Docket #0041 Date Filed: 10/30/2024

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

In re:	§	
	§	**Chapter 11**
ZACHRY HOLDINGS, INC., *et al.*[1]	§	
	§	**Case No. 24-90377 (MI)**
Debtors.	§	
	§	**(Jointly Administered)**
ALLIANZ GLOBAL RISKS US INSURANCE CO.; CERTAIN UNDERWRITERS AT LLOYD'S OF LONDON SUBSCRIBING TO POLICY NO. B0180ME2219036; GREAT LAKES INSURANCE SE; GUIDEONE NATIONAL INSURANCE COMPANY and TOKIO MARINE AMERICA INSURANCE COMPANY, as subrogees of FLNG Policy Procurement, LLC; FLNG Liquefaction, LLC; FLNG Liquefaction 2, LLC; and FLNG Liquefaction 3, LLC,	§	**Adv. P. No. 24-03190**
	§	**Ref. Doc. Nos. 27 & 34**
Plaintiffs,	§	
V.	§	
ZACHRY INDUSTRIAL, INC.; ZACHRY INDUSTRIES, INC.; JVIC DEMERGER FABRICATION, INC.; ZACHRY ENTERPRISE SOLUTIONS DEMERGER, INC.; CB&I LLC n/k/a; MCDERMOTT INTERNATIONAL LTD.; CHIYODA INTERNATIONAL CORPORATION; and PSRG, INC.	§	
Defendants.	§	

STIPULATION AND AGREED ORDER REGARDING SCHEDULING

[1] The debtors in these chapter 11 cases (the "Debtors"), along with the last four digits of each Debtor's federal tax identification number, may be obtained on the website of the Debtors' claims and noticing agent at https://veritaglobal.net/zhi. The Debtors' service address in these chapter 11 cases is: P.O. Box 240130, San Antonio, Texas 78224.

24903772410300000000000006

This Stipulation and Agreed Order regarding Scheduling (the "Stipulation") is entered into between the above-captioned plaintiffs (the "Plaintiffs") and Chiyoda International Corporation ("Chiyoda"). Plaintiffs and Chiyoda are referred to in this Stipulation as the "Parties," and each, a "Party." The Parties hereby stipulate and agree as follows:

RECITALS

WHEREAS, on September 24, 2024, Chiyoda filed its *Rule 12(b)(6) Motion to Dismiss and Joinder to CB&I LLC's Rule 12(b)(6) Motion to Dismiss* [Adv. P. Doc. No. 27] (the "Motion to Dismiss").

WHEREAS, on October 22, 2024, Plaintiffs responded to the Motion to Dismiss [Adv. P. Doc. No. 34] (the "Response").

WHEREAS, the Bankruptcy Court has scheduled a hearing to consider the Motion to Dismiss on November 18, 2024.

WHEREAS, the Parties have agreed, subject to Court approval, to establish certain deadlines for filing replies and sur-replies to the Motion to Dismiss and Response.

ORDER

NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND UPON COURT APPROVAL HEREOF, IT SHALL BE ORDERED THAT:

1. Chiyoda's reply, if any, to the Response shall be due on November 6, 2024.

2. Plaintiffs' sur-reply, if any, to the Motion to Dismiss shall be due on November 13, 2024.

3. The undersigned who executes this Stipulation by or on behalf of each respective Party represents and warrants that he or she has been duly authorized and empowered to execute and deliver this Stipulation on behalf of such Party.

4. This Stipulation shall not be modified, altered, amended, or vacated without the written consent of all Parties hereto or by further order of the Court.

5. The Court shall retain jurisdiction to resolve any disputes or controversies arising from or related to this Stipulation.

Dated: _____

_____
HONORABLE MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE

As agreed to by:

/s/ Charles M. Jones II
HAYNES AND BOONE, LLP
Charles A. Beckham, Jr. (TX Bar No. 02016600)
Kelli Norfleet (TX Bar No. 24070678)
Imaan Patel (TX Bar No. 24139247)
1221 McKinney Street, Suite 4000
Houston, Texas 77010
Telephone: (713) 547-2000
Email: charles.beckham@haynesboone.com
kelli.norfleet@haynesboone.com
imaan.patel@haynesboone.com
-and-

Charles M. Jones II (TX Bar No. 24054941)
Martha Wyrick (TX Bar No. 24101606)
2801 N. Harwood Street, Suite 2300
Dallas, Texas 75201
Telephone: (214) 651-5000
Email: charlie.jones@haynesboone.com
martha.wyrick@haynesboone.com

-and-

Brian Singleterry (TX Bar No. 24098433)
301 Commerce Street, Suite 2600
Fort Worth, Texas 76102
Telephone: (817) 347-6600
Email: brian.singleterry@haynesboone.com

COUNSEL TO CHIYODA INTERNATIONAL CORPORATION

/s/ Ken Green
BONDS ELLIS EPPICH SCHAFER JONES LLP
Ken Green (Texas Bar No. 24050698)
950 Echo Lane, Suite 120
Houston, Texas 77024
(713) 335-4990 telephone
(713) 335-4991 facsimile
Email: ken.green@bondsellis.com

-and-

EVAN J. MALINOWSKI, ESQ.
Texas Bar No. 24119454
PAUL B. HINES, ESQ.
Texas Bar No. 24104750
emalinowski@dt-law.com
phines@dt-law.com
Denenberg Tuffley, PLLC
28411 Northwestern Hwy., Ste. 600
Southfield, MI 48034
Phone: (248) 549-3900
Fax: (248) 593-5808

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2024, I caused 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/ Charles M. Jones II
Charles M. Jones II