Docket #0045 Date Filed: 11/7/2024

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

In re:	)	Chapter 11
ZACHRY HOLDINGS, INC., *et al*[1]	)	
Debtor.	)	Case No. 24-90377
ZACHRY HOLDINGS, INC.,	)	
Plaintiff,	)	
v.	)	Adv. Pro. No. 24-03146
TIMMY BRIGNAC AND SHONDA BRIGNAC,	)	
Defendants.	)	

PLAINTIFF'S STATEMENT REGARDING THIS ADVERSARY PROCEEDING

The above-captioned plaintiff ("**Plaintiff**") hereby files this statement (the "**Statement**") at the direction of the Court at the October 24, 2024 status conference in the above-captioned adversary proceeding (the "**Adversary Proceeding**").

1. On July 19, 2024, Plaintiff filed an adversary complaint [Adv. Dkt. 1] to extend the automatic stay to JVIC Catalyst Services, LLC, a non-Debtor affiliate defendant in the Louisiana state court litigation styled *Brignac v. 3M Company, Shell Catalysts & Technologies LP; Cat Tech,*

[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.

LLC; Turner Industries Group, LLC; Brock Services, LLC; Anco Insulations, Inc., 127-046 (La. 10/15/2019) (the "**State Court Action**").

2. On July 30, 2024, the Court entered an order [Adv. Dkt. 35] (the "**July 30 Order**") temporarily enjoining the continued prosecution of the State Court Action until October 22, 2024, prohibiting the extension of the stay period absent agreement of all parties to the State Court Action, and authorizing the parties to hold a status conference in the State Court Action following expiration of the stay period.

3. On October 24, 2024, Plaintiff's counsel informed the Court at a status conference in the Adversary Proceeding that the parties have been unable to resolve the State Court Action and have not agreed to extend the stay period. The Court directed Plaintiff to indicate by November 7, 2024 whether it intends to prosecute the Adversary Proceeding.

4. The parties have not yet scheduled a status conference in the State Court Acton or engaged in further settlement discussions. To the extent that the parties do so, they may seek to further extend the stay period under the July 30 Order. Accordingly, Plaintiff believes that dismissal of the Adversary Proceeding is premature.

5. Plaintiff will file a further statement in fourteen (14) days to update the Court on the status of the State Court Action and, to the extent appropriate at such time, dismiss the Adversary Proceeding.

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Dated: November 7, 2024
Houston, Texas

/s/ Charles R. Koster

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Counsel to the Debtors and
Debtors in Possession

Certificate of Service

I certify that on November 7, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ *Charles R. Koster*
Charles R. Koster