Docket #0021 Date Filed: 9/23/2024

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

| | | |
|---|---|---|
| **In re:** | § | |
| | § | |
| **ZACHRY HOLDINGS, INC. et al.** | § | **Chapter 11** |
| | § | |
| **Debtors.** | § | **Case No. 24-90377 (MI)** |
| | § | |
| | § | **(Joint Administered)** |
| **FLNG LIQUEFACTION, LLC; FLNG LIQUEFACTION 2, LLC; and FLNG LIQUEFACTION 3, LLC,** | § | |
| | § | |
| **Plaintiffs,** | § | **Adv. No. 24-3195** |
| | § | |
| **v.** | § | |
| | § | |
| **CB&I INC.; ZACHRY INDUSTRIAL, INC.; and CHIYODA INTERNATIONAL CORPORATION,** | § | |
| | § | |
| **Defendants.** | § | |

**AGREED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' ORIGINAL PETITION**

Pursuant to Federal Rule of Civil Procedure 6(b) and Federal Rule of Bankruptcy Procedure 9006(b), Defendant CB&I LLC ("CB&I") files this Agreed Motion to Extend Time to Answer or Otherwise Respond to Plaintiffs' Original Petition, and respectfully shows as follows:

1. Plaintiffs filed a Motion to Remand this action to state court in Harris


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County, Texas. [Dkt. No. 18][1] Plaintiffs and CB&I have agreed that CB&I can delay filing an answer until thirty (30) days following a ruling on the Motion to Remand. Therefore, CB&I seeks an extension until thirty days following the ruling in which to file its Answer or otherwise respond to Plaintiffs' Original Petition.

2. Federal Rule of Civil Procedure 6(b) states that "the court may, for good cause, extend the time . . . if a request is made, before the original time or its extension expires." FED. R. CIV. P. 6(b); FED. R. BANKR. P. 9006(b) (containing similar language). In this case, good cause exists to extend the deadline. On August 8, 2024, CB&I filed an Agreed Motion requesting an extension to respond to Plaintiffs' Original Petition, extending the deadline to September 6, 2024. The case was subsequently transferred to the U.S. Bankruptcy Court on August 28, 2024. The parties need to resolve the remand motion and other procedural issues prior to CB&I's answer. Delaying CB&I's answer date will not delay the proceedings.

3. This request is not sought for delay but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, CB&I respectfully prays for a thirty day extension of time to answer or otherwise respond to Plaintiffs' Original Petition after the ruling on the Plaintiffs' motion to remand. CB&I also prays for any other, further or additional relief which it may be justly entitled.

[1] Docket References are to the previous docket number, 4:24-cv-02841, where the case was pending prior to transfer tot his Court.

Dated: September 23, 2024

Respectfully submitted,

*/s/ Jack W. Massey*

**BAKER & McKENZIE LLP**

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*Counsel for CB&I LLC*

**CERTIFICATE OF CONFERENCE**

On August 2, 2024, counsel for CB&I LLC conferred regarding this Motion with counsel for Plaintiffs, who have agreed to the requested relief.

*/s/ Jack W. Massey*
Jack W. Massey

**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2024, a copy of the foregoing document to be served by electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case.

*/s/ Jack W. Massey*
Jack W. Massey

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| **Defendants.** | § | |

**ORDER GRANTING AGREED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' ORIGINAL PETITION**

Before the Court is Defendant CB&I LLC's ("CB&I") Agreed Motion to Extend Time to Answer or Otherwise Respond to Plaintiffs' Original Petition ("Motion"). After considering the Motion, the Court is of the opinion that the Motion is with merit and should be GRANTED.

It is therefore ORDERED that Defendant CB&I's Motion is GRANTED, and CB&I's deadline to answer or otherwise respond to Plaintiffs' Original Petition is extended until thirty (30) days following a ruling on Plaintiffs' Motion to Remand.

SIGNED this ____ day of _____, 2024.

_____
Presiding Judge