Docket #0006 Date Filed: 7/19/2024

**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE SOUTHERN DISTRICT OF TEXAS**
**HOUSTON DIVISION**

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| In re: | ) | Chapter 11 |
| ZACHRY HOLDINGS, INC., *et al*[1] | ) | |
| Debtor. | ) | Case No. 24-90377 |
| ZACHRY HOLDINGS, INC., | ) | |
| Plaintiff, | ) | |
| v. | ) | Adv. Pro. No. 24-3146 |
| TIMMY BRIGNAC AND SHONDA BRIGNAC, | ) | |
| Defendants. | ) | |

**DECLARATION OF JEFFRIE LEWIS IN SUPPORT OF**
**THE DEBTORS' EMERGENCY MOTION**

I, JEFFRIE LEWIS, declare:

1. I am Assistant General Counsel of Zachry Group handling claims and litigation and have served in this capacity since February 2022.

2. As part of my responsibilities as Assistant General Counsel, I am familiar with all litigations involving or otherwise implicating the Debtors, including but not limited to *Brignac v. 3M Company, Shell Catalysts & Technologies LP; Cat Tech, LLC; Turner Industries Group, LLC; Brock Services, LLC; Anco Insulations, Inc.*, 127-046 (La. 10/15/2019) ("***Brignac***").[2]

3. Unless indicated otherwise, the facts set forth herein are based upon my personal knowledge, my review of relevant documents, my discussions with other members of senior management, information provided to me by employees working under my supervision, or my knowledge, and information concerning the Debtors' operations. If requested, I am able to testify competently to the facts set forth in this Declaration. I am authorized to submit this Declaration on behalf of the Debtors.

[1] The last four digits of Zachry Holdings, Inc.'s tax identification number are 6814. A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors' proposed claims and noticing agent at https://www.veritaglobal.net/ZHI. The location of the Debtors' service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224

[2] Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Debtor's Emergency Motion.



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4. JVIC Catalyst Services, LLC, is an indirect subsidiary of Debtor Zachry Holdings, Inc.

5. On or about June 12, 2024, Plaintiffs' counsel in *Brignac* informed the Debtors' counsel, Charles J. Foret of Briney Foret Corry, that the *Brignac* Plaintiffs are unwilling to stay the matter.

6. On or about July 11, 2024, the 23rd Judicial District Court for the Parish of Ascension in the State of Louisiana, the court overseeing the *Brignac* matter, informed the Debtors via Order and correspondence from the court's law clerk that it would not stay the matter absent an order from the Bankruptcy Court. The court directed Defendant JVIC Catalyst Services, LLC to seek a determination from the bankruptcy court regarding whether the stay shall apply in the *Brignac* matter.

7. Trial in *Brignac* is scheduled to begin on August 5, 2024, to be heard in Louisiana State Court (the 23rd Judicial District Court for the Parish of Ascension).

8. Since the Petition Date only two months ago on May 21, 2024, the Debtors have been required to incur outside legal costs related to the *Brignac* litigation, including but not limited to costs in connection with court hearings, briefing schedules, coordination of joint defenses, deposition scheduling and preparation, motion practice, and review of discovery and evidence in preparation for the upcoming trial.

9. Moreover, the Debtors' small in-house legal staff (seven in-house lawyers), who are focused on advising the Debtors on the chapter 11 cases, are the same employees who must supervise *Brignac* should it continue. Therefore, *Brignac* is a distraction from the obligations and issues arising under the Debtors' chapter 11 cases.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 19, 2024
San Antonio, Bexar County, Texas

/s/
Jeffrie Lewis
Assistant General Counsel
Zachry Group