Docket #0003 Date Filed: 5/29/2020

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	Chapter 11
WELDED CONSTRUCTION, L.P., *et al.*,[1]	Case No. 18-12378 (CSS)
Debtors.	(Jointly Administered)
WELDED CONSTRUCTION, L.P.,	
Plaintiff,	Adv. Pro. No. 20-50612 (CSS)
vs.	
EARTH PIPELINE SERVICES, INC.,	
Defendant.	

SUMMONS AND NOTICE OF PRETRIAL CONFERENCE IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of Clerk: 824 Market Street, 3rd Floor
Wilmington, Delaware 19801

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorneys.

Names and Addresses of Plaintiffs' Attorneys:

YOUNG CONAWAY STARGATT & TAYLOR, LLP
Sean M. Beach [sbeach@ycst.com]
Kevin A. Guerke [kguerke@ycst.com]
Kenneth J. Enos [kenos@ycst.com]
Tara C. Pakrouh [tpakrouh@ycst.com]
Rodney Square
1000 North King Street
Wilmington, Delaware 19801
Telephone: (302) 571-6600
Facsimile: (302) 571-1253

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Welded Construction, L.P. (5008) and Welded Construction Michigan, LLC (9830). The mailing address for each of the Debtors is P.O. Box 470, Perrysburg, OH 43552-0470.

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If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address: **United States Bankruptcy Court for the District of Delaware**
824 Market Street, 5th Floor, Courtroom No. 6
Wilmington, Delaware 19801

Date and Time: **To be determined**

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

United States Bankruptcy Court for the District of Delaware

/s/ Una O'Boyle
Clerk of the Court

Dated: May 29, 2020

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Defendant.	

NOTICE OF DISPUTE RESOLUTION ALTERNATIVES

As a party to litigation you have a right to adjudication of your matter by a judge of this Court. Settlement of your case, however, can often produce a resolution more quickly than appearing before a judge. Additionally, settlement can also reduce the expense, inconvenience, and uncertainty of litigation.

There are dispute resolution structures, other than litigation, that can lead to resolving your case. Alternative Dispute Resolution (ADR) is offered through a program established by this Court. The use of these services is often productive and effective in settling disputes. **The purpose of this Notice is to furnish general information about ADR.**

The ADR structures used most often are mediation, early-neutral evaluation, mediation/arbitration and arbitration. In each, the process is presided over by an impartial third party, called the "neutral."

In mediation and early neutral evaluation, an experienced neutral has no power to impose a settlement on you. It fosters an environment where offers can be discussed and exchanged. In the process, together, you and your attorney will be involved in weighing settlement proposals and crafting a settlement. The Court in its Local Rules requires all ADR processes, except threat of a potential criminal action, to be confidential. You will not be prejudiced in the event a

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settlement is not achieved because the presiding judge will not be advised of the content of any of your settlement discussions.

Mediation/arbitration is a process where you submit to mediation and, if it is unsuccessful, agree that the mediator will act as an arbitrator. At that point, the process is the same as arbitration. You, through your counsel, will present evidence to a neutral, who issues a decision. If the matter in controversy arises in the main bankruptcy case or arises from a subsidiary issue in an adversary proceeding, the arbitration, though voluntary, may be binding. If a party requests *de novo* review of an arbitration award, the judge will rehear the case.

Your attorney can provide you with additional information about ADR and advise you as to whether and when ADR might be helpful in your case.

/s/ Una O'Boyle
Clerk of the Court

Dated: May 29, 2020

CERTIFICATE OF SERVICE

I, Kevin A. Guerke, certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this Summons, and Complaint, and ADR Notice was made on May 29, 2020 by regular, first class United States mail, postage fully pre-paid, addressed to:

Earth Pipeline Services, Inc.
c/o Registered Agent
United States Corporation Agents, Inc.
1623 Central Ave Ste 18
Cheyenne, WY 82001

Earth Pipeline Services, Inc.
Attn: Tanner Bechtel, President
2949 S Bridge Road
Washington, PA 15301

Earth Pipeline Services, Inc.
Attn: Joshua Roberts
135 Technology Drive, Suite 100
Canonsburg, PA 15317

Under penalty of perjury, I declare that the foregoing is true and correct.

Date: May 29, 2020 */s/ Kevin A. Guerke*
Kevin A. Guerke (No. 4096)

YOUNG CONAWAY STARGATT & TAYLOR, LLP
Rodney Square
1000 North King Street
Wilmington, DE 19801