

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

ON MARINE SERVICES COMPANY LLC,

Debtor.

Chapter 11

Case No. 20-20007-CMB

**Ref. Docket Nos. 1222, 1223, 1291, 1295 &
1296**

SUPPLEMENTAL AFFIDAVIT OF SERVICE OF SOLICITATION MATERIALS

STATE OF GEORGIA)
) ss.:
COUNTY OF CHATHAM)

Emily Young, being duly sworn, deposes and says, under the penalty of perjury:

1. I am a Senior Consultant of Epiq Corporate Restructuring, LLC (“Epiq”), located at 777 Third Avenue, 12th Floor, New York, New York 10017. I am authorized to submit this affidavit on Epiq’s behalf. I am over the age of eighteen years and am not a party to the above-captioned action. Unless otherwise stated, I have personal knowledge of the facts set forth herein.

2. Epiq conducted service of the following materials:

- a. A Flash Drive containing PDF copies of the documents listed below, together with a Flash Drive Contents Memo listing the documents, (the “Disclosure Statement Flash Drive”):
 - i. First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC under Chapter 11 of the Bankruptcy Code [Docket No. 1295];
 - ii. Order (I) Conditionally Approving the First Amended Combined Disclosure Statement and Plan of Liquidation for Solicitation Purposes; (II) Establishing Procedures for Solicitation and Tabulation of Votes on the First Amended Combined Plan and Disclosure Statement; (III) Approving the Forms of Ballots; (IV) Establishing a Voting Record Date; (V) Scheduling a Combined Hearing to Consider (A) Final Approval of the Disclosure Statement, (B) Confirmation of the Plan, and (C) Approval of the Insurance Settlement Motions; (VI)

Approving Procedures for the Notice of Combined Hearing and for Filing Objections; and (VII) Granting Related Relief [Docket No. 1291];

- iii. Debtor's Motion for an Order (I) Approving the Amended and Restated Settlement Agreement and Release Between the Debtor and Federal Insurance Company, (II) Approving the Sale of Certain Insurance Policies, and (III) Recognizing Certain Related Relief in Connection with the Plan of Liquidation [Docket No. 1222]; and
 - iv. Debtor's Motion for an Order (I) Approving the Amended and Restated Settlement Agreement and Release Between the Debtor and Fireman's Fund Insurance Company and Fireman's Fund Insurance Company of Ohio, (II) Approving the Sale of Certain Insurance Policies, and (III) Recognizing Certain Related Relief in Connection with the Plan of Liquidation [Docket No. 1223];
- b. Notice of (I) Conditional Approval of the First Amended Combined Disclosure Statement and Plan of Liquidation for Solicitation Purposes Only, (II) Deadline for Casting Votes to Accept or Reject the First Amended Combined Plan and Disclosure Statement, and (III) the Hearing to Consider (A) Final Approval of the First Amended Combined Plan and Disclosure Statement as Containing Adequate Information, (B) Approval of Related Insurance Settlement Agreements, and (C) Confirmation of the First Amended Combined Plan and Disclosure Statement (the "Combined Hearing Notice"), [Docket 1296];
 - c. Letter from Official Committee of Asbestos Personal Injury Claimants (the "Asbestos Committee Letter"), a copy of which is attached hereto as **Exhibit 1**;
 - d. Ballot for Accepting or Rejecting the First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC under Chapter 11 of the Bankruptcy Code, Class 3: General Unsecured Claims (the "Class 3 Ballot"), a copy of which is attached hereto as **Exhibit 2**;
 - e. Individual Ballot for Accepting or Rejecting the First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC under Chapter 11 of the Bankruptcy Code, Class 4: Asbestos Claims (the "Class 4 Individual Ballot"), a copy of which is attached hereto as **Exhibit 3**;
 - f. a pre-addressed, postage paid return envelope, (the "Postage Paid Return Envelope")

3. On December 5, 2022, true and correct copies of the above documents were served by first class mail as follows:

- a. the Disclosure Statement Flash Drive, Combined Hearing Notice, Asbestos Committee Letter, Class 3 Ballot, and Postage Paid Return Envelope were served on the party listed on **Exhibit 4** hereto;

4. On December 14, 2022, true and correct copies of the above documents were served by first class mail as follows

- a. the Disclosure Statement Flash Drive, Combined Hearing Notice, Asbestos Committee Letter, Class 4 Individual Ballot, and Postage Paid Return Envelope were served on the party listed on **Exhibit 5** hereto;

5. On December 16, 2022, true and correct copies of the above documents were served by first class mail as follows:

- a. the Disclosure Statement Flash Drive, Combined Hearing Notice, Asbestos Committee Letter, Class 4 Individual Ballot, and Postage Paid Return Envelope were served on the parties listed on **Exhibit 6** hereto; and
- b. the Disclosure Statement Flash Drive and the Combined Hearing Notice were served on the party listed on **Exhibit 7** hereto;

6. On December 22, 2022, true and correct copies of the above documents were served by first class mail as follows:

- a. the Disclosure Statement Flash Drive, Combined Hearing Notice, Asbestos Committee Letter, Class 4 Individual Ballot, and Postage Paid Return Envelope were served on the party listed on **Exhibit 8** hereto;

7. On January 5, 2023, true and correct copies of the above documents were served by first class mail as follows:

- a. the Disclosure Statement Flash Drive, Combined Hearing Notice, Asbestos Committee Letter, Class 4 Individual Ballot, and Postage Paid Return Envelope were served on the party listed on **Exhibit 9** hereto;

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

/s/ Emily Young
Emily Young
Senior Consultant
Epiq Corporate Restructuring, LLC

SUBSCRIBED AND SWORN TO BEFORE ME

This 10th day of January 2023.

/s/ Angelina Lundy
Notary Public, State of Georgia
Chatham County
Commission Expires July 8, 2025

EXHIBIT 1

OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS

c/o Caplin & Drysdale, Chartered

One Thomas Circle

Washington, D.C. 20005

TO: ALL ASBESTOS CLAIMANTS OF ON MARINE SERVICES COMPANY LLC

Dear Asbestos Claimant:

The Official Committee of Asbestos Personal Injury Claimants (the “**Committee**”) is the statutory committee of creditors appointed in the bankruptcy case of ON Marine Services Company LLC (“**ON Marine**”). ON Marine’s bankruptcy case is pending before the United States Bankruptcy Court for the Western District of Pennsylvania. The Committee consists solely of individuals who allege that they have suffered personal injury or wrongful death as a result of exposure to asbestos-containing products manufactured or sold by ON Marine, and represents the interests of current asbestos claimants. The members of the Committee and their representatives are:

- Robert P. Noroski, represented by Goldberg, Persky & White P.C.;
- Pamela Baxter, represented by Simmons Hanly Conroy;
- Christy Anne Garceau, represented by Shrader & Associates;
- Thomas C. Larkin, represented by Savinis, Kane, Gallucci, LLC;
- John Pudlo, represented by Cooney & Conway;
- Richard Rindfleisch, represented by Kelley & Ferraro LLP; and
- James B. Walczak, represented by the Law Offices of Peter G. Angelos, P.C.

The law firm of Caplin & Drysdale, Chartered serves as bankruptcy counsel to the Committee.

The Committee is issuing this letter in connection with the solicitation of votes on a proposed plan of liquidation contained in the *First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC Under Chapter 11 of the Bankruptcy Code*, dated November 18, 2022 (the “**Combined Disclosure Statement and Plan**”). The Combined Disclosure Statement and Plan is jointly proposed by ON Marine and the Committee. For the reasons explained below, the Committee urges all asbestos claimants to **ACCEPT (VOTE IN FAVOR OF)** the Combined Disclosure Statement and Plan.

As explained in the accompanying Combined Disclosure Statement and Plan, ON Marine is a Delaware limited liability company that is the continuation of the entity formerly known as Oglebay Norton Company (a Delaware corporation). From 1957 to 1998, Ferro Engineering operated as an unincorporated division of Oglebay Norton Company. At various times during its existence, the Ferro Engineering division manufactured and sold refractory products for use exclusively in steelmaking, including insulated “hot tops”—the tops of ingot molds into which molten steel was poured in the open hearth departments of integrated steel mills—manufactured between the mid-1940s and 1978. Consequently, claimants have filed lawsuits seeking money damages against ON Marine for personal injury or wrongful death as a result of exposure to asbestos-containing products manufactured or sold by ON Marine. ON Marine also was named as a defendant in a smaller number of asbestos-related cases arising under the Merchant Marine

Act of 1920 (commonly referred to as the Jones Act), in which claimants seek money damages for personal injury arising from exposure to asbestos aboard lake vessels owned and operated by ON Marine and/or its predecessor entities.

ON Marine faces substantial liability from current asbestos claims. The Combined Disclosure Statement and Plan calls for ON Marine to fund a liquidating trust (“**Liquidating Trust**”) created to process existing asbestos claims and pay qualified claims. Under the proposed Combined Disclosure Statement and Plan, the Liquidating Trust would be funded by certain assets of ON Marine, including cash from approximately \$29.25 million in settlements with certain insurers and affiliates.¹ In exchange for funding the Liquidating Trust, ON Marine and certain additional parties enumerated in the Combined Disclosure Statement and Plan will be protected from current asbestos claims on the terms and conditions specified in the Combined Disclosure Statement and Plan.

The Committee has negotiated a compromise with ON Marine and certain affiliates and insurers of many complex factual and legal issues, including the amount of funds to be contributed to the Liquidating Trust. The Combined Disclosure Statement and Plan embodies the terms of that compromise. The Committee believes the Combined Disclosure Statement and Plan provides the maximum recoveries currently available on a consensual basis for present asbestos claimants and is fair and equitable to all parties in interest.

The Liquidating Trust Distribution Procedures will govern the processing, evaluation, and, where appropriate, payment of asbestos claims by the Liquidating Trust. The Liquidating Trust Distribution Procedures currently provide that the Liquidating Trust will pay eligible asbestos claims their full values as determined pursuant to the Liquidating Trust Distribution Procedures.

FOR THESE AND OTHER REASONS, THE COMMITTEE URGES ALL ASBESTOS CLAIMANTS TO ACCEPT (VOTE IN FAVOR OF) THE COMBINED DISCLOSURE STATEMENT AND PLAN.

To **accept (vote in favor of)** the Combined Disclosure Statement and Plan, you may either submit a ballot accepting the Combined Disclosure Statement and Plan directly to the Balloting Agent, whose address is listed in the enclosed ballot materials, or, if you have not already done so, authorize your attorney to vote to accept the Combined Disclosure Statement and Plan on your behalf.

The voting deadline is **4 p.m. Prevailing Eastern Time on January 10, 2023**. Please return your ballot, or (if you have not already done so), authorize your attorney to return a ballot on your behalf promptly. Please carefully follow all instructions on the ballot materials accompanying this letter.

¹ Approximately \$28 million from these settlements will be transferred to the Liquidating Trust on or before the date the Combined Plan and Disclosure Statements becomes effective. The remaining \$1.25 million has already been paid into ON Marine’s estate for use in administering the bankruptcy case. ON Marine expects that it will hold excess cash after administering the estate, making distributions under the Combined Plan and Disclosure Statement, and winding up its business, which excess cash will then be distributed to the Liquidating Trust.

Once voting is complete, ON Marine intends to present the Combined Disclosure Statement and Plan to the Bankruptcy Court for approval and confirmation if enough votes are received in favor of the Combined Disclosure Statement and Plan.

Sincerely,

**Official Committee of Asbestos Personal Injury
Claimants**

EXHIBIT 2

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Chapter 11

ON MARINE SERVICES COMPANY LLC,

Case No. 20-20007-CMB

Debtor.

**BALLOT FOR ACCEPTING OR REJECTING THE FIRST AMENDED COMBINED
DISCLOSURE STATEMENT AND PLAN OF LIQUIDATION OF ON MARINE
SERVICES COMPANY LLC UNDER CHAPTER 11 OF THE BANKRUPTCY CODE**

CLASS 3: GENERAL UNSECURED CLAIMS

**PLEASE READ AND FOLLOW THE ENCLOSED INSTRUCTIONS FOR
COMPLETING BALLOTS CAREFULLY BEFORE COMPLETING THE BALLOT**

**THIS BALLOT MUST BE ACTUALLY RECEIVED BY 4:00 P.M. (PREVAILING
EASTERN TIME) ON JANUARY 10, 2023 (THE “VOTING DEADLINE”).**

On January 2, 2020, ON Marine Services Company LLC (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Western District of Pennsylvania (“Court”).

The Debtor is soliciting votes to accept or reject the *First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC Under Chapter 11 of the Bankruptcy Code*, dated as of November 18, 2022 [Doc. No. 1295] (including all exhibits thereto and as may be amended, supplemented, or otherwise modified from time to time, the “Combined Plan and Disclosure Statement”), which is included in the materials accompanying this ballot. Capitalized terms used but not defined in this ballot have the meanings given to them in the Combined Plan and Disclosure Statement.

On November 21, 2022, the Court entered an order [Doc. No. 1291] (the “Conditional Approval and Procedures Order”) conditionally approving the Combined Plan and Disclosure Statement for solicitation purposes only.

You are receiving this ballot because our records indicate that you are a holder of a claim in Class 3 (General Unsecured Claims). Accordingly, you have a right to vote to accept or reject the Combined Plan and Disclosure Statement.

You should review the Combined Plan and Disclosure Statement before you vote. You may wish to seek legal advice concerning the Combined Plan and Disclosure Statement and the classification and treatment of your Claim contained therein. Your Claim has been placed in Class 3 (General Unsecured Claims) under the Combined Plan and Disclosure Statement. If you hold Claims in more than one Class, you will receive a ballot for each Class in which you are entitled to vote.

PLEASE READ AND FOLLOW THE INSTRUCTIONS SET FORTH HEREIN CAREFULLY. IN ORDER FOR YOUR BALLOT TO COUNT, YOU MUST, BY THE VOTING DEADLINE, EITHER SUBMIT YOUR BALLOT THROUGH THE ADMINISTRATIVE AGENT'S ONLINE ELECTRONIC BALLOTING PORTAL (THE "E-BALLOTING PORTAL") OR BY RETURNING THIS PAPER BALLOT TO THE ADMINISTRATIVE AGENT VIA FIRST CLASS MAIL, OVERNIGHT MAIL, OR HAND DELIVERY. BALLOTS SENT BY E-MAIL OR FACSIMILE TRANSMISSION ARE NOT ALLOWED AND WILL NOT BE COUNTED. CREDITORS WHO CAST A BALLOT USING THE E-BALLOTING PORTAL SHOULD NOT ALSO SUBMIT A PAPER BALLOT.

If you have any questions about this ballot or need to obtain a copy of the Combined Plan and Disclosure Statement or related materials, you may contact Epiq Corporate Restructuring, LLC (the "Administrative Agent"), the voting agent retained by the Debtor in this chapter 11 case, by: (a) accessing the Administrative Agent's chapter 11 case website at <https://dm.epiq11.com/onmarine>, or (b) calling the Administrative Agent at (833) 991-1557 (U.S. & Canada) or +1 (503) 520-4477 (International) during regular business hours. You may also obtain copies of any pleadings filed in this chapter 11 case free of charge via the Administrative Agent's chapter 11 case website at <https://dm.epiq11.com/case/onmarine/dockets>.

Please note that the Balloting Agent cannot provide legal advice or direct you to either accept (vote in favor of) or reject (vote against) the Plan. IF AN ADDITIONAL BALLOT IS NEEDED, PLEASE DO NOT PHOTOCOPY THIS BALLOT, BUT RATHER, REQUEST AN ADDITIONAL BALLOT FROM THE BALLOTING AGENT.

This ballot may not be used for any purpose other than to vote to accept or reject the Combined Plan and Disclosure Statement. If you believe you have received this ballot in error, please contact the Administrative Agent at the telephone number set forth above or via email at: ONMarine@epiqglobal.com.

**VOTING INSTRUCTIONS FOR COMPLETING
BALLOT FOR CLASS 3: GENERAL UNSECURED CLAIMS**

1. The Debtor is soliciting the votes of holders of Claims in the Voting Classes with respect to the Combined Plan and Disclosure Statement. PLEASE READ THE COMBINED PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THIS BALLOT. A COPY OF THE COMBINED PLAN AND DISCLOSURE STATEMENT CAN BE FOUND AMONG THE MATERIALS ACCOMPANYING THIS BALLOT. You may wish to seek legal advice concerning the Combined Plan and Disclosure Statement and the classification and treatment of your claim under the Combined Plan and Disclosure Statement. Capitalized terms used in the ballot or in these instructions (the “Ballot Instructions”) but not otherwise defined therein or herein shall have the meaning set forth in the Combined Plan and Disclosure Statement or the Conditional Approval and Procedures Order, as applicable.

2. The E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email, or other means of electronic submission may not be counted. To have your vote counted, you must electronically complete, sign, and return this customized Electronic Ballot by utilizing the E-Balloting Portal on the Administrative Agent’s website. Your ballot must be received by the Administrative Agent no later than the Voting Deadline, unless such time is extended by the Debtor.

3. HOLDERS ARE STRONGLY ENCOURAGED TO SUBMIT THEIR BALLOTS VIA THE E-BALLOTING PORTAL. CREDITORS WHO CAST A BALLOT USING THE E-BALLOTING PORTAL SHOULD NOT ALSO SUBMIT A PAPER BALLOT.

If Submitting Your Vote Through The E-Balloting Portal:

The Administrative Agent will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, visit <https://dm.epiq11.com/onmarine>, click on the “E-Ballot” section of the Debtor’s website and follow the instructions to submit your Ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your customized electronic Ballot:

Unique E-Ballot ID#: _____

The Administrative Agent’s E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission may not be counted.

Each E-Ballot ID# is to be used solely for voting only the Claim described in Item 1 of your Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable. Holders who cast a Ballot using the E-Balloting Portal should NOT also submit a paper Ballot.

If your Ballot is not received by the Administrative Agent on or before the Voting Deadline, and such Voting Deadline is not extended by the Debtor, then your vote may not be counted.

4. If you prefer to return a hard copy of your ballot, you may return it in the enclosed preaddressed, postage prepaid envelope or via first class mail, or hand delivery to:

<p>By first class mail to:</p> <p>ON Marine Services Company LLC Ballot Processing Epiq Corporate Restructuring, LLC P.O. Box 4422 Beaverton, OR 97076-4422</p>	<p>Via overnight courier or hand delivery to:</p> <p>ON Marine Services Company LLC Ballot Processing Epiq Corporate Restructuring, LLC 10300 SW Allen Boulevard Beaverton, OR 97005</p>
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Ballots delivered to the Bankruptcy Court, the Debtor, or any other person other than the Administrative Agent will not be counted.

5. If the Combined Plan and Disclosure Statement is confirmed by the Court, it will be binding on you whether or not you vote to accept or reject the Combined Plan and Disclosure Statement.

6. To ensure that your vote is counted, you must complete and return this ballot as follows: (i) indicate your vote either to accept or reject the Combined Plan and Disclosure Statement in the boxes provided in Item 2, (ii) review the Certifications in Item 3, and (iii) if you are not using the E-Balloting Portal (a) sign and complete the requested information in Item 4 of the ballot and (b) return the ballot so that it is **actually received** by the Administrative Agent by the Voting Deadline.

7. If the ballot is received after the Voting Deadline, it may not be counted. You may choose the method of delivery of your ballot to the Administrative Agent at your own risk. Except as provided herein, such delivery will be deemed made only when the original executed ballot is **actually received** by the Administrative Agent. You should allow sufficient time to assure timely delivery. Ballots delivered by facsimile transmission, electronic mail, or any other electronic means other than through the E-Balloting Portal **may not be counted**. **This ballot may not be submitted to the Debtor or its financial or legal advisors.**

8. You must vote your entire Claim either to accept or reject the Combined Plan and Disclosure Statement. Accordingly, a ballot that partially rejects and partially accepts the Combined Plan and Disclosure Statement may not be counted. Further, if a Holder has multiple Claims within the same Class, the Debtor may, in its discretion, aggregate the Claims of any particular Holder within a Class for the purpose of counting votes.

9. If multiple ballots are received from the same Claimholder with respect to the same Claim prior to the Voting Deadline, the last dated valid ballot timely received will supersede and revoke any earlier dated ballots. If you cast simultaneous inconsistent ballots, such ballots will not be counted.

10. This ballot does not constitute, and shall not be deemed to be: (a) a Proof of a Claim; or (b) an assertion or admission of a Claim.

11. The following ballots may not be counted in determining the acceptance or rejection of the Combined Plan and Disclosure Statement:

- (i) any ballot that is not actually received by the Administrative Agent on or before the Voting Deadline;
- (ii) any ballot that is illegible or contains insufficient information to permit the identification of the holder;
- (iii) any ballot that (a) does not indicate an acceptance or rejection of the Combined Plan and Disclosure Statement, (b) indicates both an acceptance and rejection of the Combined Plan and Disclosure Statement, and/or (c) partially accepts and partially rejects the Combined Plan and Disclosure Statement;
- (iv) any ballot cast by an Entity who does not hold, or represent an Entity that holds, a Claim in Class 3 (General Unsecured Claims) or Class 4 (Asbestos Claims);
- (v) any ballot cast for a Non-Asbestos Claim scheduled as unliquidated, contingent, or disputed for which no Proof of Claim was timely filed;
- (vi) any ballot sent to a Person other than the Administrative Agent; and
- (vii) any ballot not bearing an original signature.

12. Please be sure to sign and date your ballot. If you are signing a ballot in your capacity as a trustee, executor, administrator, guardian, attorney in fact, officer of a corporation, or otherwise acting in a fiduciary or representative capacity, you should indicate such capacity when signing and, if requested by the Administrative Agent, the Debtor, or the Court, must submit proper evidence to the requesting party to so act on behalf of such Holder. In addition, please provide your name and mailing address if it is different from that set forth on the attached mailing label or if no such mailing label is attached to the ballot.

13. Unless otherwise directed by the Court, delivery of a defective or irregular ballot will not be deemed to have been made until such defect or irregularity has been cured or waived by the Debtor. Any waiver by the Debtor of defects or irregularities in any ballot will be detailed in the Voting Declaration filed with the Court by the Administrative Agent. None of the Debtor, the Administrative Agent, or any other Entity, will be under any duty to provide notification of defects or irregularities with respect to delivered ballots, nor will any of them incur any liability for failure to provide such notification.

14. If you hold Claims in more than one Class under the Combined Plan and Disclosure Statement or in multiple accounts, you may receive more than one ballot coded for each different Class or account. Each ballot votes only your Claims indicated on that ballot. Please complete and return each ballot you receive.

15. If you believe you have received a ballot coded for the incorrect Class, you should contact the Administrative Agent by calling (833) 991-1557 (U.S. & Canada) or +1 (503) 520-4477 (International) during regular business hours or by email to ONMarine@epiqglobal.com.

16. THE ADMINISTRATIVE AGENT CANNOT PROVIDE YOU WITH LEGAL ADVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT, OR IF YOU DID NOT RECEIVE A RETURN ENVELOPE WITH YOUR BALLOT, OR IF YOU DID NOT RECEIVE A COPY OF THE COMBINED PLAN AND DISCLOSURE STATEMENT, OR IF YOU BELIEVE YOU HAVE RECEIVED THE WRONG BALLOT, OR IF YOU NEED ADDITIONAL COPIES OF THIS BALLOT OR OTHER ENCLOSED MATERIALS, **PLEASE CONTACT THE ADMINISTRATIVE AGENT AT (833) 991-1557 (U.S. & Canada) or +1 (503) 520-4477 (INTERNATIONAL) DURING REGULAR BUSINESS HOURS or ONMarine@epiqglobal.com.**

TO BE COUNTED, THIS BALLOT MUST BE ACTUALLY RECEIVED BY THE ADMINISTRATIVE AGENT BY THE VOTING DEADLINE: 4:00 P.M. (PREVAILING EASTERN TIME) ON JANUARY 10, 2023.

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<p><u>ON MARINE SERVICES COMPANY LLC</u></p> <p>BALLOT FOR VOTING ON THE FIRST AMENDED COMBINED PLAN AND DISCLOSURE STATEMENT OF ON MARINE SERVICES COMPANY LLC UNDER CHAPTER 11 OF THE BANKRUPTCY CODE</p>
<p>CLASS 3 (GENERAL UNSECURED CLAIMS)</p>

Read instructions accompanying this ballot before completing. Print clearly.

Item 1: Amount Of Claim. (Print clearly)

The undersigned hereby certifies that as of November 21, 2022, the undersigned holder was the holder of a Claim in Class 3 in the following amount(s) for voting:

Amount of Claim: \$ _____ ¹
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Item 2: Vote To Accept Or Reject The Combined Plan And Disclosure Statement. (please check one)

The holder of the Claim set forth in Item 1 votes to:

<p>ACCEPT THE PLAN</p> <p><input type="checkbox"/></p>	<p>REJECT THE PLAN</p> <p><input type="checkbox"/></p>
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Any ballot that is executed by the holder of a Claim, but that indicates both an acceptance and a rejection of the Combined Plan and Disclosure Statement or does not indicate either an acceptance or rejection of the Combined Plan or Disclosure Statement, will not be counted.

[Please proceed to Item 3 on the next page.]

¹ For voting purposes only. Subject to tabulation rules.

Item 3: Certifications.

By signing this ballot, the undersigned certifies to the Court and the Debtor:

- a. that as of the Record Date, the undersigned is either: (a) the holder of the Claim being voted; or (b) an authorized signatory for an Entity that is a holder of the Claim being voted;
- b. that the Entity has received a copy of the Combined Plan and Disclosure Statement and the Solicitation Package and acknowledges that the solicitation is being made pursuant to the terms and conditions set forth therein;
- c. that the Entity has cast the same vote with respect to all Claims;
- d. that no other ballots with respect to the amount of the Claim identified in Item 1 have been cast or, if any other ballots have been cast with respect to such Claim(s), then any such ballots dated earlier are hereby revoked;
- e. that the Entity acknowledges that a vote to accept the Combined Plan and Disclosure Statement constitutes an acceptance of the treatment of such Entity's Claim;
- f. that the Entity understands and, if accepting the Combined Plan and Disclosure Statement, agrees with the treatment provided for its Claim(s) under the Combined Plan and Disclosure Statement;
- g. that the entity acknowledges and understands that any Class of Claims that does not have a Holder of an Allowed Claim or a Claim temporarily allowed by the Court as of the date of the Confirmation Hearing shall be deemed eliminated from the Combined Plan and Disclosure Statement for purposes of voting to accept or reject the Combined Plan and Disclosure Statement and for purposes of determining acceptance or rejection of the Combined Plan and Disclosure Statement by such Class pursuant to section 1129(a)(8) of the Bankruptcy Code; and
- h. that the Entity acknowledges and agrees that the Debtor may make conforming changes to the Combined Plan and Disclosure Statement to the extent provided by Bankruptcy Rule 3019 as may be reasonably necessary; provided, that the Debtor will not re-solicit acceptances or rejections of the Combined Plan and Disclosure Statement in the event of such conforming changes.

[Please proceed to Item 4 on the next page.]

Item 4: Signature/Authorization. (Print clearly)

Print or type name: _____

Signature: _____

Title (if corporation, limited liability company, or partnership):

Address: _____

Phone No: _____

Email: _____

Date: _____

PLEASE COMPLETE, SIGN, AND DATE THE BALLOT AND RETURN IT PROMPTLY IN THE RETURN ENVELOPE PROVIDED OR THROUGH THE E-BALLOTING PORTAL. YOUR BALLOT MUST BE ACTUALLY RECEIVED BY THE ADMINISTRATIVE AGENT BY THE VOTING DEADLINE, WHICH IS 4:00 P.M. (PREVAILING EASTER TIME) ON JANUARY 10, 2023.

EXHIBIT 3

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

ON MARINE SERVICES COMPANY LLC,

Debtor.

Chapter 11

Case No. 20-20007-CMB

**INDIVIDUAL BALLOT FOR ACCEPTING OR REJECTING THE FIRST
AMENDED COMBINED DISCLOSURE STATEMENT AND PLAN OF
LIQUIDATION OF ON MARINE SERVICES COMPANY LLC UNDER
CHAPTER 11 OF THE BANKRUPTCY CODE**

CLASS 4: ASBESTOS CLAIMS

**PLEASE READ AND FOLLOW THE ENCLOSED INSTRUCTIONS FOR
COMPLETING BALLOTS CAREFULLY BEFORE COMPLETING THE BALLOT**

**THIS BALLOT MUST BE ACTUALLY RECEIVED BY 4:00 P.M. (PREVAILING
EASTERN TIME) ON JANUARY 10, 2023 (THE “VOTING DEADLINE”).**

On January 2, 2020, ON Marine Services Company LLC (the “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Western District of Pennsylvania (“Court”).

The Debtor is soliciting votes to accept or reject the *First Amended Combined Disclosure Statement and Plan of Liquidation of ON Marine Services Company LLC Under Chapter 11 of the Bankruptcy Code*, dated as of November 18, 2022 [Doc. No. 1295] (including all exhibits thereto and as may be amended, supplemented, or otherwise modified from time to time, the “Combined Plan and Disclosure Statement”), which is included in the materials accompanying this ballot. Capitalized terms used but not defined in this ballot have the meanings given to them in the Combined Plan and Disclosure Statement.

On November 21, 2022, the Court entered an order [Doc. No. 1291] (the “Conditional Approval and Procedures Order”) conditionally approving the Combined Plan and Disclosure Statement for solicitation purposes only.

You should review the Combined Plan and Disclosure Statement before you vote. You may wish to seek legal advice concerning the Combined Plan and Disclosure Statement and the classification and treatment of your Claim contained therein. Your Claim has been placed in Class

4 (Asbestos Claims) under the Combined Plan and Disclosure Statement. If you hold Claims in more than one Class, you will receive a Ballot for each Class in which you are entitled to vote.

PLEASE READ AND FOLLOW THE INSTRUCTIONS SET FORTH HEREIN CAREFULLY. IN ORDER FOR YOUR BALLOT TO COUNT, YOU MUST, BY THE VOTING DEADLINE, EITHER SUBMIT YOUR BALLOT THROUGH THE ADMINISTRATIVE AGENT'S ONLINE ELECTRONIC BALLOTING PORTAL (THE "E-BALLOTING PORTAL") OR BY RETURNING THIS PAPER BALLOT TO THE ADMINISTRATIVE AGENT VIA FIRST CLASS MAIL, OVERNIGHT MAIL, OR HAND DELIVERY. BALLOTS SENT BY E-MAIL OR FACSIMILE TRANSMISSION ARE NOT ALLOWED AND WILL NOT BE COUNTED. CREDITORS WHO CAST A BALLOT USING THE E-BALLOTING PORTAL SHOULD NOT ALSO SUBMIT A PAPER BALLOT.

If you have any questions about this ballot or need to obtain a copy of the Combined Plan and Disclosure Statement or related materials, you may contact Epiq Corporate Restructuring, LLC (the "Administrative Agent"), the voting agent retained by the Debtor in this chapter 11 case, by: (a) accessing the Administrative Agent's chapter 11 case website at <https://dm.epiq11.com/onmarine>, or (b) calling the Administrative Agent at (833) 991-1557 (U.S. & Canada) or +1 (503) 520-4477 (International) during regular business hours. You may also obtain copies of any pleadings filed in this chapter 11 case free of charge via the Administrative Agent's chapter 11 case website at <https://dm.epiq11.com/case/onmarine/dockets>.

Please note that the Balloting Agent cannot provide legal advice or direct you to either accept (vote in favor of) or reject (vote against) the Plan. IF AN ADDITIONAL BALLOT IS NEEDED, PLEASE DO NOT PHOTOCOPY THIS BALLOT, BUT RATHER, REQUEST AN ADDITIONAL BALLOT FROM THE BALLOTING AGENT.

This Ballot may not be used for any purpose other than to vote to accept or reject the Combined Plan and Disclosure Statement. If you believe you have received this Ballot in error, please contact the Administrative Agent at the telephone number set forth above or via email at: ONMarine@epiqglobal.com.

**VOTING INSTRUCTIONS FOR COMPLETING
INDIVIDUAL BALLOT FOR CLASS 4 ASBESTOS CLAIMS**

1. The Debtor is soliciting the votes of holders of Claims in the Voting Classes with respect to the Combined Plan and Disclosure Statement. PLEASE READ THE COMBINED PLAN AND DISCLOSURE STATEMENT CAREFULLY BEFORE COMPLETING THIS BALLOT. A COPY OF THE COMBINED PLAN AND DISCLOSURE STATEMENT CAN BE FOUND AMONG THE MATERIALS ACCOMPANYING THIS BALLOT. You may wish to seek legal advice concerning the Combined Plan and Disclosure Statement and the classification and treatment of your claim under the Combined Plan and Disclosure Statement. Capitalized terms used in the Ballot or in these instructions (the “Ballot Instructions”) but not otherwise defined therein or herein shall have the meaning set forth in the Combined Plan and Disclosure Statement or the Conditional Approval and Procedures Order, as applicable.

2. **ITEM 1**: CAST ONE VOTE TO ACCEPT (VOTE IN FAVOR OF) OR REJECT (VOTE AGAINST) THE COMBINED PLAN AND DISCLOSURE STATEMENT BY CHECKING THE APPROPRIATE BOX. If you submit a signed Ballot but fail to indicate whether you accept or reject the Combined Plan and Disclosure Statement or if you indicate that you accept and reject the Combined Plan and Disclosure Statement, your vote will not be counted as either an acceptance of the Combined Plan and Disclosure Statement or a rejection of the Combined Plan and Disclosure Statement.

3. **ITEM 2**: Indicate in Item 2 the disease category applicable to your Class 4 Asbestos Claim. You may wish to consult your doctor and/or legal advisor before completing this Item. The following are the asbestos disease categories, along with their corresponding amount and medical criteria for voting purposes only:

a. **Mesothelioma (Level VI)**. Requires (1) diagnosis¹ of mesothelioma, and (2) ON Marine Exposure.² **Claim amount for voting purposes only: \$95,000.**

b. **Lung Cancer 1 (Level V)**. Requires (1) diagnosis of a primary lung cancer plus evidence of an underlying Bilateral Asbestos-Related Nonmalignant Disease,³ (2) six months ON

¹ The requirements for a diagnosis of an asbestos-related disease that may be compensated under the provisions of the Liquidating Trust Distribution Procedures are set forth in Section 4.4 of the Liquidating Trust Distribution Procedures.

² The term “**ON Marine Exposure**” is defined in Section 4.4(b)(3) of the Liquidating Trust Distribution Procedures.

³ Evidence of “**Bilateral Asbestos-Related Nonmalignant Disease**,” for purposes of meeting the criteria for establishing Disease Levels I, III, and V means either (i) a chest X-ray read by a qualified B reader of 1/0 or higher on the International Labour Office (“**ILO**”) scale or (ii)(x) a chest X-ray read by a qualified B reader or other Qualified Physician, (y) a CT scan read by a Qualified Physician, or (z) pathology, in each case showing either bilateral interstitial fibrosis, bilateral pleural plaques, bilateral pleural thickening, or bilateral pleural calcification. Evidence submitted to demonstrate (i) or (ii) above must be in the form of a written report stating the results (e.g., an ILO report, a written radiology report or a pathology report). Solely for asbestos claims filed against the Debtor or another defendant in the tort system prior to the Petition Date, if an ILO reading is not available, either (i) a chest X-ray or a CT scan read by a Qualified Physician, or (ii) pathology, in each case showing bilateral interstitial fibrosis, bilateral pleural plaques, bilateral pleural thickening, or bilateral pleural calcification consistent with or compatible with a diagnosis of asbestos-related disease, shall be evidence of a Bilateral Asbestos-Related Nonmalignant Disease for purposes of meeting the medical requirements of Disease Levels I, III, and V. Pathological proof of asbestosis may be based on the pathological grading system for asbestosis described in the Special Issue of the Archives of Pathology and Laboratory Medicine, “Asbestos-associated Diseases,” Vol. 106, No. 11, App. 3 (October 8, 1982). For all purposes of the Liquidating Trust Distribution Procedures, a “**Qualified Physician**” is a physician who is board-certified in one or more relevant specialized fields of medicine such as pulmonology, radiology, internal medicine or occupational medicine; provided, however, that the requirement for board certification in this provision

Marine Exposure, (3) Significant Occupational Exposure⁴ to asbestos, and (4) supporting medical documentation establishing asbestos exposure as a contributing factor in causing the lung cancer in question. **Claim amount for voting purposes only: \$19,500.**

c. Lung Cancer 2 (Level IV). Requires (1) diagnosis of a primary lung cancer, (2) six months ON Marine Exposure, (3) Significant Occupational Exposure to asbestos, and (4) supporting medical documentation establishing asbestos exposure as a contributing factor in causing the lung cancer in question. **Claim amount for voting purposes only: \$5,000.**

d. Other Cancer (Level III). Requires (1) diagnosis of a primary colo-rectal, laryngeal, esophageal, pharyngeal, or stomach cancer, plus evidence of an underlying Bilateral Asbestos-Related Nonmalignant Disease, and (2) six months ON Marine Exposure, (3) Significant Occupational Exposure to asbestos, and (4) supporting medical documentation establishing asbestos exposure as a contributing factor in causing the other cancer in question. **Claim amount for voting purposes only: \$4,000.**

e. Severe Asbestosis (Level II). Requires (1) either (a) a diagnosis of asbestosis with ILO of 2/1 or greater, or asbestosis determined by pathological evidence of asbestosis, plus (x) TLC less than 65%, or (y) FVC less than 65% and FEV1/FVC ratio greater than 65%, (b) an “Asbestosis Death,” which is defined to mean a death where (x) asbestosis is listed as the cause or a significant contributing cause of death on the death certificate or (y) a report from a Qualified Physician who is a pathologist, a pulmonologist or an occupational medicine physician states that asbestosis was a significant contributing cause of death, or (c) a diagnosis of asbestosis with ILO of 2/1 or greater, or asbestosis determined by pathological evidence of asbestosis, plus (x) a Qualified Physician who is a pulmonologist or an occupational medicine physician prescribes oxygen to the injured party, (y) the treating Qualified Physician states that the predominant cause of the need for oxygen is asbestosis, and (z) the oxygen is needed by the injured party to perform activities of daily life (e.g., not oxygen that is prescribed only for comfort care, at night, for surgery, or on occasion), (2) six months ON Marine Exposure, (3) Significant Occupational Exposure to asbestos, and (4) supporting medical documentation establishing asbestos exposure as a contributing factor in causing the pulmonary disease in question. **Claim amount for voting purposes only: \$10,000.**

f. Asbestosis/Pleural Disease (Level I). Requires (1) diagnosis of Bilateral Asbestos-Related Nonmalignant Disease, (2) six months ON Marine Exposure, and (3) five years cumulative occupational exposure to asbestos. **Claim amount for voting purposes only: \$1,000.**

g. Other Asbestos Disease. For asbestos-related diseases that do not meet or satisfy the medical criteria for any of the other disease categories above. **Claim amount for voting purposes only: \$100.**

4. For purposes of voting on the Combined Plan and Disclosure Statement, each Asbestos Claim shall be counted in the amount set forth above that corresponds to the disease category for

shall not apply to otherwise qualified physicians whose X-ray and/or CT scan readings are submitted for deceased holders of Asbestos Claims. In addition, for all purposes of the Liquidating Trust Distribution Procedures, if the diagnostic images being interpreted in such regard are digital images, then a written report of a Qualified Physician confirming that the images reviewed are with reasonable medical certainty equivalent to those that would qualify for the required ILO grade shall be acceptable as well.

⁴ The term “**Significant Occupational Exposure**” is defined in Section 4.4(b)(2) of the Liquidating Trust Distribution Procedures.

each such Asbestos Claim, which is solely for voting purposes and does not constitute an allowance or liquidation of such Asbestos Claim for purposes of distribution from the Liquidating Trust.

5. If no disease category applies because the nature of your Asbestos Claim is indirect only (*e.g.*, a contribution claim, subrogation claim, reimbursement claim, etc.), then your claim shall be assigned a value of \$1.00, which is solely for voting purposes and does not constitute an allowance or liquidation of such Asbestos Claim for purposes of distribution from the Liquidating Trust. If you wish to vote such claim in an amount greater than \$1.00, you must file a motion with the Bankruptcy Court, requesting temporary allowance of such claim for voting purposes in accordance with section III(B) of the Supplemental Asbestos Claims Solicitation Procedures.

6. Any vote on behalf of a claimant, who is a natural person, submitted without any designation under Item 2 will be counted as a vote on behalf of a claimant with "Other Asbestos Disease." Any vote on behalf of a claimant, who is not a natural person, submitted without any designation under Item 2 will be counted as a vote on behalf of a claimant with an indirect claim. Should more than one designation be made, the designation with the highest claim amount shall be counted. If a disease level is listed that does not exactly correspond to the disease levels set forth in the Liquidating Trust Distribution Procedures, the Administrative Agent shall count the affected vote in the amount of the lowest disease level corresponding to the listed disease (*e.g.*, if the Ballot lists only Asbestosis, the Administrative Agent will assign such Ballot as Level I). Should more than one disease category be selected, the designated disease category with the highest dollar amount shall be counted.

7. **ITEM 3:** Print or type the name of the claimant and provide the claimant's current mailing address.

8. **ITEM 4:** Provide the last four digits of the claimant's (injured party's) Social Security number. If you do not so provide, the Ballot will not be counted.

9. **ITEM 5:** Provide the telephone number for the claimant.

10. **ITEM 6: BALLOT CERTIFICATION.** Item 6 of the Ballot requires you to provide certain certifications. By signing and returning a Ballot, the claimant/Authorized Agent certifies that the claimant holds an Asbestos Claim in the designated disease category, as described above. If you are completing the Ballot on behalf of another person or entity, indicate your relationship to such person or entity and the capacity in which you are signing. Proof of such capacity is to be provided upon request.

11. **ITEM 7: SIGN AND DATE THE BALLOT.** Unsigned documents will not be counted.

12. If you are signing a Ballot in your capacity as a trustee, executor, administrator, guardian, attorney in fact, officer of a corporation, or otherwise acting in a fiduciary or representative capacity, you should indicate such capacity when signing. Please note that you may be asked to submit evidence of your authority to so act on behalf of such Holder. In addition, please provide your name and mailing address if it is different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.

13. **RETURN ALL PAGES OF THE BALLOT IN THE PRE-ADDRESSED ENVELOPE.** Ballots transmitted by facsimile or other electronic means, including e-mail, will not be counted. Ballots delivered to the Bankruptcy Court, the Debtor, or any other person other than the Administrative Agent will not be counted.

14. To have your vote counted, the Ballot must be completed, signed, dated, and returned so that it is *actually received* not later than **4:00 p.m. (prevailing Eastern Time), on January 10, 2023** (the “Voting Deadline”), unless such time is extended by the Debtor via the E-Balloting portal, via hardcopy in the return envelope provided, or via hardcopy to the address(es) in paragraph 17 below.

15. The E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email, or other means of electronic submission may not be counted. To have your vote counted, you must electronically complete, sign, and return this customized Electronic Ballot by utilizing the E-Balloting Portal on the Administrative Agent’s website. Your Ballot must be received by the Administrative Agent no later than the Voting Deadline, unless such time is extended by the Debtor.

16. HOLDERS ARE STRONGLY ENCOURAGED TO SUBMIT THEIR BALLOTS VIA THE E-BALLOTING PORTAL. CREDITORS WHO CAST A BALLOT USING THE E-BALLOTING PORTAL *SHOULD NOT* ALSO SUBMIT A PAPER BALLOT.

If Submitting Your Vote Through The E-Balloting Portal

The Administrative Agent will accept Ballots if properly completed through the E-Balloting Portal. To submit your Ballot via the E-Balloting Portal, visit <https://dm.epiq11.com/onmarine>, click on the “E-Ballot” section of the Debtor’s website and follow the instructions to submit your Ballot.

IMPORTANT NOTE: You will need the following information to retrieve and submit your customized electronic Ballot:

Unique E-Ballot ID#: _____

The Administrative Agent’s E-Balloting Portal is the sole manner in which Ballots will be accepted via electronic or online transmission. Ballots submitted by facsimile, email or other means of electronic transmission may not be counted.

Each E-Ballot ID# is to be used solely for voting only the Claim described in Item 1 of your Ballot. Please complete and submit an electronic Ballot for each E-Ballot ID# you receive, as applicable. Holders who cast a Ballot using the E-Balloting Portal should NOT also submit a paper Ballot.

If your Ballot is not received by the Administrative Agent on or before the Voting Deadline, and such Voting Deadline is not extended by the Debtor, then your vote may not be counted.

17. If you prefer to return a hard copy of your Ballot, you may return it in the enclosed preaddressed, postage prepaid envelope, or:

<p>By first class mail to:</p> <p>ON Marine Services Company LLC Ballot Processing Epiq Corporate Restructuring, LLC P.O. Box 4422 Beaverton, OR 97076-4422</p>	<p>Via overnight courier or hand delivery to:</p> <p>ON Marine Services Company LLC Ballot Processing Epiq Corporate Restructuring, LLC 10300 SW Allen Boulevard Beaverton, OR 97005</p>
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Ballots delivered to the Bankruptcy Court, the Debtor, or any other person other than the Administrative Agent will not be counted.

18. This Ballot will not constitute or be deemed a proof of claim or equity interest, an assertion of a claim or equity interest, the allowance of a claim or equity interest, or the acceptance or liquidation of any Asbestos Claim for purposes of distribution from the Liquidating Trust. None of the information set forth in this Ballot shall constitute an admission by the Debtor as to the extent, validity, or priority of the claim voted herein, nor shall anything contained herein be binding upon the Debtor or the claimant in any subsequent claims resolution process or other proceeding.

19. If you are an individual and intend for your attorney to vote your claim, you must return the completed Ballot to your attorney or arrange for your attorney to vote on your behalf well in advance of the Voting Deadline.

20. The Ballot may not be used for any purpose other than to transmit a vote on the Combined Plan and Disclosure Statement.

21. **YOU MUST VOTE THE FULL AMOUNT OF YOUR CLASS 4 ASBESTOS CLAIM EITHER TO ACCEPT/VOTE IN FAVOR OF OR TO REJECT/VOTE AGAINST THE COMBINED PLAN AND DISCLOSURE STATEMENT AND MAY NOT SPLIT YOUR VOTE.** The vote of any holder of an Asbestos Claim who attempts partially to reject (vote against) and partially to accept (vote in favor of) the Combined Plan and Disclosure Statement shall not be counted.

22. If you submit more than one Ballot voting the same Asbestos Claim prior to the Voting Deadline, then only the last dated timely-filed Ballot shall be counted.

23. The Administrative Agent is authorized in its sole and absolute discretion, but is not obligated, to contact you to cure any defects in the Ballot.

24. This Ballot is for individual holders of Asbestos Claims only. If you believe that you have received the wrong Ballot, please contact the Administrative Agent immediately.

25. Unless otherwise directed by the Court, delivery of a defective or irregular Ballot will not be deemed to have been made until such defect or irregularity has been cured or waived by the Debtor (in consultation with the Committee). Any waiver by the Debtor of defects or irregularities in any Ballot will be detailed in the Voting Declaration filed with the Court by the Administrative Agent. None of the Debtor, the Administrative Agent, or any other Entity, will be under any duty to provide notification of defects or irregularities with respect to delivered Ballots, nor will any of them incur any liability for failure to provide such notification.

26. The Combined Plan and Disclosure Statement will be found to have been accepted by Class 4 if it is accepted by the holders of at least two-thirds (2/3) in amount and more than fifty percent (50%) in number of Asbestos Claims in Class 4 voting on the Combined Plan and Disclosure Statement.

27. If an order confirming the Combined Plan and Disclosure Statement is issued by the Bankruptcy Court, all holders of Interests in, and any and all holders of Claims against, the Debtor (including those who reject the Combined Plan and Disclosure Statement, abstain from voting on the Combined Plan and Disclosure Statement, or are not entitled to vote on the Combined Plan and Disclosure Statement) will be bound by the confirmed Combined Plan and Disclosure Statement and the transactions contemplated thereby.

28. If you hold Claims in more than one Class under the Combined Plan and Disclosure Statement or in multiple accounts, you may receive more than one Ballot coded for each different Class or account. Each Ballot votes only your Claims indicated on that Ballot. Please complete and return each Ballot you receive.

29. **TO BE COUNTED, IT IS IMPERATIVE THAT YOU SIGN AND DATE YOUR BALLOT AND THAT YOU PROVIDE THE LAST FOUR DIGITS OF THE INJURED PARTY'S SOCIAL SECURITY NUMBER. A BALLOT THAT DOES NOT CONTAIN THIS REQUIRED INFORMATION WILL NOT BE COUNTED.**

30. **DO NOT INCLUDE MEDICAL RECORDS WITH THIS BALLOT. MEDICAL RECORDS CANNOT BE RETURNED BY THE BALLOTING AGENT.**

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT, OR IF YOU DID NOT RECEIVE A RETURN ENVELOPE WITH YOUR BALLOT, OR IF YOU DID NOT RECEIVE A COPY OF THE COMBINED PLAN AND DISCLOSURE STATEMENT, OR IF YOU BELIEVE YOU HAVE RECEIVED THE WRONG BALLOT, OR IF YOU NEED ADDITIONAL COPIES OF THIS BALLOT OR OTHER ENCLOSED MATERIALS, **PLEASE CONTACT THE ADMINISTRATIVE AGENT AT (833) 991-1557 (U.S. & Canada) or +1 (503) 520-4477 (INTERNATIONAL) DURING REGULAR BUSINESS HOURS or ONMarine@epiqglobal.com.** THE ADMINISTRATIVE AGENT CANNOT PROVIDE YOU WITH LEGAL ADVICE.

TO BE COUNTED, THIS BALLOT MUST BE ACTUALLY RECEIVED BY THE ADMINISTRATIVE AGENT BY THE VOTING DEADLINE: 4:00 P.M. (PREVAILING EASTERN TIME) ON JANUARY 10, 2023.

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<p><u>ON MARINE SERVICES COMPANY LLC</u></p> <p>BALLOT FOR VOTING ON THE FIRST AMENDED COMBINED PLAN AND DISCLOSURE STATEMENT OF ON MARINE SERVICES COMPANY LLC UNDER CHAPTER 11 OF THE BANKRUPTCY CODE</p>
<p>CLASS 4 (ASBESTOS CLAIMS): INDIVIDUAL BALLOT</p>

Read instructions accompanying this Ballot before completing. Print clearly.
Do not include medical information with this ballot.

Item 1: Vote To Accept Or Reject The Combined Plan And Disclosure Statement. (Please check one)

The undersigned, the holder of an Asbestos Claim or his or her authorized agent votes to:

<p>ACCEPT THE PLAN</p> <p style="text-align: center;"><input type="checkbox"/></p>	<p>REJECT THE PLAN</p> <p style="text-align: center;"><input type="checkbox"/></p>
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Any Ballot that is executed by the holder of a Claim, but that indicates both an acceptance and a rejection of the Combined Plan and Disclosure Statement or does not indicate either an acceptance or rejection of the Combined Plan or Disclosure Statement, will not be counted.

Item 2: Injured Party’s Disease Category. (Please check one)

- MESOTHELIOMA (LEVEL VI)
- LUNG CANCER 1 (LEVEL V)
- LUNG CANCER 2 (LEVEL IV)
- OTHER CANCER (LEVEL III)
- SEVERE ASBESTOSIS (LEVEL II)
- ASBESTOSIS/PLEURAL DISEASE (LEVEL I)
- OTHER ASBESTOS DISEASE
- NO DISEASE CATEGORY APPLIES (INDIRECT ASBESTOS CLAIM)

[Please proceed to Item 3 on the next page.]

Item 3: Claimant’s Name or Address Corrections, if any. (Print Clearly)

(Name)

(Address 1)

(Address 2)

(City) (State) (Zip)

Item 4: Last Four Digits of Injured Party’s Social Security Number. (Print Clearly)

- _ _ _ _

Item 5: Claimant’s Telephone Number. (Print Clearly)

(_ _ _) _ _ _ - _ _ _ _

Item 6: Certification.

By signing this Ballot, you certify that:

I have received a copy of the Combined Plan and Disclosure Statement, this Individual Ballot, the Combined Hearing Notice, and a letter from the Official Committee of Unsecured Creditors urging holders of Asbestos Claims to vote to accept/vote in favor of the Combined Plan and Disclosure Statement.

Upon information and belief, I am a holder of an Asbestos Claim (as defined in the Combined Plan and Disclosure Statement) or an agent authorized to submit this Ballot on behalf of such holder.

The asbestos-related disease attributed to the Asbestos Claim being voted in this Ballot is the disease category designated in Item 2 above, based on medical records or similar documentation regarding the person who has or had such disease.

[Please proceed to Item 7 on the next page.]

Item 7: Signature/Authorization.

Signature of Claimant or Authorized Agent

Print or Type Name of Signatory

If by Authorized Agent, Print or Type Title of Agent

Date

TO BE COUNTED, THIS BALLOT MUST HAVE THE LAST FOUR DIGITS OF THE INJURED PARTY'S SOCIAL SECURITY NUMBER, BE SIGNED AND DATED, AND BE RECEIVED BY THE ADMINISTRATIVE AGENT BY THE VOTING DEADLINE, WHICH IS 4:00 P.M. (PREVAILING EASTERN TIME) ON JANUARY 10, 2023.

EXHIBIT 4

ON MARINE SERVICES COMPANY LLC

Claim Name

Address Information

SWARTZ CAMPBELL LLC

ATTN KEVIN WARD 21 WARDEN RUN ROAD; STE 202
WHEELING, WV, 26003

Total Creditor count 1

EXHIBIT 5

Claim Name

Address Information

ARMSTRONG INTL, INC.

ATTN: KERRYANN M. COOK THE COOK GROUP 115 BROADWAY,
SUITE 1602 NEW YORK, NEW YORK 10006

Total Creditor count 1

EXHIBIT 6

Claim Name	Address Information
KVAERNER US INC.	9911 SHELBYVILLE RD, STE 100 LOUISVILLE KY 40223
CARRIER CORP	ATTN: LINTON W TURNER JR ESQ. C/O MAYFIELD TURNER OMERA & DONNELLY PC 2201 RTE 38 STE 300 CHERRY HILL NJ 08002
UNITED STATES STEEL CORP	600 GRANT STREET PITTSBURGH PA 15219
MCCORMICK ASBESTOS CO A/K/A MCIC	1317 FIDLTY BLDG-210 N. CHARLES ST BALTIMORE MD 21201

Total Creditor count 4

EXHIBIT 7

Claim Name

Address Information

ARKWRIGHT MUTUAL INSURANCE COMPANY F/K/A
ARKWRIGHT-BOSTON INSURANCE COMPANY

ATTN: ROBERT J.M. O'HARE, JR. 225 WYMAN ST., P.O.
BOX 9198 WALTHAM, MA 02451

Total Creditor count 1

EXHIBIT 8

Claim Name

Address Information

P&H MINING EQUIPMENT, INC. F/K/A HARNISCHFEGER
CORP C/O CT

4400 WEST NATIONAL AVENUE MILWAUKEE, WI 53214

Total Creditor count 1

EXHIBIT 9

Claim Name	Address Information
INGERSOLL RAND CO	ATTN LEGAL DEPT 800-E BEATY ST DAVIDSON NC 28036
INGERSOLL RAND CO	C/O PASCARELLA DIVITA PLLC, ATTN LISA M PASCARELLA ESQ, 2137 ROUTE 35 STE 290 HOLDMEL NJ 07733
INTL PAPER CO ST CHAMPION INTL CORP AND US PLYWOOD CORP	C/O CLARK GAGLIARDI & MILLER, P.C. ATTN JOHN RAND, ESQ, 99 COURT ST, STE 100, WHITE PLAINS NY 10602
INTL PAPER CO ST CHAMPION INTL CORP AND US PLYWOOD CORP	C/O YOUNG CLEMENT RIVERS LLP, ATTN STEPHEN L BROWN & RUSSELL HINES ESQS, 25 CALHOUN ST, STE 400, CHARLESTON, SC 29401

Total Creditor count 4
