

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
	:	
DBMP LLC ¹	:	Case No. 20-30080 (JCW)
Debtor.	:	
	:	
	:	

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON SEPTEMBER 17, 2021**

Time of Hearing: 9:30 a.m. (prevailing Eastern Time)

Location of Hearing: The hearing will be held via video conference and telephone conference using Microsoft Teams. All parties who intend to appear by Microsoft Teams (either by video or telephonically) should contact Ursula Hamilton at ursula_c_hamilton@ncwb.uscourts.gov by September 16, 2021 for the needed link, codes and dial-in information. Parties who plan to speak via Microsoft Teams should plan to wear headphones to prevent feedback.

UNCONTESTED MATTERS NOT GOING FORWARD

1. Future Claimants' Representative Motion to File Documents Under Seal [Dkt. 871].

Status: The Future Claimants' Representative and the Debtor are preparing an order resolving the motion.

CONTESTED MATTERS GOING FORWARD

2. Emergency Motion of the Debtor to Continue Hearings on and Briefing Schedule for the Asbestos Committee's and Future Claimants' Representative's Motions for (I) Standing, (II) Substantive Consolidation and (III) Certain Discovery [Dkt. 1026] (the "Motion to Continue").

Status: This matter is going forward by agreement of the parties and the Court.

Objection Deadline: None given.

¹ The last four digits of the Debtor's taxpayer identification number are 8817. The Debtor's address is 20 Moores Road, Malvern, Pennsylvania 19335.

Related Documents:

- A. *Ex Parte* Motion of the Debtor to Shorten Notice with Respect to the Motion to Continue [Dkt. 1027] (the “Motion to Shorten”).
- B. Joinder of CertainTeed LLC to the Motion to Continue [Dkt. 1028] (the “CT Joinder”).

Objections Received:

- C. The Official Committee of Asbestos Personal Injury Claimants and the Future Claimants’ Representative’s Objection to the Motion to Continue [Dkt. 1048] (the “ACC-FCR Objection”).
3. The Future Claimants’ Representative’s Motion to Compel Documents [Dkt. 1018].

Status: This matter is going forward.

Objection Deadline: September 9, 2021

Related Documents:

- A. Notice of Service of Subpoena [Dkt. 1037].
- B. Future Claimants’ Representative’s Reply in Support of Motion to Compel Production of Documents [Dkt. 1041].

Objections Received:

- C. Debtor’s Objection to the Future Claimants’ Representative’s Motion to Compel Production of Document [Dkt. 1038].
4. Motion of the Official Committee of Asbestos Personal Injury Claimants and Future Claimants’ Representative to Compel the Debtor to Produce All Settlement Documents Withheld on the Basis of Privilege or, in the Alternative, to Preclude the Debtor From Selectively Offering Evidence in Support of the Trust Discovery Motion [Dkt. 1019] (the “ACC-FCR Motion to Compel”).

Status: This matter is going forward.

Objection Deadline: September 9, 2021

Related Documents:

- A. Reply in Support of the ACC-FCR Motion to Compel [Dkt. 1044].

Objections Received:

- B. Debtor’s Objection to the ACC-FCR Motion to Compel [Dkt. 1039].

CONTESTED MATTERS NOT GOING FORWARD

5. The Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative Motion for an Order Authorizing and Directing the Production of Documents Pursuant to Bankruptcy Rule 2004 [Dkt. 1002].

Status: This matter is not going forward. A briefing and hearing schedule for this matter is pending the outcome of the Motion to Continue.

Objection Deadline: September 20, 2021

Related Documents:

- A. Plaintiffs' Motion for Entry of an Order Substantively Consolidating the Estate of DBMP LLC With CertainTeed LLC or, In the Alternative, for an Order Reallocating the Asbestos Liabilities of the Debtor to CertainTeed LLC [Dkt. 1005, Adv. Pro. 21-03023 Dkt. 2].
- B. Motion to Continue.
- C. Motion to Shorten.
- D. CT Joinder.
- E. ACC-FCR Objection.

Objections Received: None to date.

6. Plaintiffs' Motion for Entry of an Order Substantively Consolidating the Estate of DBMP LLC With CertainTeed LLC or, In the Alternative, for an Order Reallocating the Asbestos Liabilities of the Debtor to CertainTeed LLC [Dkt. 1005, Adv. Pro. 21-03023 Dkt. 2].

Status: This matter is not going forward. A briefing and hearing schedule for this matter is pending the outcome of the Motion to Continue.

Objection Deadline: September 20, 2021

Related Documents:

- A. The Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative Motion for an Order Authorizing and Directing the Production of Documents Pursuant to Bankruptcy Rule 2004 [Dkt. 1002].
- B. Motion to Continue.
- C. Motion to Shorten.
- D. CT Joinder.

E. ACC-FCR Objection.

Objections Received: None to date.

7. Motion of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to Compel Discovery Pursuant to the Crime-Fraud Exception and/or Waiver of the Attorney Client Privilege and Work Product Protection [Dkt. 1006].

Status: This matter is not going forward. A briefing and hearing schedule for this matter is pending the outcome of the Motion to Continue.

Objection Deadline: September 20, 2021

Related Documents:

- A. Motion to Continue.
- B. Motion to Shorten.
- C. CT Joinder.
- D. ACC-FCR Objection.

Objections Received: None to date.

8. Motion of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative for Entry of an Order (I) Granting Leave, Standing, and Authority to Investigate, Commence, Prosecute, and to Settle Certain Causes of Action, and (II) to Conduct Relevant Examinations [Dkt. 1008] (the "Standing Motion").

Status: This matter is not going forward. A briefing and hearing schedule for this matter is pending the outcome of the Motion to Continue.

Objection Deadline: September 20, 2021

Related Documents:

- A. Appendix to the Standing Motion [Dkt. 1017].
- B. Motion to Continue.
- C. Motion to Shorten.
- D. CT Joinder.
- E. ACC-FCR Objection.

Objections Received: None to date.

Dated: September 15, 2021
Charlotte, North Carolina

Respectfully submitted,

/s/ Garland S. Cassada

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ATTORNEYS FOR DEBTOR AND
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