Docket #0054 Date Filed: 11/21/2024
United States Bankruptcy Court
Southern District of Texas
ENTERED
November 21, 2024
Nathan Ochsner, Clerk

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)**
FLNG LIQUEFACTION, LLC; FLNG LIQUEFACTION 2, LLC; and FLNG LIQUEFACTION 3, LLC,	§	
	§	
***Plaintiffs*,**	§	
	§	**Adv. P. No. 24-03195**
V.	§	
	§	**Ref. Doc. No. 37**
CB&I, INC.; ZACHRY INDUSTRIAL, INC.; and CHIYODA INTERNATIONAL CORPORATION,	§	
	§	
***Defendants*.**	§	

JOINT STIPULATION AND AGREED ORDER TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' ORIGINAL PETITION

This Stipulation and Agreed Order (the "Stipulation"), is entered into pursuant to Federal Rule of Civil Procedure 6(b), Federal Rule of Bankruptcy Procedure 9006(b), and the Court's October 15, 2024 *Order Granting Agreed Motion to Extend Time to Answer or Otherwise Respond to Plaintiffs' Original Petition* [Adv. P. Doc. No. 37] (the "Order"), and made among Plaintiffs and defendants Chiyoda International Corporation ("CIC") and CB&I LLC ("CB&I," with CIC,

[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.

each individually a "Party" and together the "Parties"). The Plaintiffs and Parties hereby stipulate and agree as follows:

RECITALS

WHEREAS, on April 23, 2024, Plaintiffs filed this action in Texas state court, and on July 31, 2024, the Debtors removed it to this Court [Adv. P. Doc. No. 1].

WHEREAS, the Court has entered multiple orders extending CIC's and CB&I's time to file an answer or otherwise respond to Plaintiff's Original Petition [Adv. P. Doc. Nos. 8, 9, 27, 29, 37].

WHEREAS, CIC's and CB&I's current deadline to answer or otherwise respond to Plaintiffs' Original Petition is November 25, 2024 (the "Current Answer Deadline").

WHEREAS, in the Order, the Court ordered that the deadline shall be further extended if the Parties agree on additional extensions, with such agreement to be documented by filing with the Court a stipulation before the expiration of the then-current answer deadline.

WHEREAS, on November 18, 2024, the Court heard the Debtors' motion to dismiss [Adv. P. Doc. No. 39], set a status conference for November 25, 2024, and took the motion to dismiss under advisement until after the status conference.

WHEREAS, given the foregoing facts, the Parties have agreed, subject to Court approval, to further extend the Current Answer Deadline.

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. The Current Answer Deadline is further extended by to December 9, 2024.

2. The Parties may further extend the answer deadline, with Plaintiffs' agreement, pursuant to the terms of the Order.

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 retains jurisdiction to resolve any disputes or controversies arising from or related to this Stipulation.

6. The hearings scheduled for November 25, 2024 at 1:30 p.m. are canceled.

Signed: November 21, 2024

Marvin Isgur
United States Bankruptcy Judge

As agreed to by:

/s/ Charles M. Jones II
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COUNSEL FOR PLAINTIFFS

Certificate of Service

I hereby certify that on November 21, 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