Docket #0056 Date Filed: 11/23/2024
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.

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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*
**HAYNES AND BOONE, LLP**
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**COUNSEL TO CHIYODA INTERNATIONAL CORPORATION**

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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

United States Bankruptcy Court
Southern District of Texas

FLNG Liquefaction LLC,
Plaintiff

Adv. Proc. No. 24-03195-mi

CB&I Inc,
Defendant

# CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser 
Date Rcvd: Nov 21, 2024 Form ID: pdf002 Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|---|---|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2024:**

NONE

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|---|---|---|---|---|
| op | + | Email/Text: kccnoticing@kccllc.com | Nov 21 2024 20:12:00 | Kurtzman Carson Consultants, LLC d/b/a Verita Glob, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245-5614 |

TOTAL: 1

# BYPASSED RECIPIENTS

**The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.**

| Recip ID | Bypass Reason | Name and Address |
|---|---|---|
| dft | | CB&I Inc |
| dft | | Chiyoda International Corporation |
| pla | | FLNG Liquefaction 2 LLC |
| pla | | FLNG Liquefaction 3 LLC |
| pla | | FLNG Liquefaction LLC |
| dft | | Zachry Industrial Inc. |

TOTAL: 6 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

# NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 23, 2024 Signature: /s/Gustava Winters

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# CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2024 at the address(es) listed below:**

| Name | Email Address |
|---|---|
| Brian E Singleterry | |

| | |
|---|---|
| | on behalf of Defendant Chiyoda International Corporation brian.singleterry@haynesboone.com cecilia.hernandez@haynesboone.com |
| Charles A Beckham, Jr | on behalf of Defendant Chiyoda International Corporation charles.beckham@haynesboone.com kenneth.rusinko@haynesboone.com;jodi.valencia@haynesboone.com |
| Charles M Jones | on behalf of Defendant Chiyoda International Corporation charlie.jones@haynesboone.com 4895559420@filings.docketbird.com |
| Charles R. Koster | on behalf of Defendant Zachry Industrial Inc. ckoster@whitecase.com mco@whitecase.com |
| David Ryan Cordell, Jr | on behalf of Defendant Zachry Industrial Inc. rcordell@hicks-thomas.com lfernandez@hicks-thomas.com |
| Evan Gershbein | on behalf of Other Prof. Kurtzman Carson Consultants LLC d/b/a Verita Global ECFpleadings@kccllc.com, ECFpleadings@kccllc.com |
| Franz Michael Stenglein | on behalf of Plaintiff FLNG Liquefaction 2 LLC mstenglein@kslaw.com jeharris@kslaw.com |
| Franz Michael Stenglein | on behalf of Plaintiff FLNG Liquefaction LLC mstenglein@kslaw.com jeharris@kslaw.com |
| Franz Michael Stenglein | on behalf of Plaintiff FLNG Liquefaction 3 LLC mstenglein@kslaw.com jeharris@kslaw.com |
| Jack Worsham Massey | on behalf of Defendant CB&I Inc jack.massey@bakermckenzie.com jack-massey-8732@ecf.pacerpro.com;jessica.harris@bakermckenzie.com;iliana.garza@bakermckenzie.com |
| John B Thomas | on behalf of Defendant Zachry Industrial Inc. jthomas@hicks-thomas.com jmarlowe@hicks-thomas.com |
| Matthew Cortland Rawlinson | on behalf of Defendant CB&I Inc matthew.rawlinson@bakermckenzie.com matthew-rawlinson-0760@ecf.pacerpro.com;jessica.harris@bakermckenzie.com;iliana.garza@bakermckenzie.com |
| Russell Hale Neilson | on behalf of Plaintiff FLNG Liquefaction 3 LLC hneilson@kslaw.com cramos@steptoe.com;docketing@steptoe.com |
| Russell Hale Neilson | on behalf of Plaintiff FLNG Liquefaction LLC hneilson@kslaw.com cramos@steptoe.com;docketing@steptoe.com |
| Russell Hale Neilson | on behalf of Plaintiff FLNG Liquefaction 2 LLC hneilson@kslaw.com cramos@steptoe.com;docketing@steptoe.com |
| Stephanie Morgan Brown | on behalf of Defendant CB&I Inc stephanie.brown@bakermckenzie.com |

TOTAL: 16