Docket #0008 Date Filed: 12/29/2020

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: Welded Construction, L.P., *et al.*, Debtors.[1]	Chapter 11 Case No. 18-12378 (CSS) (Jointly Administered)
Welded Construction, L.P., Plaintiff, vs. Defendants Listed Below, Defendant.	

Defendant Name	**Adversary Number**
Blasting Services Inc.	20-50925
CLP Services Inc.	20-50926
Contractor's Rental Corporation dba CRC Contractors Rental	20-50927
Egypt Valley Stone, LLC	20-50928
Force Drilling LLC	20-50929
Gwinnup's Restoration and Environmental Services, Inc.	20-50930
Horizon Supply Company	20-50931
Industrial Fabrics, Inc.	20-50932
Jimco Equipment Corporation fdba Jimco Equipment Rentals, Inc.	20-50933
Kirk Excavating & Construction, Inc.	20-50934
Lunda Construction Company	20-50935
M.L. Chartier, Inc.	20-50940
Magnum Machine Works, LLC	20-50936
MAXX HDD, LLC	20-50937
McCutcheon Enterprises, Inc.	20-50938
Mesa Products, Inc.	20-50939
Off Duty Services, Inc.	20-50941
Ohio River Aggregate, Inc.	20-50942
Redstone International Inc.	20-50945
R-Value Foam Insulation, LLC	20-50944

[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).

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Sautter Crane Rental, Inc.	20-50946
Shafer Equipment, LLC	20-50947
Sterling Site Access Solutions, LLC fdba Sterling Lumber Company, LLC	20-50949
Supreme Industries, Inc.	20-50950
The Voto Manufacturers Sales Company	20-50956
Tract Resources LLC	20-50951
U.S. Bagging, LLC	20-50953
US Crossings Unlimited, LLC	20-50954
Veriforce, LLC	20-50955
Wampum Hardware Co.	20-50957
Webster & Garner, Inc.	20-50958
Williams Scotsman, Inc.	20-50959
Worldwide Machinery, Inc. dba Worldwide Rental Services	20-50960

CERTIFICATION OF COUNSEL REGARDING PROPOSED SCHEDULING ORDER

I, Josef W. Mintz, an attorney with the law firm of Blank Rome LLP, co- counsel to Welded Construction, L.P (the "Plaintiff"), the Plaintiff in the above-captioned adversary proceedings, excluding Case Nos. 20-50923 and 20-50924 (collectively, the "Adversary Proceedings"), hereby certify the following:

1. On December 15, 2020, pursuant to Local Rule 7016-1 of the Local Rules of Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), Plaintiff circulated a proposed scheduling order attached as Exhibit A (the "Proposed Scheduling Order") to govern pretrial discovery, motion practice and mediation in the Adversary Proceedings. A copy of the Proposed Scheduling Order was circulated to counsel to each of the above-captioned defendants (the "Defendants"), or, in cases in which Defendants are not represented by counsel, sent to a representative or agent of the Defendants.

2. Due to the global COVID-19 crisis and impact on businesses, the agreed deadlines in the Proposed Scheduling Order include an additional 60-day period beyond the time periods in

the typical form of scheduling order for preference avoidance actions commonly used by this Court.

3. Plaintiff requested comments concerning the Proposed Scheduling Order on or before close of business on December 22, 2020.

4. Counsel for one Defendant responded with an informal comment. The parties have resolved all outstanding issues.

5. Accordingly, the undersigned understands no parties oppose entry of the Proposed Scheduling Order.

6. On information and belief, the Proposed Scheduling Order complies or substantially complies with applicable Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedure, the Local Rules of this Court and the form of scheduling order for preference avoidance actions commonly used by this Court.

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7. Accordingly, unless the Court has questions or concerns, the undersigned respectfully requests that the Court enter the Proposed Scheduling Order attached as Exhibit A in the Adversary Proceedings at its earliest convenience and cancel the Pre-Trial scheduled for January 4, 2021.

Dated: December 29, 2020

BLANK ROME LLP

By: /s/ Josef W. Mintz
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Co-Counsel for the Post-Effective Date Debtors

EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
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R-Value Foam Insulation, LLC	20-50944
Sautter Crane Rental, Inc.	20-50946

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Supreme Industries, Inc.	20-50950
The Voto Manufacturers Sales Company	20-50956
Tract Resources LLC	20-50951
U.S. Bagging, LLC	20-50953
US Crossings Unlimited, LLC	20-50954
Veriforce, LLC	20-50955
Wampum Hardware Co.	20-50957
Webster & Garner, Inc.	20-50958
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Worldwide Machinery, Inc. dba Worldwide Rental Services	20-50960

SCHEDULING ORDER

To promote the efficient and expeditious disposition of the above-captioned adversary proceedings (the "Adversary Proceedings"), the following schedule (the "Scheduling Order") shall apply to each of the above-captioned adversary proceedings.

IT IS HEREBY ORDERED that:

1. The discovery planning conference described in Fed.R.Civ.P. 26(f), made applicable by Fed.R.Bankr.P. 7026, has been deemed to have occurred.
2. The parties shall provide the initial disclosures under Fed.R.Civ.P. 26(a)(1) no later than February 28, 2021. Any extension to the deadline to provide initial disclosures must be by Order of the Court and will only be granted for good cause shown.
3. All fact discovery shall be completed by August 31, 2021.
4. The parties shall provide expert reports for any issue on which they bear the burden of proof, not including any report by Plaintiff on insolvency of the Debtors, by October 31, 2021. If the Defendant intends to provide expert testimony regarding the insolvency of the Debtors, any such expert report must be provided by November 30, 2021. Any expert report by Plaintiff on the insolvency of the Debtors, as well as any Parties' expert report intended

to rebut any other expert report, shall be provided by December 30, 2021. Defendant shall provide any expert report intended to rebut any report on insolvency by Plaintiff by January 31, 2022. All reports shall provide the information required by Fed.R.Civ.P. 26(a)(2)(B). All expert discovery shall be completed, and discovery shall close, by February 28, 2022.

5. Pursuant to the General Order Regarding Procedures in Adversary Proceedings entered by the Honorable Mary F. Walrath on April 7, 2004, no later than one hundred twenty (120) days, after the answer or other responsive pleading to the complaint is filed, the parties shall file a Stipulation Regarding Appointment of a Mediator or a statement that the parties cannot agree on a mediator and a request that the Court select and appoint a mediator to the proceeding.
6. Within sixty (60) days after entry of an Order Assigning the Adversary Proceeding to Mediation, the mediator shall either (a) file a mediator's certificate of completion, or, (b) if the mediation is not concluded, file a status report that provides the projected schedule for completion of the mediation.
7. All dispositive motions shall be filed and served by no later than March 31, 2022 and shall be subject to Rule 7.1.2 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware.
8. The parties shall comply with the General Order Governing Pre-Trial Procedures in Adversary Proceeding Set for Trial Before Judge Christopher S. Sontchi. The parties shall file, no later than three (3) business days prior to the earlier of date set for (i) pretrial conference (if one is scheduled) or (ii) trial, their Joint Pre-Trial Memorandum approved by all counsel and shall contemporaneously deliver two (2) copies thereof to Judge Sontchi's chambers.

9. The Order Assigning the Adversary Proceeding to Mediation shall set the Adversary Proceeding for trial three-hundred (300) days after entry of the Order, or as soon thereafter as the Court's calendar permits. The Court may, in its discretion, schedule a pre-trial conference in lieu of or in addition to the trial.
10. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of any adversary proceeding subject to this Order and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible. The Plaintiff shall file a status report forty-five (45) days after the date of this scheduling order, each forty-five (45) days thereafter, and thirty (30), twenty (20), and ten (10) days prior to trial, setting out the status of each unresolved adversary proceeding subject to this Order. Plaintiff shall immediately advise Chambers, in writing, of any occurrence or circumstance which Plaintiff believes may suggest or necessitate the adjournment or other modification of the trial setting.
11. Deadlines contained in this Scheduling Order may be extended only by the Court and only upon written motion for good cause shown.
12. The Plaintiff shall serve this Scheduling Order on each Defendant within five (5) business days after the entry of this Order.

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Webster & Garner, Inc.	20-50958
Williams Scotsman, Inc.	20-50959
Worldwide Machinery, Inc. dba Worldwide Rental Services	20-50960

CERTIFICATE OF SERVICE

I, Brigette G. McGrath, Esquire, hereby certify that on December 29, 2020, a copy of the ***Certification Of Counsel Regarding Proposed Scheduling Order*** was caused to be served on the parties on the attached service list via First Class Mail.

Dated: December 29, 2020

ASK LLP

/s/ Brigette G. McGrath
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