Docket #0086 Date Filed: 9/4/2025
United States Bankruptcy Court
Southern District of Texas
ENTERED
September 02, 2025
Nathan Ochsner, Clerk

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

In re:	Chapter 11
Computer Simulation & Analysis, Inc. [1]	Case No. 24-90391 (MI)
Debtors.	**Re: Docket No. 2176**
ZACHRY HOLDINGS, INC.,	
Plaintiff,	Adv. Pro. No. 25-03025 (MI)
v.	
OMAHA PUBLIC POWER DISTRICT,	
Defendant.	

STIPULATION AND AGREED ORDER

This stipulation and agreed order (this "**Stipulation and Agreed Order**") is made by and among Omaha Public Power District ("**OPPD**") and Zachry Industrial, Inc. ("**ZII**") and its affiliated reorganized debtors (collectively, the "**Reorganized Debtors**" and, together with OPPD, the "**Parties**," and each a "**Party**"). The Parties hereby stipulate and agree as follows:

[1] The last four digits of the federal tax identification number for Computer Simulation & Analysis, Inc. are 4097. The location of the Reorganized Debtor's service address in this chapter 11 case is: P.O. Box 240130, San Antonio, Texas 78224. On June 27, 2025, the Bankruptcy Court entered the *Final Decree Closing Certain of the Chapter 11 Cases* (Case No. 24-90377 (MI), Docket No. 3178) closing the chapter 11 cases for Zachry Holdings, Inc., Zachry EPC Holdings, Inc., Zachry Engineering Corporation, ZEC New York, Inc., Zachry High Voltage Solutions, LLC, UE Properties, Inc., ZEC Michigan, Inc., Zachry Constructors, LLC, Zachry Industrial, Inc., Zachry Enterprise Solutions, LLC, Moss Point Properties, LLC, Zachry Nuclear Construction Inc., Zachry Nuclear, Inc., Zachry Nuclear Engineering, Inc., Zachry Plant Services Holdings, Inc., JVIC Fabrication, LLC, Zachry Industrial Americas, Inc., Zachry Maintenance Services, LLC, J.V. Industrial Companies, LLC, Madison Industrial Services Team, LLC.

24903772509050000000001

WHEREAS, on May 21, 2024, the Reorganized Debtors commenced their chapter 11 cases in the United States Bankruptcy Court for the Southern District of Texas (the "**Court**").

WHEREAS, on February 5, 2025, the Reorganized Debtors commenced an adversary proceeding (the "**Adversary Proceeding**") by filing a complaint against OPPD [Adv. Proc. Docket No. 1].

WHEREAS, on March 21, 2025, OPPD filed, among other motions, *Defendant Omaha Public Power District's Motion to Transfer Venue* [Adv. Proc. Docket No. 13] (the "**Motion to Transfer Venue**").

WHEREAS, on July 9, 2025, the Court held a hearing on the Motion to Transfer Venue and encouraged the Parties to meet and attempt to resolve this Adversary Proceeding, and all pending matters associated with it, by August 29, 2025, on which date the Court would be prepared to issue an order on the Motion to Transfer Venue.

WHEREAS, on August 27, 2025, the Parties, through their chief executive officers and other senior executives, participated in an in-person mediation session in Omaha, Nebraska with Steve Nelson, the Parties' mutually agreed mediator (the "**Mediator**").

WHEREAS, without admitting to liability or wrongdoing, and without prejudice to any of their respective rights, claims, or defenses, the Parties agreed to explore additional steps to expedite the completion of the OPPD projects and continue negotiations in attempt to resolve the dispute.

WHEREAS, the Parties respectfully request that the Court defer ruling on the Motion to Transfer Venue until October 31, 2025 ("**Extended Ruling Date**").

WHEREAS, the Parties agree to report promptly to the Court in advance of the Extended Ruling Date if they are able to make additional progress in resolving the issues in dispute in this

Adversary Proceeding or if there is basis to seek further extension of the Court's ruling on the Motion to Transfer Venue.

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND ORDERED:

1. The Court shall defer issuing an order on the Motion to Transfer Venue until the Extended Ruling Date, subject to further extension at the request of the Parties.

2. This Stipulation and Agreed Order is subject to the approval of the Court and shall be of no force and effect unless it is approved by the Court.

3. This Stipulation and Agreed Order shall be immediately effective and enforceable upon entry by the Court.

4. Each Party represents and warrants that it is duly authorized to enter into and be bound by this Stipulation and Agreed Order. Each of the undersigned counsel that executes this Stipulation and Agreed Order by or on behalf of each respective Party represents and warrants that such undersigned counsel has been duly authorized and empowered to execute and deliver this Stipulation and Agreed Order on behalf of such Party.

5. This Stipulation and Agreed Order constitutes the entire agreement between the Parties with respect to the subject matter hereof and shall not be modified, altered, amended, or vacated without the prior written consent of all Parties hereto or by order of the Court.

6. The Court shall retain exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Agreed Order.

Signed: 09/01/2025

Marvin Isgur
United States Bankruptcy Judge

STIPULATED AND AGREED THIS 29TH DAY OF AUGUST, 2025:

HICKS THOMAS LLP */s/ John B. Thomas* John B. Thomas (Attorney-in-Charge) Texas Bar No. 19856150 S.D. Tex. ID No. 10675 jthomas@hicks-thomas.com John J. Deis (Texas Bar No. 24028289) jdeis@hicks-thomas.com 700 Louisiana Street, Suite 2300 Houston, Texas 77002 Telephone: (713) 547-9100 Facsimile: (713) 547-9150 *Counsel for the Reorganized Debtors*	**FOLEY & LARDNER LLP** */s/ Thomas C. Scannell* Thomas C. Scannell (Texas Bar No. 24070559) Stephen A. Jones (Texas Bar No. 24101270) Zachary C. Zahn (Texas Bar No. 24137675) 2021 McKinney Avenue, Ste. 1600 Dallas, Texas 75201 Telephone: (214) 999-3000 Facsimile: (214) 999-4667 Email: tscannell@foley.com sajones@foley.com zzahn@foley.com *Counsel to Omaha Public Power District*
WHITE & CASE LLP */s/ Charles R. Koster* Charles R. Koster (Texas Bar No. 24128278) charles.koster@whitecase.com 609 Main Street, Suite 2900 Houston, Texas 77002 Telephone: (713) 496-9700 Facsimile: (713) 496-9701 Laura J. Garr (admitted *pro hac vice*) lgarr@whitecase.com 1221 Avenue of the Americas New York, New York 10020 Telephone: (212) 819-8200 *Counsel for the Reorganized Debtors*	

Certificate of Service

I certify that on August 29, 2025, 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

United States Bankruptcy Court
Southern District of Texas

Zachry Holdings, Inc.,
Plaintiff

Adv. Proc. No. 25-03025-mi

Omaha Public Power District,
Defendant

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser
Date Rcvd: Sep 02, 2025 Form ID: pdf002 Total Noticed: 3

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 Sep 04, 2025:

Recip ID		Recipient Name and Address
pla	+	Zachry Holdings, Inc., 527 Logwood Avenue, San Antonio, TX 78221-1738

TOTAL: 1

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	Sep 02 2025 21:41:00	Kurtzman Carson Consultants, LLC d/b/a Verita Glob, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245-5614
dft		Email/Text: tvasquez@oppd.com	Sep 02 2025 21:41:00	Omaha Public Power District, 444 South 16th Street Mall, Omaha, NE 68102-2247

TOTAL: 2

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.

NONE

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: Sep 04, 2025 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 2, 2025 at the address(es) listed below:

Name	Email Address
Charles R. Koster	on behalf of Plaintiff Zachry Holdings Inc. ckoster@whitecase.com, mco@whitecase.com
David Ryan Cordell, Jr	

on behalf of Plaintiff Zachry Holdings Inc. rcordell@hicks-thomas.com, aguerrero@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

John B Thomas
on behalf of Plaintiff Zachry Holdings Inc. jthomas@hicks-thomas.com, jmarlowe@hicks-thomas.com

Jonathan Michael Thomas
on behalf of Defendant Omaha Public Power District jmthomas@foley.com

Robert T. Slovak
on behalf of Defendant Omaha Public Power District rslovak@foley.com tdurham@foley.com

Thomas C Scannell, Jr
on behalf of Defendant Omaha Public Power District tscannell@foley.com thomas-scannell-3441@ecf.pacerpro.com

Zachary Carl Zahn
on behalf of Defendant Omaha Public Power District zzahn@foley.com

TOTAL: 8