

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

IN RE:

DBMP LLC,

Debtor.

Case No.: 20-30080

Chapter 11

**MOTION OF COALITION FOR LITIGATION JUSTICE, INC.
FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF
IN SUPPORT OF DEBTOR'S MOTION FOR BANKRUPTCY
RULE 2004 EXAMINATION OF ASBESTOS TRUSTS**

The Coalition for Litigation Justice, Inc. (Coalition) files this motion for leave to file the accompanying *amicus curiae* brief in the above-caption matter. The Coalition is a nonprofit association formed by insurers in 2000 to address and improve the litigation environment for asbestos and other toxic tort claims.¹ The Coalition files *amicus* briefs in important cases that may have a significant impact on the asbestos litigation environment. The Coalition supports greater transparency between the asbestos trust and tort systems.

¹ The Coalition includes Century Indemnity Company; Great American Insurance Company; Nationwide Indemnity Company; San Francisco Reinsurance Company, Resolute Management, Inc., a third-party administrator for numerous insurers; and TIG Insurance Company.

The Coalition seeks to use its broad perspective to provide the Court with evidence that asbestos plaintiffs exploit the disconnect between the asbestos trust and tort systems to manipulate exposure evidence and frustrate the ability of tort defendants to prove alternative exposures. The brief provides background that supports allowing Debtor to obtain discovery of trust claim submissions by claimants who filed tort claims against it. This information would allow the Court and Debtor to determine whether Debtor’s “participation in the tort system was infected by the manipulation of exposure evidence by plaintiffs and their lawyers.” *In re Garlock Sealing Techs., LLC*, 504 B.R. 71, 82 (W.D.N.C. Bankr. 2014). The proposed brief does not seek to simply repeat arguments made by the parties.

No party’s counsel authored the proposed brief in whole or in part. No party or a party’s counsel contributed money that was intended to fund preparing or submitting the brief. No person—other than *amicus*, its members, or its counsel—contributed money that was intended to fund the preparation or submission of the brief.

For these reasons, we respectfully request that the Court grant our Motion.

Respectfully submitted,

/s/ Caroline M. Gieser
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October 1, 2021

Attorneys for Amicus Curiae

CERTIFICATE OF SERVICE

I certify that on this 1st day of October, 2021, a copy of the foregoing was filed electronically via the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Caroline M. Gieser
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