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)
Welded Construction, L.P., Plaintiff, vs. Industrial Fabrics, Inc., Defendant.	Adv. No. 20-50932 (CSS) NO HEARING WILL BE HELD UNLESS REQUESTED OR ORDERED BY THE COURT Objection deadline: October 25, 2021 @ 4:00 PM

INDUSTRIAL FABRICS INC.'S SECOND MOTION TO EXTEND DEADLINE FOR NON-EXPERT FACT DISCOVERY

Pursuant to Federal Rule of Civil Procedure 16 as made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 7016, Industrial Fabrics, Inc. (the "Defendant") respectfully moves to extend the time period allowed for non-expert fact discovery in the *Scheduling Order* [Docket #9] (the "Scheduling Order").

RELIEF REQUESTED

For the reasons set forth in the accompanying Memorandum of Law, the Defendant requests that the Scheduling Order be amended to state as follows:

- All fact discovery shall be completed by December 29, 2021.

The Defendant makes this Motion on the grounds that: (1) additional fact discovery is needed to resolve certain issues that were uncovered during the mediation conference that was held on June 24, 2021; (2) lack of additional fact discovery will prejudice the Defendant while additional fact discovery will not prejudice the Plaintiff; (3) potential failure to respond to the Defendant's outstanding discovery requests and subpoenas may require the Defendant to file a



motion for sanctions prior to the close of fact discovery; and (4) the Plaintiff has consented to the proposed extension.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum of Law, the Defendant respectfully requests that this Court enter an order substantially in the form of the Proposed Order filed concurrently with the Motion and such other and further relief as is appropriate.

Dated: October 11, 2021

THE LAW OFFICE OF JAMES TOBIA, LLC
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Counsels for the Defendant

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

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Welded Construction, L.P., Plaintiff, vs. Industrial Fabrics, Inc., Defendant.	Adv. No. 20-50932 (CSS) **NO HEARING WILL BE HELD UNLESS REQUESTED OR ORDERED BY THE COURT** **Objection deadline: October 25, 2021 @ 4:00 PM**

NOTICE OF INDUSTRIAL FABRICS INC.'S SECOND MOTION TO EXTEND DEADLINE FOR NON-EXPERT FACT DISCOVERY

TO:

ASK LLP
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Industrial Fabrics, Inc. (the "Defendant"), by and through the undersigned counsel, has filed a motion pursuant to Fed.R.Civ.P. Rule 16(b) as made applicable by Fed.R.Bankr.P. 7016 which seeks the following relief:

The Defendant requests that the Scheduling Order [Docket #9] be amended to state as follows:

All fact discovery shall be completed by December 29, 2021.

You are required to file a response to the motion within 14 days of the date of service set forth in the accompanying certificate of service.

At the same time, you must also serve a copy of the response upon the Defendant's attorneys at:

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IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED BY THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: October 11, 2021

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Counsels for the Defendant

PROPOSED ORDER

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)
Welded Construction, L.P., Plaintiff, vs. Industrial Fabrics, Inc., Defendant.	Adv. No. 20-50932 (CSS) Re: _____

ORDER GRANTING SECOND MOTION TO EXTEND FACT DISCOVERY DEADLINE

Before this Court is the second motion by the defendant, Industrial Fabrics, Inc. (the "Defendant"), to extend the non-expert fact discovery deadline (the "Motion") in the Scheduling Order [Docket #9] (the "Scheduling Order"). This Court, having considered the Motion and finding good cause to grant the same -

IT IS HEREBY ORDERED THAT the Scheduling Order is amended to read as follows:

- All fact discovery shall be completed by December 29, 2021.

Dated: _____, 2021
Wilmington, DE

_____
The Honorable Christopher S. Sontchi
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:	Chapter 11
Welded Construction, L.P., *et al.*	Case No: 18-12378 (CSS)
Debtors.[1]	(Jointly Administered)
Welded Construction, L.P.,	
Plaintiff,	
vs.	Adversary Proceeding No. 20−50932−CSS
Industrial Fabrics, Inc.,	
Defendant.	

CERTIFICATE OF SERVICE

I, James Tobia, hereby certify that on October 11, 2021, I caused the foregoing *Industrial Fabrics Inc.'s Second Motion to Extend Deadline For Non-Expert Fact Discovery* to be served upon Plaintiff's counsel by CM/ECF:

Josef W. Mintz, Esq.
Blank Rome LLP
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Wilmington, DE 19801

Joseph L. Steinfeld, Jr., Esq.
Nicholas C. Brown, Esq.
ASK LLP
2600 Eagan Woods Drive, Suite 400
St. Paul, MN 55121

Dated: October 11, 2021

THE LAW OFFICE OF JAMES TOBIA, LLC

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Attorney for Defendant

[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)