Docket #0087 Date Filed: 1/17/2025
United States Bankruptcy Court
Southern District of Texas
ENTERED
January 17, 2025
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.	§	
	§	
CB&I, INC.; ZACHRY INDUSTRIAL, INC.; and CHIYODA INTERNATIONAL CORPORATION,	§	
	§	
***Defendants*.**	§	

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

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 granting the December 22, 2024 *Joint Stipulation and Agreed Order to Extend Time to Respond to Plaintiffs' First Amended Complaint* [Adv. P. Doc. No. 80], and made among Plaintiffs and defendants CB&I LLC ("CB&I"), and Chiyoda International Corporation ("CIC," with CB&I,

[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 December 3, 2024, Plaintiffs filed their First Amended Complaint [Adv. P. Doc. No. 60].

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, with the Court's *Memorandum Opinion* and *Order Granting Partial Dismissal* filed thereafter [Adv. P. Doc. Nos. 82 & 83];

WHEREAS, on December 22, 2024, the Court granted the Parties' *Joint Stipulation and Agreed Order to Extend Time to Respond to Plaintiffs' First Amended Complaint* [Adv. P. Doc. No. 80] with a current Answer deadline of January 17, 2025;

WHEREAS, the Plaintiffs have agreed to extend CB&I's and CIC's deadline to file responsive pleadings to the First Amended Complaint until February 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. The Parties' deadline to answer or otherwise respond to the First Amended Complaint is extended through and including February 17, 2025.

2. This Stipulation is without prejudice to the Parties agreeing to further extend the deadline to answer or otherwise respond to the First 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 retains jurisdiction to resolve any disputes or controversies arising from or related to this Stipulation.

Signed: January 17, 2025

Marvin Isgur
United States Bankruptcy Judge

As agreed to by:

/s/ Charles M. Jones II
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Certificate of Service

I hereby certify that on January 16, 2025, 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/ Jack W. Massey
Jack W. Massey