Docket #0080 Date Filed: 12/22/2024
United States Bankruptcy Court
Southern District of Texas
ENTERED
December 23, 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. 60**
CB&I, INC.; ZACHRY INDUSTRIAL, INC.; and CHIYODA INTERNATIONAL CORPORATION,	§	
	§	
***Defendants*.**	§	

JOINT STIPULATION AND AGREED ORDER TO EXTEND TIME TO RESPOND TO PLAINTIFFS' FIRST AMENDED COMPLAINT

This Stipulation and Agreed Order (the "Stipulation") is entered into pursuant to Federal Rule of Bankruptcy Procedure 9006, Federal Rule of Civil Procedure 6, Federal Rule of Bankruptcy Procedure 7015, Federal Rule of Civil Procedure 15, and made among the above-captioned plaintiffs (the "Plaintiffs") and defendants Chiyoda International Corporation ("CIC"), CB&I LLC ("CB&I"), and Zachry Industrial, Inc. ("Zachry," with CIC, CB&I and the Plaintiffs,

[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 Parties hereby stipulate and agree as follows:

RECITALS

WHEREAS, on December 3, 2024, Plaintiffs filed their First Amended Complaint [Adv. P. Doc. No. 60] (the "Amended Complaint").

WHEREAS, on December 4, 2024, defendant Zachry filed its *Supplemental Brief in Support of Rule 12(b)(6) Motion to Dismiss Plaintiffs' Claim for Consequential Damages* [Adv. P. Doc. No. 39] (the "Motion to Dismiss").

WHEREAS, on December 5, 2024, CIC filed its *Joinder to Zachry Industrial, Inc.'s Rule 12(b)(6) Motion to Dismiss Plaintiffs' Claims for Consequential Damages* [Adv. P. Doc. No. 62].

WHEREAS, on December 13, 2024, the Court granted the Motion to Dismiss and dismissed Plaintiffs' claims for gross negligence and any related consequential damages;

WHEREAS, CIC's, CB&I's, and Zachry's current deadline to answer the Amended Complaint is December 27, 2024;

WHEREAS, the Plaintiffs have agreed to extend CIC's, CB&I's, and Zachry's deadline to file responsive pleadings to the Amended Complaint until January 17, 2025.

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. CIC's, CB&I's, and Zachry's deadline to answer or otherwise respond to the Amended Complaint is extended through and including January 17, 2025.

2. This Stipulation is without prejudice to the Parties agreeing to further extend CIC's, CB&I's, and Zachry's deadline to answer or otherwise respond to the Amended Complaint.

3. The undersigned who execute 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.

Signed: December 22, 2024



Marvin Isgur
United States Bankruptcy Judge

As agreed to by:

/s/ Charles M. Jones II
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COUNSEL FOR ZACHRY INDUSTRIAL, INC.

Certificate of Service

I hereby certify that on December 19, 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