IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: WELDED CONSTRUCTION, L.P., et al., Debtors.	Chapter 11 Case No. 18-12378 (CSS) (Jointly Administered)
EARTH PIPELINE SERVICES, INC., Plaintiff, v. COLUMBIA GAS TRANSMISSION, LLC, WELDED CONSTRUCTION, L.P., Defendants.	Adv. Pro. No. 19-50274 (CSS) Adv. Pro. No. 19-50275 (CSS) (Consolidated)

CERTIFICATE OF SERVICE

I, Stephen A. Venzie, Esq., hereby certify that on this 15th day of January, 2021, I caused a true and correct copy of **Replacement Page No. 7 to Correct Paragraph No. 38 of Plaintiff's Second Amended Complaint** was served upon the all counsel of record via the Court's CM/ECF System.

COHEN, SEGLIAS, PALLAS, GREENHALL & FURMAN, P.C.

/s/ *Stephen A. Venzie*
Stephen A. Venzie, Esq. (DE Bar No. 5716)
500 Delaware Avenue, Suite 730
Wilmington, DE 19801
(302) 425-5089
Attorneys for Earth Pipeline Services, Inc.

DATED: January 15, 2021

38. As owner of the Project and the Property, the construction of the pipeline and the associated work performed and materials supplied in conjunction therewith on the Property resulted in an improvement to the Property and, therefore, an increase to the value of the Property, which is a direct benefit to CGT.

39. Included in that improvement was the performance of certain mechanical clearing and hand felling work, the delivery of certain materials, and associated work by EPS which CGT authorized and/or ordered directly to EPS through its Project representative, Welded, which was separate from the scope of work that EPS performed for Welded under their direct contracts, and for which EPS expected to be paid and CGT expected to pay EPS.

40. CGT never paid EPS, Welded or any other entity for any of this certain mechanical clearing and hand felling work despite CGT having knowledge of the benefit of this work and accepting and appreciating the benefit of this work.

41. The relevant work is described below in Paragraph Nos. 42 through 46.

42. The first item of work that EPS performed directly for the benefit of CGT occurred during the time period of May 31 through June 2 of 2018 after EPS was directed by CGT, through the communication of Mett Carroll of Welded on May 26, 2018, who indicated to EPS that the work was ordered by CGT, to haul eleven hundred and sixty-six (1,166) feet of timber logs from a certain part of the Property. The value of such work was $69,960.00 ($60 per foot x 1,166 feet) and such work was not part of any of scope of work included in the contracts between Welded and EPS.

43. Second, on May 14, 2018, for the purpose of a cultural survey benefiting CGT, CGT changed the usage designation of Access Road 7.8 to “Foot Traffic Only” which prevented EPS from being able to utilize the road for the transportation of its equipment, fuel, water, trucks and materials needed to perform certain mechanical clearing and PM burning work for three (3)

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