-09-2017			Roger E. DeNoon, Jr.			
	959-065	12-01-2017			Rose Marie Kielczewski			
WV-MA-0143.000	959-072	12-01-2017	2.940	2,557.00'	Leonard Paul Crow	162.880	09-11-12.00	Meade
	959-079	12-07-2017			Nancy Paulette			
	959-085	12-06-2017			John M. Haught			
	959-091	12-04-2017			Thomas Lee Haught			
	959-097	11-27-2017			Timothy Crow			
	959-103	11-13-2017			Catherine Messner			
	959-115	12-04-2017			Desire L. Crow			
	959-122	12-01-2017			Elaine N. Phelps			
	959-129	12-19-2017			Peter D. DeNoon			
	959-135	12-15-2017			Keith Thomas Goudy			
	959-141	12-14-2017			Rhonda Skilton			

	959-148	12-14-2017			Laura Walsh			
	959-154	12-06-2017			Cynthia Gross			
	959-160	12-13-2017			Frances Coffey			
	964-143	01-02-2018			Diana Lynn Bumgardner			
	967-300	01-15-2018			David E. Crow			
	967-306	01-15-2018			Dianne Gellner			
	968-310	12-11-2017			Judy Louise Glover			
	967-312	02-05-2018			Donald Smotherman, Sr.			
	968-316	12-09-2017			Betty Lou Huggins			
	967-318	02-01-2018			Kay Keyes			
	968-322	12-12-2017			David Lee Baker			
	968-328	12-15-2017			Beverly Kathryn Goddard			
	968-334	12-13-2017			Cindy Fulks			
	968-340	12-21-2017			Russell B. Goddard			
	968-346	12-13-2017			Michael V. Goddard			
	968-352	12-19-2017			Susan L. Sedgmer			
	968-358	12-12-2017			Allen W. Goddard			
	968-364	01-08-2018			Ronald Edward Watson			
	968-370	12-08-2017			Tammy Watson			
	968-376	12-22-2017			Lisa Goddard			
	968-382	12-11-2017			John E. Goddard			

WV-MA-0150.000	933-513	05-25-2017	1.550	1,348.00'	Michael A. Whetzel	92.000	09-11-09.00	Meade
WV-MA-0164.000	894-298	03-16-2016	1.120	896.00'	John Daniel Dobbs	21.780	09-14-15.00	Meade
WV-MA.-0165.000	945-229	09-08-2017	1.910	1,660.00'	Barbara Jean Tomaszczyk	53.850	09-14-16.00	Meade
	945-235	09-02-2017			Deloris Wallace			
	945-241	09-01-2017			Bradley Crow			
	945-351	09-20-2017			Scott C. Parsons			
	945-357	09-18-2017			Brenda Kay Hudkins Coffield			
	945-369	09-19-2017			Brenda K. Yoho			
	945-381	09-26-2017			Kelly Jones			
	945-387	09-28-2017			Deanne R. Jones			
	945-393	09-29-2017			Ezra Howard Cochran			
	949-568	10-06-2017			James Cochran			
	949-574	10-04-2017			Debra Jean Lancaster			
	949-580	10-10-2017			James Cecil Ball			
	949-586	10-11-2017			Karen Eleaine Persinger			
	949-592	10-06-2017			Samantha Boyles			
	949-598	10-05-2017			Terry Lee Pettit			
	949-604	10-16-2017			Patty Licitis			
	949-610	10-12-2017			Melba Huddlestun			
	952-521	10-18-2017			Alice Marlene Persinger			
	952-527	11-03-2017			Virginia Sakalo			

	952-534	11-02-2017			Crystal Curtis			
	952-540	10-31-2017			William H. Curtis, Jr. a/k/a William Hurley Curtis, Jr.			
	952-546	11-02-2017			Mark A. Curtis			
	952-552	10-06-2017			Margie Milton			
	952-558	10-20-2017			James R. Rockey			
	952-564	10-06-2017			Joseph Lee Kolakowski, Jr.			
	952-570	10-06-2017			Michael Kolakowski			
	952-576	10-06-2017			Michelle Kolakowski f/k/a Michelle Esaw			
	952-611	10-26-2017			Gladys Crow			
	953-001	10-12-2017			Scott D. Van Newhouse			
	953-007	10-16-2017			Paul E. Sutton (Life Estate Interest)			
	953-013	10-14-2017			Paul E. Sutton, Jr. (Individual and Remainderman Interests)			
	953-019	10-28-2017			Robert A. Sutton (Individual and Remainderman Interests)			
	953-025	10-24-2017			Gail Sutton (Individual and Remainderman Interests)			
	953-031	10-23-2017			Margaret E. Jones			
	953-037	10-24-2017			Mary Jo Rockey			
	955-362	10-28-2017			Dotsy Dolores Mathys, by her AIF Larry PAtterson			
	958-613	12-06-2017			Michael D. Kopald			

	958-638	11-20-2017			James Curtis			
	958-644	11-17-2017			Donna Taylor			
	959-001	11-13-2017			Charles Michael Scott			
	959-007	11-09-2017			Debra Moore			
	959-013	11-10-2017			Cynthia Jo Moore			
	959-109	11-09-2017			Lori Oaks			
	964-137	01-04-2018			Glenn Crow			
	964-173	01-11-2018			Janet I. Kimble a/k/a Janet I. Sutton			
	964-179	01-04-2018			Maxine Quigley			
	964-185	01-04-2018			Connie Heckle			
	967-324	02-19-2018			Mark Lewis Adams			
	967-330	01-18-2018			Charles R. Sutton			
	967-336	02-01-2017			Connie Heckle			
WV-MA-0169.000	939-040	08-08-2017	3.470	3,021.00'	William K. Stern a/ka/ William Keith Stern and Betty L. Stern a/k/a Betty Lou Stern	120.323	09-14-20.00	Meade
WV-MA-0173.000	952-600	08-09-2017	1.770	1,543.00'	Louis T. Fox	99.000	09-14-21.00	Meade
WV-MA-0175.000	939-046	08-08-2017	1.960	1,706.00'	William K. Stern and Betty L. Stern	107.133	09-14-23.00	Meade
WV-MA-0194.000	933-519	06-02-2017	1.260	1,154.00'	David P. Warsinsky and Rebecca E. Warsinsky	70.000	09-17-01.00	Meade
WV-MA-0195.000	933-434	05-25-2017	2.250	1,912.00'	Ronald W. and Eric J. Young, Joint Tenants Right of Survivorship	140.000	09-17-02.00	Meade
	939-052	07-21-2017			Neil Robert Young			
	939-058	06-27-2017			Carolyn June Young			

	939-064	05-25-2017			Ronald R. Young and Geraldine Young			
	939-070	08-01-2017			Mellissa D. Fletcher			
	939-076	08-02-2017			Penny Jo Yoder			
	945-247	09-21-2017			Susan C. Young a/k/a Susan Young			
	945-253	08-23-2017			Michael A. Walker			
	945-259	08-23-2017			Chad A. Young			
	945-265	08-23-2017			Mark A. Walker			
	945-271	09-01-2017			Holly Young			
	945-345	09-29-2017			Michael S. Ott a/k/a Michael Shane Ott			
	945-363	09-19-2017			Debra L. Bonar a/k/a Debra Lynn Bonar			
	945-375	09-08-2017			Crystal Dawn Young			
	945-399	09-26-2017			Kerri S. Richards a/k/a Kerri Sue Ricahrds			
	945-405	09-22-2017			Carla Jo Simms			
	958-619	11-21-2017			Shirley Ann Koontz a/k/a Shirley Koontz by her AIF Kelly Koontz Benline			
	958-625	11-02-2017			Alice Winland ber AIF Tammy Sue Cumpston			
WV-MA-0196.000	895-598	04-27-2016	0.010	-----	Kenneth E. Janiszewski and Susan L. Janiszewski	149.000	09-17-03.00	Meade
WV-MA-0202.000	933-530	05-25-2017	0.020	13.00'	Daniel J. Ellis and Cindy L Ellis	36.000	09-17-36.00	Meade
WV-MA-0239.000						12.470	09-19-04.00	
WV-.MA-0240.000						74.000	09-19-03.00	
WV-MA-0203.000	900-144	06-16-2016	1.060	921.00'	Ryan J. Riddle and Michele L. Riddle	70.230	09-17-37.00	Meade
WV-MA-0204.000	895-604	04-27-2016	2.420	2,112.00'	Kenneth E. Janiszewski and Susan L. Janiszewski	57.000	09-17-38.00	Meade
WV-MA-0232.000	-----	-----	------	------	State of West Virginia, Bureau of Commerce, Division of Natural Resources, Public Land	-------	09-19-21.00	Meade

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					Corporation, for the use and benefit of the Wildlife Resources Section			
WV-MA-0226.000	895-610	04-27-2016	1.960	1,705.00'	Randy L. McDowell and Lisa A. Allen	92.58	09-19-17.00	Meade
WV-MA-0227.000	933-538	05-26-2017	3.370	2,937.00	Robert G. Wade and Carol L. Wade, his wife	160.480	09-19-18.00	Meade
WV-MA-0245.000	933-040	05-26-2017	0.200	173.00'	A. Michael Waryck and Deborah Ellen Waryck	125.390	09-21-10.00	Meade
WV-MA-0247.000	866-249	06-04-2015	0.930	808.34'	Mason Dixon Farms, L.L.C.	9.880	05-04-03.06	Franklin
WV-MA-0248.000	866-244	06-04-2015	0.100	89.45'	Mason Dixon Farms, L.L.C.	5.030	09-21-12.00	Meade
WV-MA-0249.000	939-088	07-25-2017	0.720	627.00'	Zachary M. Blair and Richelle D. Blair	11.000	09-21-13.00	Meade
WV-MA-0250.000	939-094	07-25-2017	0.260	231.00'		3.000	09-21-14.00	
WV-MA-0254.000	869-168	07-09-2015	1.090	974.99'	Carl L. Bell and Diana L. Bell	5.040	05-04-38.00	Franklin
WV-MA-0256.000	866-260	06-11-2015	0.06	51.00'	William Edward McClintock and Terry Ann McClintock	3.140	05-04-37.00	Franklin
WV-MA-0257.000	866-266	06-11-2015						
WV-MA-0259.000	866-522	06-16-2015	0.090	76.75'	Charles O. Friend, Sr., Life Estate, and Charles O. Friend, Jr.	5.010	05-04-27.00	Franklin
WV-MA-0260.000	866-272	06-11-2015	0.150	130.16'	Patricia Friend	5.000	05-04-33.00	Franklin
WV-MA-0261.000	984-144	03-05-2018	3.820	3,331.00'	Appalachia Midstream Services, LLC	178.000	09-21-05.00	Meade
WV-MA-0263.000	869-192	07-08-2015	0.180	157.99'	Gary W. Yoho and Kimberly A. Yoho	3.140	05-04-26.00	Franklin

EXHIBIT C

Descriptions of Rights of Way in WETZEL COUNTY, West Virginia

Columbia Gas Transmission ROW Tract No.	ROW Record Book – Page Number	Date of ROW	ROW acreage	ROW distance	ROW Grantor Tract Owner(s)	Grantor tract acreage from which ROW is derived	Grantor tract Tax ID No(s). through which ROW passes	Tax District
WV-WZ-0001 000	122-220	05-25-2017	2.330	2,027.00'	Nancy Sue Raber	101.300	12-04-06.00	Proctor
WV-WZ-0002.000	120-464	12-22-2016	1.380	1,207.00'	Christopher P. Bithell	44.500	12-04-17.00	Proctor
WV-WZ-0003.000	120-471	12-22-2016	3.290	2,876.00'		180.530	12-04-26.00	
WV-WZ-0018.000	120-477	12-22-2016	0.050	29.00'		59.390	12-04 35.00	
WV-WZ-0004.000	117-498	04-21-2016	1.330	1,166.00'	William Wagner and Barbara Wagner	44.250	12-04-36.00	Proctor
WV-WZ-0055.000	122-234	06-22-2017	2.600	1,601.00'	West Virginia Properties, LLC	46.000	12-09-07.00	Proctor
WV-WZ-0028.000	122-228	06-22-2017	0.002	-----		34.450	12-09-12.00	
WV-WZ-0035.000	117-455	04-14-2016	0.010	-----	Lonnie E. Blake	36.500	12-09-20.00	Proctor
WV-WZ-0056.000	122-240	06-14-2017	0.960	831.00'	Andrew D. Shuluga and Andrea M. Shuluga, Co-Trustees of The Andrew D. Shuluga and Andrea M. Shuluga Revocable Trust under date of January 8, 2013	51.000	12-09-13.00	Proctor
WV-WZ-0058.000	121-283	03-23-2017	2.300	2,008.00'	Veril Jerome Blake	62.000	12-09-21.00	Proctor
WV-WZ-0059.000						8.880	12-09-32.00	
WV-WZ-0061.000						31.820	12-09-42.00	
WV-WZ-0062.000						50.000	12-09-40.00	
WV-WZ-0063.000	127-512	02-08-2017	1.250	1,092.00'	Norman E. Keeney, Jr. and Nancy M. Keeney	113.360	12-09-45.00	Proctor

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WV-WZ-0067.000	127-520	03-05-2018	1.560	1,360.00'	Appalachia Midstream Services, L.L.C.	95.50	12-14-04.01 12-14-04.04	Proctor
WV-WZ-0068.000	121-292	03-28-2017	0.450	396.00'	James Ritchea and Joretta Ritchea	62.110	12-14-04.00	Proctor
WV-WZ-0069.000	119-626	10-05-2016	2.640	2,320.00'	Ridgetop Capital, LP	173.000	12-14-25.00	Proctor
WV-WZ-0070.000	125-755	02-08-2018	0.870	750'	Catherine L. Goddard and James M. Ledergerber	9.250	12-14-24.00	Proctor
WV-WZ-0071.000	122-246	06-29-2017	0.730	632.00'	Brent Paul Blake (LE)	18.000	12-14-34.00	Proctor
WV-WZ-0072.001	122-254	06-29-2017	2.730	2,396.00'	Paul Blake, Life Estate Interest	85.960	12-14-32.03	Proctor
WV-WZ-0076.000	119-632	10-21-2016	0.500	432.00'	Michael E. Lasure and Velva C. Lasure	25.000	12-14-14.00	Proctor
WV-WZ-0099.000	122-262	05-26-2017	2.70	237.00'	Leah M. Snow	6.920	12-14-04.03	Proctor
WV-WZ-0102.000	119-638	10-21-2016	0.900	782.00'	Michael E. Lasure and Velva C. Lasure	75.500	12-14-06.00	Proctor
WV-WZ-0111.000	122-771	08-04-2017	1.690	1,470.00'	Vicky Reed	60.000	12-18-19.00	Proctor
WV-WZ-0121.000	122-268	06-29-2017	0.680	596.00'	Kip Martin Blake and Sandra K. Blake	90.070	12-18-04.01	Proctor
WV-WZ-0124.000	117-261	03-08-2016	2.410	2,102.00'	Constance A. Taylor	43.500	12-18-05.00	Proctor
WV-WZ-0125.000	127-528	02-03-2018	2.570	2,242.00'	Timothy N. Wells	78.090	12-18-12.00	Proctor
WV-WZ-0131.000	125-795 127-543	02-15-2018 02-12-2018	0.590	517.00'	Kevin Goff and Melinda Goff Ada L. Riggs	78.200	01-09-09.00	Center
WV-WZ-0132.000	117-254	02-11-2016	0.370	303.00'	Floyd D. and Margaret J. Melott	90.500	01-13-06.00	Center
WV-WZ-0133.000	123-804	09-14-2017	2.770	2,418.00'	Patrick L. Morris	88.500	01-13-07.00	Center
WV-WZ-0134.000	122-274	05-20-2017	1.520	1,325.00'	Stanley D. Smith and Hilda G. Smith	49.050	01-13-12.00	Center
WV-WZ-0135.000	122-280	05-31-2017	1.350	1,174.00'	James C. Moore and Erma E. Moore	22.700	01-13-20.00	Center
WV-WZ-0136:000	118-735	06-14-2016	0.180	154.00'	Daniel C. and Amber J. Rush	4.980	01-13-27.00	Center
WV-WZ-0181.000	118-741	07-05-2016	2.200	1,915.00'	Melissa Johnson	92.500	01-13-36.00	Center
WV-WZ-0182.000	119-644	10-24-2016	1.920	1,677.00'	Michael J. Romans	93.900	01-13-35.00	Center
WV-WZ-0184.000	125-280	01-12-2018	0.350	307.00'	Joseph Allen Hornbeck and Pamela Hornbeck	26.220	12-20-14.01	Proctor

EXHIBIT D

Invoices

Invoice Number	Location	PO Number	Date	Amount
55624	Glen Dale	R2253	6/28/2018	$ 5,300.00
55639	Glen Dale	2018-01	6/28/2018	$ 901.00
55884	Triadelphia	70824	7/11/2018	$ 1,272.00
55885	Triadelphia	70824	7/11/2018	$ 1,272.00
55886	Triadelphia	70824	7/11/2018	$ 1,272.00
55887	Triadelphia	70824	7/11/2018	$ 1,272.00
55888	Triadelphia	70824	7/11/2018	$ 1,272.00
55889	Triadelphia	70824	7/11/2018	$ 1,272.00
55906	Glen Dale	R1634	7/12/2018	$ 5,300.00
55912	Triadelphia	75903	7/12/2018	$ 5,300.00
56113	Triadelphia	59440	7/19/2018	$ 13,250.00
56117	Glen Dale	R2792	7/19/2018	$ 13,250.00
56296	Glen Dale	R2267	7/23/2018	$ 5,300.00
56338	Glen Dale	R2255	7/24/2018	$ 5,300.00
56340	Glen Dale	R2188	7/24/2018	$ 5,300.00
56341	Glen Dale	R2253	7/24/2018	$ 5,300.00
56397	Glen Dale	2018-01	7/26/2018	$ 901.00
56446	Glen Dale	74145-1	7/26/2018	$ 12,455.00
56471	Triadelphia	71582	7/27/2018	$ 13,780.00
56679	Triadelphia	70824	7/31/2018	$ 1,272.00
56680	Triadelphia	70824	7/31/2018	$ 1,272.00
56681	Triadelphia	70824	7/31/2018	$ 1,272.00
56682	Triadelphia	70824	7/31/2018	$ 1,272.00
56683	Triadelphia	70824	7/31/2018	$ 1,272.00
56684	Triadelphia	70824	7/31/2018	$ 1,272.00
56685	Triadelphia	70824	7/31/2018	$ 1,272.00
56689	Glen Dale	R2267	7/31/2018	$ 5,300.00
56691	Glen Dale	R1634	7/31/2018	$ 5,300.00
56829	Triadelphia	75903	8/7/2018	$ 5,300.00
57012	Triadelphia	59440	8/9/2018	$ 13,250.00
57015	Glen Dale	R2792	8/9/2018	$ 13,250.00
57461	Glen Dale	74145-1	8/27/2018	$ 12,455.00
57527	Triadelphia	71582	8/28/2018	$ 13,780.00
57597	Triadelphia	70824	8/29/2018	$ 1,272.00
57598	Triadelphia	70824	8/29/2018	$ 1,272.00
57599	Triadelphia	70824	8/29/2018	$ 1,272.00
57600	Triadelphia	70824	8/29/2018	$ 1,272.00
57603	Triadelphia	70824	8/29/2018	$ 1,272.00
57604	Triadelphia	70824	8/29/2018	$ 1,272.00
57605	Triadelphia	70824	8/29/2018	$ 1,272.00
57734	Glen Dale	R2267	8/31/2018	$ 5,300.00
57735	Glen Dale	R1634	8/31/2018	$ 5,300.00
57782	Glen Dale	74145-1	9/7/2018	$ (8,718.57)
57839	Glen Dale	2018-01	9/10/2018	$ 901.00
57887	Glen Dale	74145-1	9/11/2018	$ 2,860.00
57899	Glen Dale	R2255	9/11/2018	$ 5,300.00

57900	Glen Dale	R2253	9/11/2018	$ 5,300.00
57933	Triadelphia	75903	9/12/2018	$ 5,300.00
58057	Triadelphia	59440	9/13/2018	$ 13,250.00
58061	Glen Dale	R2792	9/13/2018	$ 13,250.00
58316	Glen Dale	2018-01	9/20/2018	$ (150.15)
58318	Clarington	93012	9/20/2018	$ 9,765.11
58445	Triadelphia	71582	9/25/2018	$ 13,780.00
58511	Glen Dale	R2255	9/26/2018	$ 5,300.00
59213	Glen Dale	R2255	10/23/2018	$ (353.34)
58513	Glen Dale	R2188	9/26/2018	$ 5,300.00
59207	Glen Dale	R2188	10/23/2018	$ (530.01)
58514	Glen Dale	R2253	9/26/2018	$ 5,300.00
59212	Glen Dale	R2253	10/23/2018	$ (353.34)
58669	Glen Dale	79615	9/28/2018	$ 48.96
58734	Triadelphia	70824	10/5/2018	$ 1,272.00
58735	Triadelphia	70824	10/5/2018	$ 1,272.00
58736	Triadelphia	70824	10/5/2018	$ 1,272.00
58737	Triadelphia	70824	10/5/2018	$ 1,272.00
58738	Triadelphia	70824	10/5/2018	$ 1,272.00
58739	Triadelphia	70824	10/5/2018	$ 1,272.00
58740	Triadelphia	70824	10/5/2018	$ 1,272.00
58746	Glen Dale	R2267	10/5/2018	$ 5,300.00
58749	Glen Dale	R1634	10/5/2018	$ 5,300.00
59006	Triadelphia	75903	10/16/2018	$ 5,300.00
59205	Triadelphia	75903	10/23/2018	$ (3,356.73)
59137	Glen Dale	R2792	10/18/2018	$ 13,250.00
58668	Perrysburg	75903	9/28/2019	$ 63.67
59740	Glen Dale	71951	11/6/2018	$ 980.84
59738	Glen Dale	R2255	11/6/2018	$ 980.84
59739	Glen Dale	R2253	11/6/2018	$ 980.84
59729	Triadelphia	59440	11/6/2018	$ 13,250.00

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55824
DATE 06/26/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2253	201801	GLEN DALE, WV

QTY	DESCRIPTION	RATE	AMOUNT
1	2017 STEERABLE POLE TRAILER; VIN 4S9SU4020HL188198 RENT 6/22/2018 - 7/21/2018	5,000.00	5,000.00
0.06	WV STATE SALES TAX	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS, PLEASE CALL 877-773-2202.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55639
DATE 06/28/2018

TERMS Net 30

JOB NUMBER
2018-01

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
BED ONLY OFF 223442	1	850.00	850.00
WV STATE SALES TAX	0.06	850.00	51.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS, PLEASE CALL 877-773-2202.

BALANCE DUE **$901.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 65884
DATE 07/11/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID SHACK: S/N SR017 RENT 06/29/2018 - 07/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive.
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55885
DATE 07/11/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR016 RENT 06/29/2018 - 07/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
590 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55886
DATE 07/11/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK S/N SR015 RENT 06/29/2018 - 07/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55887
DATE 07/11/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR013 RENT 06/29/2018 - 07/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55888
DATE 07/11/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK- S/N SR012 RENT 06/29/2018 - 07/28/2018 WV STATE SALES TAX	1 0.06	1,200.00 1,200.00	1,200.00 72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55889
DATE 07/1/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR010 RENT 06/29/2018 - 07/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
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INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 55906
DATE 07/12/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R1634	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2016 STEERABLE POLE TRAILER: VIN 4S9SU4029GL38134	1	5,000.00	5,000.00
RENT 06/30/2018 - 07/29/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $5,300.00

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INVOICE # 55912
DATE 07/12/2018

TERMS Net 30

P.O. NUMBER	LOCATION
75903	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER: VIN 4S9SU4026DL188037 RENT 07/08/2018 - 08/06/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56113
DATE 07/19/2018

TERMS Net30

P.O. NUMBER	LOCATION
59440	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
IG100-2 CRAWLER CARRIER WITH SAND BLAST RIG: S/N C80D1136 RENT 07/05/2018 - 08/03/2018	1	12,500.00	12,500.00
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

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INVOICE # 56117
DATE 07/19/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2792	291801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC100.2 CRAWLER CARRIER W/ SAND BLAST RIG: S/N CB001073	1	12,500.00	12,500.00
RENT 07/08/2018 - 08/06/2018			
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE: **$13,250.00**

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INVOICE # 56296
DATE 07/23/2018

TERMS Net 30

P.O. NUMBER
A2267

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER; VIN 4S9SU4822HL188140. RENT 06/29/2018 - 07/28/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56338
DATE 07/24/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2255	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER; VIN 4S9SU4024HL168141	1	5,000.00	5,000.00
RENT 07/22/2018 - 08/20/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $5,300.00

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INVOICE # 56340
DATE 07/24/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2188	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER; VIN: 4S9SU4022HL188137	1	5,000.00	5,000.00
RENT 07/22/2018 - 08/20/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56341
DATE 07/24/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2253	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER; VIN: 4S9SU4020HL186136	1	5,000.00	5,000.00
RENT 07/22/2018 - 08/20/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56397
DATE 07/26/2018

TERMS Net 30

JOB NUMBER
2018-01

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
BED ONLY OFF 223442	1	850.00	850.00
WV STATE SALES TAX	0.06	850.00	51.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$901.00**

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PERRYSBURG, OH 43552

INVOICE # 56446
DATE 07/26/2018

TERMS Net 30

P.O. NUMBER	LOCATION
74145-1	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC-120 CRAWLER CARRIER WITH 12,000 LB SUMMIT CRANE CRANE S/N: L141670 CRAWLER S/N: CE003144 RENT 07/23/2018 - 08/21/2018	1	11,750.00	11,750.00
WV STATE SALES TAX	0.06	11,750.00	705.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$12,455.00**

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INVOICE # 66471
DATE 07/27/2018

TERMS Net 30

P.O. NUMBER	LOCATION
71582	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
MST-3000 MOROOKA; S/N 80182 RENT 07/25/2018 - 08/23/2018	1	13,000.00	13,000.00
WV STATE SALES TAX	0.06	13,000.00	780.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,780.00**

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INVOICE # 56679
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR024 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 55580
DATE 07/31/2018

TERMS Net30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR017 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE: **$1,272.00**

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INVOICE # 56681
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR016 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 56882
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N SR015 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 56683
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR016 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 56684
DATE 07/31/2018
TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N SR012 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE

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INVOICE # 56695
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR010 RENT 07/29/2018 - 08/27/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE

$1,272.00

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INVOICE # 58689
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER	LOCATION
R2267	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU3022HL188140 RENT 07/29/2018 - 08/27/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	6.00	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS!
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56691
DATE 07/31/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R1634	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2018 STEERABLE POLE TRAILER: VIN 4S9SU4029GL88134 RENT 07/30/2018 - 08/28/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

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INVOICE # 56829
DATE 08/07/2018
TERMS Net 30

P.O. NUMBER	LOCATION
75903	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER: VIN 4S9SU4026DL188037 RENT 08/07/2018 - 09/05/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE: **$5,300.00**

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INVOICE # 57012
DATE 08/09/2018

TERMS Net30

P.O. NUMBER
59440

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC100-2 CRAWLER CARRIER WITH SAND BLAST RIG: S/N CB001136 RENT 08/04/2018 - 09/02/2018.	1	12,500.00	12,500.00
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

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INVOICE # 57915
DATE 08/09/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2792	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC100-2 CRAWLER CARRIER W/ SAND BLAST RIG S/N CB001073 RENT 08/07/2018 - 09/05/2018 WV STATE SALES TAX	1 0.06	12,500.00 12,500.00	12,500.00 750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

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INVOICE # 57461
DATE 08/27/2018

TERMS Net 30

P.O. NUMBER	LOCATION
74145-1	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC-120 CRAWLER CARRIER WITH 12,000 LB. SUMMIT CRANE CRANE S/N: L141670 CRAWLER S/N: CB003144 RENT 08/22/2018 - 09/20/2018	1	11,750.00	11,750.00
WV STATE SALES TAX	0.06	11,750.00	705.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$12,455.00**

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INVOICE # 57527
DATE 08/28/2018

TERMS Net 30

P.O. NUMBER	LOCATION
71582	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
MST-3000 MOROOKA; S/N -30182 RENT 08/24/2018 - 09/22/2018	1	13,000.00	13,000.00
WV STATE SALES TAX	0.06	13,000.00	780.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,780.00**

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INVOICE # 57597
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR024 RENT 08/28/2018 - 09/25/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 57598
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N -BR017 RENT 08/28/2018 - 09/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 57599
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N SR016 RENT 08/28/2018 - 09/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 57600
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N SR015 RENT 08/28/2018 - 09/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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PERRYSBURG, OH 43552

INVOICE #: 57903
DATE: 09/29/2018

TERMS: Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK - S/N SR013 RENT 08/28/2018 - 09/26/2018 WV STATE SALES TAX	1 0.06	1,200.00 1,200.00	1,200.00 72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 57604
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR012 RENT 08/28/2018 - 09/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 57605
DATE 08/29/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR010 RENT 08/28/2018 – 09/28/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $1,272.00

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH, 43552

INVOICE # 57734
DATE 08/31/2018

TERMS Net 30

P.O. NUMBER	LOCATION
R2267	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER VIN 4S9SU4022HL188140 RENT 08/29/2018 - 09/26/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
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PERRYSBURG, OH 43552

INVOICE # 57735
DATE 08/31/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R1634	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2016 STEERABLE POLE TRAILER- VIN 4S9SU3029GC88184 RENT 08/29/2018 - 09/27/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

Credit Memo

CREDIT TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 57782
DATE 09/07/2016

P.O. NUMBER
74145-1

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC-120 CRAWLER CARRIER WITH 12, 000 LB. SUMMIT CRANE CRANE S/N: L141670 CRAWLER S/N: CB003144 CREDIT RENT 08/31/2016 - 09/20/2016 APPLIES TO INVOICE 57461	21	391.67	8,225.07
WV STATE SALES TAX	0.06	8,225.07	493.50

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT **$8,718.57**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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INVOICE # 57839
DATE 09/10/2018

TERMS Net 30

JOB NUMBER
2018-01

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
BED ONLY OFF 223442	1	850.00	850.00
WV STATE SALES TAX	0.06	850.00	51.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $901.00

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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INVOICE

BILL TO
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P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 57887
DATE 09/11/2018

TERMS Net 30

P.O. NUMBER
75145-1

LOCATION
ELIZABETHTOWN, KY

DESCRIPTION	QTY	RATE	AMOUNT
HAUL IC-120 CRAWLER CARRIER; S/N CB003144 FBC ON 08/31/2018 FROM GLEN DALE, WV TO ELIZABETHTOWN, KY	1	2,860.00	2,860.00
SALES TAX	0	2,860.00	0.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$2,860.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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INVOICE

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WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 57899
DATE 09/11/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2255	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4024HL188141 RENT 08/21/2018 - 09/19/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
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PERRYSBURG, OH 43552

INVOICE # 57800
DATE 09/11/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
F2253	201601	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER; VIN 499SU4020HL188706	1	5,000.00	5,000.00
RENT 08/21/2018 - 09/19/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
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INVOICE

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PERRYSBURG, OH 43552

INVOICE # 57933
DATE 09/12/2018

TERMS Net 60

P.O. NUMBER	LOCATION
75903	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER; VIN: 4S9SU4026DL188037 RENT 09/06/2018 - 10/05/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE = **$5,300.00**

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INVOICE

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PERRYSBURG, OH 43552

INVOICE # 58057
DATE 09/13/2018

TERMS Net 30

P.O. NUMBER
59440

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
JC100-2 CRAWLER CARRIER WITH SAND BLAST RIG; S/N C6001186 RENT 09/03/2018 - 10/02/2018	1	12,500.00	12,500.00
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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(979) 690-9509

INVOICE

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PERRYSBURG, OH 43552

INVOICE # 58061
DATE 09/13/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2792	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC100-2 CRAWLER CARRIER W/ SAND BLAST RIG: S/N QB001073 RENT 09/06/2018 - 10/05/2018	1	12,500.00	12,500.00
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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Credit Memo

CREDIT TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 58316
DATE 09/20/2018

JOB NUMBER
2018-01

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
BED ONLY OFF 223442	5	28.33	141.65
CREDIT RENT 09/19/2018 - 09/28/2018			
APPLIES TO INVOICE 57839			
WV STATE SALES TAX	0.06	141.65	8.50

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT **$150.15**

SEMI
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500 Davenport Drive
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INVOICE

BILL TO
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P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58318
DATE 09/20/2018

TERMS Net 30

P.O. NUMBER
93012

LOCATION
CLARINGTON, OH

DESCRIPTION	QTY	RATE	AMOUNT
800X150X86	1	8,000.00	8,000.00
SHIPPING AND HANDLING	1	1,105.00	1,105.00
CLARINGTON, OH SALES TAX	0.0725	9,105.00	660.11

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$9,765.11**

SUNBELT EQUIPMENT MARKETING, INC.
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(979) 690-9509

INVOICE

BILL TO
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PERRYSBURG, OH 43552

INVOICE # 58445
DATE 09/25/2018

TERMS Net 30

P.O. NUMBER	LOCATION
71582	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
MST-3000 MOROOKA: S/N 30182 RENT 09/23/2018 - 10/22/2018	1	13,000.00	13,000.00
WV STATE SALES TAX	0.06	13,000.00	780.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,780.00**

SUNBELT EQUIPMENT MARKETING, INC.
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INVOICE

BILL TO
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PERRYSBURG, OH 43552

INVOICE # 58511
DATE 09/26/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2255	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN: 4S9SU4024HL188141	1	5,000.00	5,000.00
RENT 09/20/2018 - 10/19/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
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Credit Memo

CREDIT TO

WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 59213
DATE 10/23/2018

P.O. NUMBER	JOB NUMBER	LOCATION
R2255	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4024HL188141 CREDIT RENT 10/18/2018 - 10/19/2018 APPLIES TO INVOICE 56511	2	166.67	333.34
WV STATE SALES TAX	0.06	333.34	20.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT **$353.34**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

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PERRYSBURG, OH 43552

INVOICE # 58513
DATE 09/26/2018

TERMS Net30

P.O. NUMBER	JOB NUMBER	LOCATION
R2188	201881	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4022HL188137	1	5,000.00	5,000.00
RENT 09/20/2018 - 10/19/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX. 77845
(979) 690-9509

Credit Memo

CREDIT TO

WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 59207
DATE 10/23/2018

P.O. NUMBER	JOB NUMBER	LOCATION
R2188	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN: 4S9SU4022HL188137	3	166.67	500.01
CREDIT RENT 10/17/2018 - 10/19/2018			
APPLIES TO INVOICE 58513			
WV STATE SALES TAX	0.06	500.01	30.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT $530.01

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

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WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58514
DATE 09/26/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2253	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4020HL188136 RENT 09/20/2018 - 10/19/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
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Credit Memo

CREDIT TO

WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 59212
DATE 10/23/2018

P.O. NUMBER	JOB NUMBER	LOCATION
R2253	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4020HL188136	2	166.67	333.34
CREDIT RENT 10/19/2018 - 10/19/2018			
APPLIES TO INVOICE 58514			
WV STATE SALES TAX	0.06	333.34	20.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT **$353.34**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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INVOICE

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PERRYSBURG, OH 43552

INVOICE # 58669
DATE 09/28/2018

TERMS Net 30

P.O. NUMBER	LOCATION
79615	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER; VIN: 4S9SU402DL188087			
REPLACEMENT DECAL LOST	1	3.33	3.33
OVERNIGHT SHIPPING AND HANDLING	1	42.86	42.86
WV STATE SALES TAX	0.06	46.19	2.77

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$48.96**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58734
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK - SN SR024 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 38735
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N SR017 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
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P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58736
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR016 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $1,272.00

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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INVOICE

BILL TO
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P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58737
DATE 10/05/2018

TERMS Net30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK; S/N: SR015 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE

BILL TO
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PERRYSBURG, OH 43552

INVOICE # 58738
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR013 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SUNBELT EQUIPMENT MARKETING, INC.
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INVOICE

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PERRYSBURG, OH 43552

INVOICE # 58739
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER	LOCATION
70824	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR012 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

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INVOICE # 58740
DATE 10/05/2018
TERMS Net 30

P.O. NUMBER
70824

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
SKID RACK: S/N SR010 RENT 09/27/2018 - 10/26/2018	1	1,200.00	1,200.00
WV STATE SALES TAX	0.06	1,200.00	72.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$1,272.00**

SEMI
SUNBELT EQUIPMENT MARKETING, INC.

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600 Davenport Drive
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INVOICE

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PERRYSBURG, OH 43552

INVOICE # 56746
DATE 10/05/2018

TERMS Net 30

P.O. NUMBER
R2267

LOCATION
GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2017 STEERABLE POLE TRAILER: VIN 4S9SU4022HL188170 RENT 09/27/2018 - 10/26/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SEMI
SUNBELT EQUIPMENT MARKETING, INC.

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500 Davenport Drive
College Station, TX 77845
(979) 690-9509

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PERRYSBURG, OH 43552

INVOICE # 58749
DATE 10/05/2018

TERMS Net 30.

P.O. NUMBER	JOB NUMBER	LOCATION
R1634	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
2018 STEERABLE POLE TRAILER VIN 4S9SU4029GL881134 RENT 09/23/2018 - 10/27/2018	1	5,000.00	5,000.00
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
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(979) 690-9509

INVOICE

BILL TO
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P.O BOX 470
PERRYSBURG, OH 43552

INVOICE # 59006
DATE 10/15/2018

TERMS Net 30

P.O. NUMBER	LOCATION
75903	TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER: VIN 4S9SU4026DL166037	1	5,000.00	5,000.00
RENT 10/06/2018 - 11/04/2018			
WV STATE SALES TAX	0.06	5,000.00	300.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$5,300.00**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

Credit Memo

CREDIT TO

WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

CREDIT # 59205
DATE 10/23/2018

P.O. NUMBER
75908

LOCATION
TRIADELPHIA, WV

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER; VIN 4S9SU4026DL188037	19	166.67	3,166.73
CREDIT RENT 10/17/2018 - 11/04/2018			
APPLIES TO INVOICE 59606			
WV STATE SALES TAX	0.06	3,166.73	190.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

TOTAL CREDIT **$3,356.73**

SEMI
SUNBELT EQUIPMENT MARKETING, INC.

SUNBELT EQUIPMENT MARKETING, INC.
590 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 59137
DATE 10/18/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2792	201801	GLEN DALE, WV

DESCRIPTION	QTY	RATE	AMOUNT
IC100-2 CRAWLER CARRIER W/ SAND BLAST RIG: S/N CB001073	1	12,500.00	12,500.00
RENT 10/06/2018 - 11/04/2018			
WV STATE SALES TAX	0.06	12,500.00	750.00

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$13,250.00**

SEMI
SUNBELT EQUIPMENT MARKETING, INC.

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 58668
DATE 09/28/2019

TERMS Net 30

P.O. NUMBER
75903

LOCATION
PERRYSBURG, OH

DESCRIPTION	QTY	RATE	AMOUNT
2013 STEERABLE POLE TRAILER: VIN 4S9SU4926DL188037			
REPLACEMENT LICENSE TAG & DECAL LOST	1	16.25	16.25
OVERNIGHT SHIPPING AND HANDLING	1	43.39	43.39
PERRYSBURG, OH SALES TAX	0.0675	59.64	4.03

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$63.67**

SEMI
SUNBELT EQUIPMENT MARKETING, INC.

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 59746
DATE 11/06/2018

TERMS Net 30

P.O. NUMBER	LOCATION
71951	LOUISVILLE, MS

DESCRIPTION	QTY	RATE	AMOUNT
HAUL 2018 STEERABLE POLE TRAILER: VIN 4S9SU4020GL188135 ON 10/20/2018 FROM GLEN DALE, WV TO LOUISVILLE, MS	1	916.67	916.67
MISSISSIPPI STATE SALES TAX	0.07	916.67	64.17

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$980.84**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 476
PERRYSBURG, OH 43552

INVOICE # 59738
DATE 11/06/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2255	20180T	LOUISVILLE, MS

DESCRIPTION	QTY	RATE	AMOUNT
HAUL 2017 STEERABLE POLE TRAILER: VIN 4S9SU4024HL188141 ON 10/20/2018 FROM GLEN DALE, WV TO LOUISVILLE, MS	1	916.67	916.67
MISSISSIPPI STATE SALES TAX	0.07	916.67	64.17

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE **$980.84**

SUNBELT EQUIPMENT MARKETING, INC.
500 Davenport Drive
College Station, TX 77845
(979) 690-9509

INVOICE

BILL TO
WELDED CONSTRUCTION
P O BOX 470
PERRYSBURG, OH 43552

INVOICE # 59739
DATE 11/06/2018

TERMS Net 30

P.O. NUMBER	JOB NUMBER	LOCATION
R2253	201801	LOUISVILLE, MS

DESCRIPTION	QTY	RATE	AMOUNT
HAUL 2017 STEERABLE POLE TRAILER: VIN 4S9SU4020HL188136 ON 10/20/2018 FROM GLEN DALE, WY TO LOUISVILLE, MS	1	916.67	916.67
MISSISSIPPI STATE SALES TAX	0.07	916.67	64.17

THANK YOU FOR YOUR BUSINESS.
IF YOU HAVE ANY QUESTIONS,
PLEASE CALL (979) 690-9509.

BALANCE DUE $980.84

Wetzel County
Carol S Haught, Clerk
Instrument 262243
01/22/2019 @ 01:17:51 PM
MECHANICS LIEN
Book 7 @ Page 153
Pages Recorded 94
Recording Cost $ 109.00

EXHIBIT 3

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: WELDED CONSTRUCTION, L.P., *et al.*,[1] Debtors.	CHAPTER 11 Case No. 18-12378 (KG) (Jointly Administered) Re: D.I. 823

ORDER GRANTING SUNBELT EQUIPMENT MARKETING, INC.'S MOTION FOR RELIEF FROM AUTOMATIC STAY

Upon consideration of Sunbelt Equipment Marketing, Inc. ("SEMI") Motion for Relief from Automatic Stay pursuant to 11 U.S.C. § 362 (D.I. 823) (the "Motion") seeking relief to file an action to preserve and enforce SEMI's mechanic's liens as to the real property in West Virginia that is the subject of the Mountaineer Express Pipeline Project, on which Welded Construction, L.P. (the "Debtor") was general contractor but is not the property owner; due and adequate notice of the Motion having been given under the circumstances and no other or further notice is required; and the Court finding that the Motion provides sufficient cause it is hereby ORDERED:

1. That the Motion is granted set forth herein.

2. SEMI is hereby granted relief from the Automatic Stay of 11 U.S.C. § 362(a) only to the extent required to permit SEMI to commence an action in a court of competentjurisdiction, and to name debtor Welded Construction, L.P. as a nominal defendant therein, to enforce and/or foreclose SEMI's asserted mechanic's liens rights and remedies, including, but not limited to commencing and pursuing to completion any necessary mechanic's lien action, with respect to the

[1] The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

Mountaineer Express Pipeline Project (the "Project") located in West Virginia, provided however, that, once an action is filed to enforce and/or foreclose SEMI's lien rights (the "Action"), the Action shall be stayed immediately after its filing for a period of not less than 90 days from the commencement of the Action, and after the expiration of such 90-day period, SEMI shall be permitted to recommence the Action without further order of this Court.

3. SEMI shall take no further action against property of the Debtors' estates absent further order from this Court.

4. SEMI is further granted relief from the automatic stay of 11 U.S.C. § 362(a) to permit it to seek recovery against the owner(s) of the real property interests on which the Project was constructed in West Virginia.

5. The Debtors are authorized and directed to take any actions necessary to implement the relief granted in this Order.

6. This Order shall be enforceable against and binding upon all successors in interest and assigns of the parties.

7. Nothing herein waives any party's rights to defend against or challenge standing, forum, or venue in any subsequent disputes (including lien issues), and all parties' rights are reserved.

8. Notwithstanding the terms of Rules 4001(a)(3) and 9006(c) of the Federal Rules of Bankruptcy Procedure, the terms of this Order shall be immediately effective and enforceable upon entry and this Order is not stayed.

9. This Court retains authority to implement, interpret, and enforce this Order.

Dated: July 16th, 2019
Wilmington, Delaware

KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

Plaintiff: Sunbelt Equipment Marketing, Inc., et al **Case Number:** 19-C-186 (C)

vs.

Defendant: Columbia Gas Transmission, LLC, et al

CIVIL CASE INFORMATION STATEMENT
DEFENDANT(S) CONTINUATION PAGE

TransCanada USA Services Inc
Defendant's Name
209 West Washington Street
Street Address
Charleston, WV 25302
City, State, Zip Code
Days to Answer: 30
Type of Service: Via Secretary of State

Welded Construction, LP
Defendant's Name
209 West Washington Street
Street Address
Charleston, WV 25302
City, State, Zip Code
Days to Answer: 30
Type of Service: Via Secretary of State

Defendant's Name
Street Address
City, State, Zip Code
Days to Answer: _____
Type of Service: _____

Defendant's Name
Street Address
City, State, Zip Code
Days to Answer: _____
Type of Service: _____

Defendant's Name
Street Address
City, State, Zip Code
Days to Answer: _____
Type of Service: _____

Defendant's Name
Street Address
City, State, Zip Code
Days to Answer: _____
Type of Service: _____

Defendant's Name
Street Address
City, State, Zip Code
Days to Answer: _____
Type of Service: _____

IN THE CIRCUIT COURT OF MARSHALL **COUNTY, WEST VIRGINIA**

CIVIL CASE INFORMATION STATEMENT
(Civil Cases Other than Domestic Relations)

I. CASE STYLE:

Case No. 19-C-186

Judge: Cramer

Plaintiff(s)

Sunbelt Equipment Marketing, Inc.,

Texas Corporation

vs.

Days to Answer 30

Type of Service via Secretary of State

Defendant(s)

Columbia Gas Transmission, LLC

Name

Delaware limited liability company

Street Address

209 West Washington St. Charleston, WV 25302

City, State, Zip Code

2019 JUL 19 PM 12:

II. TYPE OF CASE:

- [x] General Civil
- [ ] Mass Litigation *[As defined in T.C.R. 26.04(a)]*
  - [ ] Asbestos
  - [ ] FELA Asbestos
  - [ ] Other: _____
- [ ] Habeas Corpus/Other Extraordinary Writ
- [ ] Other: _____
- [ ] Adoption
- [ ] Administrative Agency Appeal
- [ ] Civil Appeal from Magistrate Court
- [ ] Miscellaneous Civil Petition
- [ ] Mental Hygiene
- [ ] Guardianship
- [ ] Medical Malpractice

III. JURY DEMAND: [x] Yes [ ] No CASE WILL BE READY FOR TRIAL BY (Month/Year): 02 / 2020

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS?

[ ] Yes [x] No

IF YES, PLEASE SPECIFY:

- [ ] Wheelchair accessible hearing room and other facilites
- [ ] Reader or other auxiliary aid for the visually impaired
- [ ] Interpreter or other auxiliary aid for the deaf and hard of hearing
- [ ] Spokesperson or other auxiliary aid for the speech impaired
- [ ] Foreign language interpreter-specify language: _____
- [ ] Other: _____

Attorney Name: Charles Hughes

Firm: Bowles Rice LLP

Address: 600 Quarrier Street, Charleston, WV 25301

Telephone: (304) 347-1160

Representing:

- [x] Plaintiff
- [ ] Defendant
- [ ] Cross-Defendant
- [ ] Cross-Complainant
- [ ] 3rd-Party Plaintiff
- [ ] 3rd-Party Defendant

[ ] **Proceeding Without an Attorney**

Original and [ ] copies of complaint enclosed/attached.

Dated: 07 / 19 / 2019 Signature: Charles R. Hughes

SCA-C-100: Civil Case Information Statement (Other than Domestic Relations) Revision Date: 12/2015

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

2019 JUL 19 PM 12:23

MOTION FOR STAY

Plaintiff Sunbelt Equipment Marketing, Inc. ("SEMI") hereby moves the Court for a stay of proceedings in this case for a period of not less than 90 days from the commencement of this action.

On October 22, 2018, Nominal Defendant Welded Construction, LP ("Welded") and its affiliated debtors filed petitions for relief under Chapter 11 of the Bankruptcy Code (Case number 18-12378 (KG)) in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"). Accordingly, Welded is afforded certain protections pursuant to the automatic stay provided by 11 U.S.C. § 362(a) (the "Automatic Stay"). Welded, however, is also

an indispensable party to the enforcement of the Mechanic's Lien, being one of the claims set out in the underlying Complaint filed by SEMI.

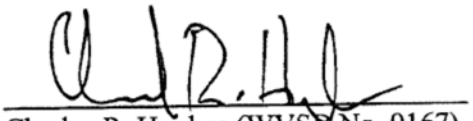
Pursuant to West Virginia law, Sunbelt has a limited time to commence action to enforce and/or foreclose its Mechanic's Lien. Accordingly, on July 3, 2019, Sunbelt perfected its Mechanics Lien with the Bankruptcy Court pursuant to 11 U.S.C. § 546(b), by filing a "Notice of Perfection, Continuance and Maintenance of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)", notwithstanding the Automatic Stay, to estop Welded and other parties in interest from claiming that any lawsuit to foreclose said Mechanics Lien was not timely commenced pursuant to West Virginia Civil Code § 38-2-34.

On July 5, 2019, SEMI sought relief from the Automatic Stay by filing a "Motion for Relief from Automatic Stay" with the Bankruptcy Court for purposes of commencing this action to enforce and preserve its Mechanic's Lien and all lien rights under West Virginia law (the "Motion").

On July 16, 2019, the Bankruptcy Court entered an order granting the Motion, but only to the extent required to permit SEMI to commence this action naming Welded as a nominal defendant, and seeking to enforce and/or foreclose upon SEMI's asserted mechanic's lien rights and remedies, including, but not limited to commencing and pursing to completion this mechanic's lien action; subject to the provision, however, that, pursuant to section 362 of the Bankruptcy Code, this action is to be stayed immediately after its filing for a period of not less than 90 days from the commencement of this action, and after the expiration of such 90 day period, SEMI shall be permitted to recommence this action without further order of the Bankruptcy Court. A copy of the Relief Order is attached hereto as **Exhibit 1**, and is incorporated herein by reference.

WHEREFORE, Plaintiff Sunbelt Equipment Marketing, Inc. respectfully requests this Court enter an order granting Plaintiff's Motion for Stay providing that (i) this action be stayed immediately for a period of not less than 90 days from its commencement; and (ii) upon and after the expiration of such 90-day period, SEMI be permitted to recommence this action.

SUNBELT EQUIPMENT MARKETING, INC.
By Counsel



Charles R. Hughes (WVSB No. 9167)
Bowles Rice LLP
600 Quarrier Street
Charleston, West Virginia 25301
Phone: 304-347-1100
Email: chughes@bowlesrice.com

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,
v.

Civil Action No. _____
The Honorable _____

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

ORDER STAYING CIVIL ACTION

This Court, having considered Plaintiff's Motion for Stay, hereby ORDERS that this civil action is STAYED for a period of ninety (90) days from the date of the commencement of this action.

The Clerk of this Court is directed to provide copies of this Order to all counsel, or parties, of record.

ENTER this _____ day of July, 2019.

_____
The Honorable _____

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,
v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

2019 JUL 19 PM 12:23

CERTIFICATE OF SERVICE

I, Charles R. Hughes, counsel for plaintiff, do hereby certify that I have caused a copy of the attached MOTION FOR STAY to be served upon the following parties via the Office of the West Virginia Secretary of State and by United States Mail, via certified delivery, on this 15th day of July, 2019:

Columbia Gas Transmission, LLC
via West Virginia Secretary of State:
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

with a copy, via U.S. Certified Mail, to:
Columbia Gas Transmission, LLC
700 Louisiana Street, Ste. 700
ATTN: CORPORATE SECRETARY
Houston, TX 77002

Welded Construction, LP
via West Virginia Secretary of State:
c/o CT Corporation System
5400 D Big Tyler Road
Charleston, WV 25313

with a copy, via U.S. Certified Mail, to:
Welded Construction, LP
26933 Eckel Road
Perrysburg, OH 43551

TransCanada USA Services Inc
via West Virginia Secretary of State:
c/o Corporation Service Company
209 W. Washington Street
Charleston, WV 25302

with a copy, via U.S. Certified Mail, to:
TransCanada USA Services Inc
700 Louisiana Street, Ste. 700
ATTN: CORPORATE SECRETARY
Houston, TX 77002

Charles R. Hughes (WVSB No. 9167)

EXHIBIT 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: WELDED CONSTRUCTION, L.P., *et al.*,[1] Debtors.	CHAPTER 11 Case No. 18-12378 (KG) (Jointly Administered) Re: D.I. 823

ORDER GRANTING SUNBELT EQUIPMENT MARKETING, INC.'S MOTION FOR RELIEF FROM AUTOMATIC STAY

Upon consideration of Sunbelt Equipment Marketing, Inc. ("SEMI") Motion for Relief from Automatic Stay pursuant to 11 U.S.C. § 362 (D.I. 823) (the "Motion") seeking relief to file an action to preserve and enforce SEMI's mechanic's liens as to the real property in West Virginia that is the subject of the Mountaineer Express Pipeline Project, on which Welded Construction, L.P. (the "Debtor") was general contractor but is not the property owner; due and adequate notice of the Motion having been given under the circumstances and no other or further notice is required; and the Court finding that the Motion provides sufficient cause it is hereby ORDERED:

1. That the Motion is granted set forth herein.

2. SEMI is hereby granted relief from the Automatic Stay of 11 U.S.C. § 362(a) only to the extent required to permit SEMI to commence an action in a court of competentjurisdiction, and to name debtor Welded Construction, L.P. as a nominal defendant therein, to enforce and/or foreclose SEMI's asserted mechanic's liens rights and remedies, including, but not limited to commencing and pursuing to completion any necessary mechanic's lien action, with respect to the

[1] The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

Mountaineer Express Pipeline Project (the "Project") located in West Virginia, provided however, that, once an action is filed to enforce and/or foreclose SEMI's lien rights (the "Action"), the Action shall be stayed immediately after its filing for a period of not less than 90 days from the commencement of the Action, and after the expiration of such 90-day period, SEMI shall be permitted to recommence the Action without further order of this Court.

3. SEMI shall take no further action against property of the Debtors' estates absent further order from this Court.

4. SEMI is further granted relief from the automatic stay of 11 U.S.C. § 362(a) to permit it to seek recovery against the owner(s) of the real property interests on which the Project was constructed in West Virginia.

5. The Debtors are authorized and directed to take any actions necessary to implement the relief granted in this Order.

6. This Order shall be enforceable against and binding upon all successors in interest and assigns of the parties.

7. Nothing herein waives any party's rights to defend against or challenge standing, forum, or venue in any subsequent disputes (including lien issues), and all parties' rights are reserved.

8. Notwithstanding the terms of Rules 4001(a)(3) and 9006(c) of the Federal Rules of Bankruptcy Procedure, the terms of this Order shall be immediately effective and enforceable upon entry and this Order is not stayed.

9. This Court retains authority to implement, interpret, and enforce this Order.

Dated: July 16th, 2019
Wilmington, Delaware

KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

FILED
2019 JUL 29 PM 1:46

Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

JOSEPH M. RUCKI
Marshall County Courthouse
600 7th Street
Moundsville, WV 26041-2129

Control Number: 242738

Defendant: TRANSCANADA USA SERVICES INC.
209 West Washington Street
Charleston, WV 25302 US

Agent: Corporation Service Company

County: Marshall

Civil Action: 19-C-186

Certified Number: 92148901125134100002557048

Service Date: 7/26/2019

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in the name and on behalf of your corporation.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in the name and on behalf of your corporation as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, ***not to the Secretary of State's office.***

Sincerely,

Mac Warner

Mac Warner
Secretary of State

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

FILED
2019 JUL 26 A 10:55
CIRCUIT CLERK
MARSHALL COUNTY, WEST VIRGINIA

To the above-named Defendant: **TransCanada USA Services Inc.**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Rucki / S. McLaughlin
Clerk of Court

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-184
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

2019 JUL 19 PM 12:32

COMPLAINT

COMES NOW Plaintiff Sunbelt Equipment Marketing, Inc., by counsel, Charles R. Hughes and the law firm of Bowles Rice LLP, and for its Complaint against Defendants Columbia Gas Transmission, LLC, and TransCanada USA Services Inc, and Nominal Defendant Welded Construction, LP, states as follows:

PARTIES

1. Plaintiff, Sunbelt Equipment Marketing, Inc. ("SEMI"), is a Texas corporation having a principal office address of 500 Davenport , College Station, Texas 77845.

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

FILED

2019 JUL 29 PM 1:48

Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

JOSEPH M. RUCKI
Marshall County Courthouse
600 7th Street
Moundsville, WV 26041-2129

Control Number: 242740

Defendant: COLUMBIA GAS TRANSMISSION, LLC
209 West Washington Street
Charleston, WV 25302 US

Agent: Corporation Service Company

County: Marshall

Civil Action: 19-C-186

Certified Number: 92148901125134100002557062

Service Date: 7/26/2019

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, ***not to the Secretary of State's office.***

Sincerely,

Mac Warner

Mac Warner
Secretary of State

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

2019 JUL 26 A 10:55

To the above-named Defendant: **Columbia Gas Transmission, LLC**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **30** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Rucki / S. McLaughlin
Clerk of Court

11140379.1

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

COMPLAINT

COMES NOW Plaintiff Sunbelt Equipment Marketing, Inc., by counsel, Charles R. Hughes and the law firm of Bowles Rice LLP, and for its Complaint against Defendants Columbia Gas Transmission, LLC, and TransCanada USA Services Inc, and Nominal Defendant Welded Construction, LP, states as follows:

PARTIES

1. Plaintiff, Sunbelt Equipment Marketing, Inc. ("SEMI"), is a Texas corporation having a principal office address of 500 Davenport , College Station, Texas 77845.

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305

2019 JUL 29 PM 1:48

Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

JOSEPH M. RUCKI
Marshall County Courthouse
600 7th Street
Moundsville, WV 26041-2129

Control Number: 242739

Defendant: WELDED CONSTRUCTION, LP
1627 QUARRIER ST.
CHARLESTON, WV 25311-2124 US

Agent: C. T. Corporation System

County: Marshall

Civil Action: 19-C-186

Certified Number: 92148901125134100002557055

Service Date: 7/26/2019

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, ***not to the Secretary of State's office.***

Sincerely,

Mac Warner

Mac Warner
Secretary of State

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

To the above-named Defendant: **Welded Construction, LP**
209 West Washington Street
Charleston, West Virginia 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon Charles R. Hughes, plaintiff's attorney, whose address is 600 Quarrier Street, P. O. Box 1386, Charleston, West Virginia 25325-1386, an answer, including any related counterclaim you may have, to the Complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within **30** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: 7/22/19

CIRCUIT COURT, MARSHALL COUNTY, WEST VIRGINIA

Joseph M. Rucki/S. McLaughlin
Clerk of Court

11140337.1

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

SUNBELT EQUIPMENT MARKETING, INC.,
a Texas corporation,

Plaintiff,

v.

Civil Action No. 19-C-186
The Honorable Cramer

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company, and
TRANSCANADA USA SERVICES INC,
a Delaware corporation,

Defendants,

and

WELDED CONSTRUCTION, LP,
a Delaware limited partnership,

Nominal Defendant.

COMPLAINT

COMES NOW Plaintiff Sunbelt Equipment Marketing, Inc., by counsel, Charles R. Hughes and the law firm of Bowles Rice LLP, and for its Complaint against Defendants Columbia Gas Transmission, LLC, and TransCanada USA Services Inc, and Nominal Defendant Welded Construction, LP, states as follows:

PARTIES

1. Plaintiff, Sunbelt Equipment Marketing, Inc. ("SEMI"), is a Texas corporation having a principal office address of 500 Davenport , College Station, Texas 77845.

EXHIBIT
B

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re: **WELDED CONSTRUCTION, L.P., *et al.*,[1]** **Debtors.**	**Chapter 11** **Case No. 18-12378 (KG)** **(Jointly Administered)** **Re: Dkt. No. 951**

UNOPPOSED ORDER UNDER 28 U.S.C. § 1452 AND FED. R. BANKR. P. 9006(b) AND 9027 EXTENDING THE DEADLINE TO FILE NOTICES OF REMOVAL OF CIVIL CLAIMS

Upon the Unopposed Motion ("Motion") of Columbia Gas Transmission, LLC, and TransCanada USA Services Inc (collectively, the "CGT Entities"), for an order under 28 U.S.C. § 1452 and Rules 9006(b) and 9027 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") extending the deadline by which they may file notices of removal under Bankruptcy Rule 9027(a); and the Court having reviewed the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware,* dated February 29, 2012; and the Court having found that the decision to extend the subject removal deadline is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due

[1] The Debtors in these Chapter 11 cases are Welded Construction, L.P. and Welded Construction Michigan, LLC.

deliberation thereon; and the Court having determined that there is good and sufficient cause for the relief granted in this order, it is hereby **ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is GRANTED, as set forth herein.

2. All objections to entry of this Order, to the extent not withdrawn or settled, are overruled.

3. The time period provided in Bankruptcy Rule 9027(a)(3) by which each of the Columbia Entities may remove the STEC Actions and the SEMI Actions, shall be and hereby is extended to November 25, 2019.

4. Further, the Court accepts the stipulation of STEC and SEMI that, in regard to the STEC Actions and the SEMI Actions, STEC and SEMI waive any challenge or objection to removal on the grounds of being untimely, provided that such notice of removal is filed on or before November 25, 2019; however, all other defenses to removal (except for timeliness) are reserved and preserved.

5. Each of the CGT Entities may seek other and further relief based upon or related to such removals not later than November 25, 2019, including but not limited to filing of motions to fix venue with the District Court and related items.

6. STEC and SEMI are directed to file certified copies of this Order with the Clerk of Court for each of the respective STEC Actions and SEMI Actions.

7. Any and all defenses of the CGT Entities in and to the underlying actions addressed herein are fully reserved and preserved, including those related to insufficient or ineffective service of process in the STEC Actions and the SEMI actions.

8. Each of the CGT Entities is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

9. This Order is without prejudice to the right of each of the CGT Entities and the Debtor to seek additional extensions of the removal deadlines, further enlargements of removal time periods, and other relief related to the provisions hereof.

[*Remainder of Page Intentionally Left Blank*]

10. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: September 19th, 2019
Wilmington, Delaware

KEVIN GROSS
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT
C

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling

EARTH PIPELINE SERVICES, INC.,

Plaintiff,

v.

Civil Action No. 5:19-CV-172
Judge Bailey

COLUMBIA GAS TRANSMISSION, LLC,

Defendant.

ORDER TRANSFERRING CASE

Pending before this Court are the Motion to Transfer Venue filed by Columbia Gas Transmission, LLC ("Columbia") [Doc. 11] and Plaintiff, Earth Pipeline Services, Inc.'s Motion for Reconsideration and/or Clarification of May 21, 2019 Order of Court [Doc. 13].

In the first Motion, Columbia seeks to have this action transferred to the United States Bankruptcy Court for the District of Delaware where the bankruptcy matter of Welded Construction, L.P. is being administered. In the second Motion, Earth Pipeline essentially requests clarification of the basis of this Court's assumption of jurisdiction.

With respect to the latter Motion, one of the bases cited by Columbia in removing this case from the Circuit Court of Wetzel County, West Virginia, was under this Court's diversity jurisdiction. No party has sought to question the assertion of diversity jurisdiction by seeking a remand on the basis that diversity does not exist. Accordingly, this Court is exercising jurisdiction, at least, under 28 U.S.C. § 1332.

Turning to the Motion seeking transfer to the Delaware bankruptcy court, this Motion turns upon resolution of the issue of whether the present action is "related to" the

bankruptcy case of Welded Construction, L.P.

"The Fourth Circuit has adopted the test set forth in ***Pacor, Inc. v. Higgins***, 743 F.2d 984 (3d Cir. 1984), for determining whether a civil proceeding 'relates to' a bankruptcy case. *See* ***Owens–Illinois, Inc. v. Rapid American Corp***. (***In re Celotex Corp.***), 124 F.3d 619, 625 (4th Cir. 1997). According to that test:

> [W]hether a civil proceeding is related to bankruptcy is [determined by] **whether the outcome of that proceeding could conceivably have any effect on the estate being administered in bankruptcy**. Thus, the proceeding need not necessarily be against the debtor or against the debtor's property. An action is related to bankruptcy if the outcome could alter the debtor's rights, liabilities, options, or freedom of action (either positively or negatively) and which in any way impacts upon the handling and administration of the bankruptcy estate.

Pacor, 743 F.2d at 994 (emphasis in original) (citations omitted). The Fourth Circuit has construed the ***Pacor*** test broadly, stating that the test 'does not require certain or likely alteration of the debtor's rights, liabilities, options or freedom of action, nor does it require certain or likely impact upon the handling and administration of the bankruptcy estate. The possibility of such alteration or impact is sufficient to confer jurisdiction.' ***In re Celotex Corp.***, 124 F.3d at 626; *see also* ***Nat'l Union Fire Ins. Co. v. Titan Energy, Inc. (In re Titan Energy, Inc.)***, 837 F.2d 325, 330 (8th Cir. 1988) ('[E]ven a proceeding which portends a mere contingent or tangential effect on a debtor's estate meets the broad jurisdictional test articulated in ***Pacor***.')." ***Blanton v. IMN Financial Corp.***, 260 B.R. 257, 261-62 (M.D. N.C. 2001).

This Court finds that this case is related to the Welded Construction bankruptcy. A determination of the amount owed to the plaintiff in the mechanic's lien proceeding could have an effect on the proof of claim filed by the plaintiff in the bankruptcy. *See* ***Siskin Steel & Supply Co., Inc. v. Highland North, LLC***, 2013 WL 23906, *7 (W.D. Pa. Jan. 2, 2013) ("Any recovery by Siskin in the mechanic's lien claim would necessarily reduce Siskin's claim against SIAG in the bankruptcy estate for contribution by the same amount, thus altering the liability of the SIAG bankruptcy estate.") and ***Longchamps Elec., Inc. v. Rothenberg (In re: Wrenn Assoc., Inc.***, 2004 WL 1746117, *4 (D.N.H. July 26, 2004) (bankruptcy court exercised subject-matter jurisdiction over a subcontractor's action to recover under a mechanic's lien statute against a property owner, reasoning that it would "impact [the general contractor's] bankruptcy case because ... a subcontractor's mechanic's lien is only valid to the extent that monies are owed the general contractor," which was the debtor in the bankruptcy case.).

In addition, under the West Virginia mechanic's lien statute, in an action to enforce a subcontractor's lien the general contractor is a proper and necessary party. The failure to make the general contractor a party renders the complaint bad on motion to dismiss. ***Wm. James Sons Co. v. Farley***, 71 W.Va. 173, 76 S.E. 169 (1912); ***Augir v. Warder***, 68 W.Va. 752, 70 S.E. 719 (1911); ***Gist v. Virginia R. Co.***, 79 W.Va. 167, 90 S.E. 554 (1916).

According to 28 U.S.C. § 1412, "A district court may transfer a case or proceeding under title 11 to a district court for another district, in the interest of justice or for the convenience of the parties." 28 U.S.C. § 1412. The court recognizes that change of venue to the District of Delaware may prove less convenient to plaintiff than proceeding in this court, but the interest of justice weighs in favor of such a transfer. *See* ***Irwin v. Beloit***

Corp. (***In re Harnischfeger Indus., Inc.***), 246 B.R. 421, 435 (Bankr. N.D. Ala. 2000) ("Because the criteria under § 1412 is phrased in the disjunctive, the bankruptcy case or proceeding is transferable upon a sufficient showing of either the interest of justice or the convenience of the parties."). Factors cited by courts in determining whether transfer of venue will serve the interests of justice include: (a) the economic administration of the bankruptcy estate; (b) the presumption in favor of trying cases "related to" a bankruptcy case in the court in which the bankruptcy is pending; (c) judicial efficiency; (d) ability to receive a fair trial; (e) the state's interest in having local controversies decided within its borders; (f) enforceability of any judgment rendered; and (g) the plaintiff's original choice of forum. ***Id***. at 435–37. Although the state's interest in deciding local controversies and the plaintiff's original choice of forum favor retaining venue, these factors are outweighed by considerations of consistency, judicial economy, and economic administration of the bankruptcy estate. Requiring the debtor to defend or participate in an action in West Virginia would serve to diminish the bankruptcy estate.

In addition, "many courts presume that the proper venue for a proceeding related to a bankruptcy case is in the district hearing the bankruptcy case. *See* ***Sudbury, Inc. v. Dlott (In re Sudbury)***, 149 B.R. 489, 493 (Bankr. N.D. Ohio 1993) (noting the 'general presumption that all matters involving a bankruptcy should be tried in the court in which the bankruptcy is pending.'); ***Nixon Mach. Co. v. Roy Energy, Inc. (In re Nixon Machinery Co.***), 27 B.R. 871, 873 (Bankr. E.D. Tenn. 1983) (stating that the 'general rule' is that 'the court where the bankruptcy case is pending is the proper venue for all related proceedings within the court's jurisdiction.')." ***Blanton***, *supra* at 267.

This last factor also supports the decision to transfer venue to the District of

Delaware. There is no reason to believe that the ability to receive a fair trial or the enforceability of any judgment rendered would be affected by transferring venue. Consequently, the court finds that in the interest of justice the present action should be transferred to the District of Delaware, from which it can be referred to the bankruptcy court.

For the reasons stated above, the Motion to Transfer Venue filed by Columbia Gas Transmission, LLC ("Columbia") [**Doc. 11**] is **GRANTED IN PART** and Plaintiff, Earth Pipeline Services, Inc.'s Motion for Reconsideration and/or Clarification of May 21, 2019 Order of Court [**Doc. 13**] is **GRANTED**. As a result, this matter is hereby **ORDERED TRANSFERRED** to the District of Delaware.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein and to take all necessary action to execute the transfer.

DATED: June 26, 2019.

JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

EXHIBIT
D

IN THE UNITED STATES DISTRICT COURT
FORT THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling

SCHMID PIPELINE CONSTRUCTION, INC.,

Plaintiff,

v.

Civil Action No. 5:19-CV-257
Judge Bailey

COLUMBIA GAS TRANSMISSION, LLC, and
WELDED CONSTRUCTION, L.P.,

Defendants.

ORDER DENYING SCHMID PIPELINE CONSTRUCTION, INC.'S MOTION TO REMAND AND ABSTAIN [DOC. 10], AND GRANTING COLUMBIA GAS TRANSMISSION'S MOTION FOR PARTIAL DISMISSAL [DOC. 17], AND COLUMBIA GAS TRANSMISSION'S MOTION TO TRANSFER VENUE [DOC. 20]

Pending before this Court are Schmid Pipeline Construction, Inc.'s Motion to Remand and Abstain [Doc. 10], Columbia Gas Transmission's Motion for Partial Dismissal [Doc. 17], and Columbia Gas Transmission's Motion to Transfer Venue [Doc. 20]. This Court will consider the Motions in the order in which they were filed.

Background

1. On or about August 6, 2018, Welded Construction, L.P. ("Welded"), as general contractor, entered into a certain Construction Subcontract (the "Subcontract") with Schmid Pipeline Construction, Inc. ("Schmid" or "Plaintiff") for labor, materials, equipment, and services to be provided and/or performed in connection with the construction of the Mountaineer Express Pipeline Project (the "Project").

2. Between August 10, 2018, and October 19, 2018, Schmid performed work

on the Project. Schmid last performed work on the Project on October 19, 2018.

3. On October 22, 2018, Welded and its affiliated debtors filed petitions for relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware.

4. On January 18, 2019, having not been paid for its work on the Project, Schmid recorded a Notice of Mechanic's Lien dated January 14, 2019, in the Office of the Clerk of the County Commission of Wetzel County, West Virginia at Mechanics Lien Book 7, at page 96, claiming a lien upon Columbia Gas' interest in the Project in the amount of $2,361,914.00.

5. On April 10, 2019, Schmid filed the Motion of Schmid Pipeline Construction, Inc. for Relief from the Automatic Stay in the Bankruptcy Case, requesting relief from the automatic stay of § 362(a) of the Bankruptcy Code, to commence an action to enforce and/or foreclose Schmid's mechanic's lien rights and remedies.

6. In its Motion for Relief from Automatic Stay, Schmid stated that it would not take any action against property of the Debtor's estate, and that Schmid sought to name Welded only as a nominal defendant in the lien action it planned to commence because, under West Virginia state law, when a subcontractor commences an action to enforce and/or foreclose a mechanic's lien, it must name the general contractor as a defendant.

7. On April 26, 2019, the Delaware Bankruptcy Court issued its Order Granting Motion of Schmid Pipeline Construction, Inc. for Relief from the Automatic Stay (the "Relief from Stay Order"), providing that:

> Schmid Pipeline is hereby granted relief from the automatic stay of 11 U.S.C. § 362(a) only to the extent required to permit Schmid Pipeline to commence

> any action, and name debtor Welded Construction, L.P. (the "Debtor") as a nominal defendant, to enforce and/or foreclose Schmid Pipeline's mechanic's lien rights and remedies, including, but not limited to, commencing and pursuing to completion any necessary mechanic's lien action, with respect to the Columbia Gas Mountaineer Express Pipeline Project . . . , located in the county of Wetzel, in the State of West Virginia, provided that, once an action is filed to enforce and/or foreclose Schmid Pipeline's mechanic's lien rights and remedies ("Action"), the Action shall be stayed for 90 days immediately after the commencement of the Action. At the conclusion of such 90 day period, the automatic stay will be finally and irrevocably modified solely to the extent required to permit the parties to prosecute and defend the Action to completion.

8. On August 13, 2019, Schmid initiated an action to, inter alia, enforce and/or foreclose its Mechanic's Lien by filing a Complaint in the Circuit Court of Wetzel County, West Virginia (the "State Court") asserting solely state-law claims against Columbia Gas for (a) the enforcement and/or foreclosure of Schmid Pipeline's Mechanic's Lien pursuant to West Virginia's mechanic's lien statutes, (b) unjust enrichment and (c) quantum meruit.

9. Welded was named as a nominal defendant in the Complaint, but only as to the Mechanic's Lien claim, and no relief was sought against Welded.

10. On August 7, 2019, Columbia Gas filed a Notice of Removal [Doc. 1] with the United States Bankruptcy Court for the Northern District of West Virginia (the "Northern District of West Virginia Bankruptcy Court") asserting that the Northern District of West Virginia Bankruptcy Court had jurisdiction to decide Schmid's claims "pursuant to 28 U.S.C.

§ 1334(b), because this civil action arises in and/or is related to a pending case filed under Title 11, ***In re Welded Construction, L.P.***, Case No. 18-12378 (KG) (Bankr. D. Del.) (Jointly Administered)."

11. By Order entered September 4, 2019, this Court withdrew the reference of this proceeding to the bankruptcy court and assumed jurisdiction of the matter [Doc. 7].

Motion to Remand and Abstain

In seeking remand, Schmid argues (1) there is a question as to whether diversity jurisdiction exists; (2) that the bankruptcy court cannot exercise diversity jurisdiction; and (3) that this matter is not "related to" the action pending in bankruptcy court in Delaware.

This Court finds that none of the arguments should prevail. First, with respect to the issue of diversity jurisdiction, Schmid has pled that is it a Wisconsin corporation with its principal place of business in Wisconsin. Columbia is a limited liability company, organized and existing under the laws of the State of Delaware, having its principal place of business in Texas, and not being a citizen of Wisconsin or West Virginia. As a nominal party, the citizenship of Welded is not relevant. ***Navarro Sav. Ass'n v. Lee***, 446 U.S. 458, 461 (1980); ***Hartford Fire Ins. Co. v. Harleysville Mut. Ins. Co.***, 736 F.3d 255 (4th Cir. 2015); ***Ryan Environmental, Inc. v. Hess Oil Co., Inc.***, 718 F.Supp.2d 719, 723 (N.D. W.Va. 2010) (Keeley, J.). *See* ***Brown v. Jevic***, 575 F.3d 322, 327 (3rd Cir. 2009).

The amount in controversy is clearly met. Accordingly, there is no reason to believe that this Court lacks diversity jurisdiction.

With respect to the argument that a bankruptcy court cannot exercise diversity jurisdiction, the reference has been withdrawn. There is no doubt that the district court has

jurisdiction.

This Court also finds that this matter is "related to" the Welded bankruptcy court. "The Fourth Circuit has adopted the test set forth in ***Pacor, Inc. v. Higgins***, 743 F.2d 984 (3d Cir. 1984), for determining whether a civil proceeding 'relates to' a bankruptcy case. *See* ***Owens–Illinois, Inc. v. Rapid American Corp***. (***In re Celotex Corp.***), 124 F.3d 619, 625 (4th Cir. 1997). According to that test:

> [W]hether a civil proceeding is related to bankruptcy is [determined by] **whether the outcome of that proceeding could conceivably have any effect on the estate being administered in bankruptcy**. Thus, the proceeding need not necessarily be against the debtor or against the debtor's property. An action is related to bankruptcy if the outcome could alter the debtor's rights, liabilities, options, or freedom of action (either positively or negatively) and which in any way impacts upon the handling and administration of the bankruptcy estate.

Pacor, 743 F.2d at 994 (emphasis in original) (citations omitted). The Fourth Circuit has construed the ***Pacor*** test broadly, stating that the test 'does not require certain or likely alteration of the debtor's rights, liabilities, options or freedom of action, nor does it require certain or likely impact upon the handling and administration of the bankruptcy estate. The possibility of such alteration or impact is sufficient to confer jurisdiction.' ***In re Celotex Corp.***, 124 F.3d at 626; *see also* ***Nat'l Union Fire Ins. Co. v. Titan Energy, Inc. (In re Titan Energy, Inc.)***, 837 F.2d 325, 330 (8th Cir. 1988) ('[E]ven a proceeding which portends a mere contingent or tangential effect on a debtor's estate meets the broad

jurisdictional test articulated in ***Pacor***.')." ***Blanton v. IMN Financial Corp.***, 260 B.R. 257, 261-62 (M.D. N.C. 2001).

This Court finds that this case is related to the Welded Construction bankruptcy. A determination of the amount owed to the plaintiff in the mechanics lien proceeding could have an effect on the proof of claim filed by the plaintiff in the bankruptcy. *See* ***Siskin Steel & Supply Co., Inc. v. Highland North, LLC***, 2013 WL 23906, *7 (W.D. Pa. Jan. 2, 2013) ("Any recovery by Siskin in the mechanic's lien claim would necessarily reduce Siskin's claim against SIAG in the bankruptcy estate for contribution by the same amount, thus altering the liability of the SIAG bankruptcy estate.") and ***Longchamps Elec., Inc. v. Rothenberg (In re: Wrenn Assoc., Inc.)***, 2004 WL 1746117, *4 (D.N.H. July 26, 2004) (bankruptcy court exercised subject-matter jurisdiction over a subcontractor's action to recover under a mechanic's lien statute against a property owner, reasoning that it would "impact [the general contractor's] bankruptcy case because ... a subcontractor's mechanic's lien is only valid to the extent that monies are owed the general contractor," which was the debtor in the bankruptcy case.).

For the reasons stated above, Schmid Pipeline Construction, Inc.'s Motion to Remand and Abstain [**Doc. 10**] is **DENIED**.

Motion for Partial Dismissal

In this Motion, Columbia Gas seeks an order dismissing Counts II (unjust enrichment) and III (*quantum meruit*) of the Amended Complaint [Doc. 12]. Schmid's claims for "unjust enrichment" and "quantum meruit" - according to the Complaint's own allegations and exhibits - are based in contract. This Court has made clear that "there can

be no recovery for unjust enrichment if there is an express contract covering the same subject matter." ***Worldwide Machinery L.P. v. Columbia Gas Transmission, LLC***, Civil Action No. 5:19-cv-208, Order Dismissing Compl., Doc. No. 8 (citing ***Case v. Shepherd***, 84 S.E.2d 140, 144 (W. Va. 1954); ***Ohio Valley Health Servs. & Educ. Corp. v. Riley***, 149 F.Supp.3d 709, 720–22 (N.D. W. Va. 2015). Therefore, Counts II and III must be dismissed.

Motion to Transfer Venue

According to 28 U.S.C. § 1412, "A district court may transfer a case or proceeding under title 11 to a district court for another district, in the interest of justice or for the convenience of the parties." 28 U.S.C. § 1412. The court recognizes that change of venue to the District of Delaware may prove less convenient to plaintiff than proceeding in this court, but the interest of justice weighs in favor of such a transfer. *See* ***Irwin v. Beloit Corp. (In re Harnischfeger Indus., Inc.)***, 246 B.R. 421, 435 (Bankr. N.D. Ala. 2000) ("Because the criteria under § 1412 is phrased in the disjunctive, the bankruptcy case or proceeding is transferable upon a sufficient showing of either the interest of justice or the convenience of the parties."). Factors cited by courts in determining whether transfer of venue will serve the interests of justice include: (a) the economic administration of the bankruptcy estate; (b) the presumption in favor of trying cases "related to" a bankruptcy case in the court in which the bankruptcy is pending; (c) judicial efficiency; (d) ability to receive a fair trial; (e) the state's interest in having local controversies decided within its borders; (f) enforceability of any judgment rendered; and (g) the plaintiff's original choice of forum. ***Id***. at 435–37. Although the state's interest in deciding local controversies and

the plaintiff's original choice of forum favor retaining venue, these factors are outweighed by considerations of consistency, judicial economy, and economic administration of the bankruptcy estate. Requiring the debtor to defend or participate in an action in West Virginia would serve to diminish the bankruptcy estate.

In addition, "many courts presume that the proper venue for a proceeding related to a bankruptcy case is in the district hearing the bankruptcy case. *See* ***Sudbury, Inc. v. Dlott (In re Sudbury)***, 149 B.R. 489, 493 (Bankr. N.D. Ohio 1993) (noting the 'general presumption that all matters involving a bankruptcy should be tried in the court in which the bankruptcy is pending.'); ***Nixon Mach. Co. v. Roy Energy, Inc. (In re Nixon Machinery Co.)***, 27 B.R. 871, 873 (Bankr. E.D. Tenn. 1983) (stating that the 'general rule' is that 'the court where the bankruptcy case is pending is the proper venue for all related proceedings within the court's jurisdiction.')." ***Blanton***, supra at 267.

This last factor also supports the decision to transfer venue to the District of Delaware. There is no reason to believe that the ability to receive a fair trial or the enforceability of any judgment rendered would be affected by transferring venue. Consequently, the court finds that in the interest of justice the present action should be transferred to the District of Delaware, from which it can be referred to the bankruptcy court.

For the reasons stated above, Schmid Pipeline Construction, Inc.'s Motion to Remand and Abstain [**Doc. 10**] is **DENIED**; Columbia Gas Transmission's Motion for Partial Dismissal [**Doc. 17**] is **GRANTED**, and Columbia Gas Transmission's Motion to Transfer Venue [**Doc. 20**] is **GRANTED**. As a result, this matter is hereby **ORDERED**

TRANSFERRED to the District of Delaware.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein and to take all necessary action to execute the transfer.

DATED: October 21, 2019.

JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE