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Asbestos Bankruptcy Report

Where Are They Now, Part Seven: An Update On Developments In Asbestos-Related Bankruptcy Cases

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Commentary

Where Are They Now, Part Seven: An Update On Developments In Asbestos-Related Bankruptcy Cases

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[Editor's Note: Mr. Plevin, Ms. Davis, Ms. Yoon, and Ms. Suarez are attorneys at Crowell & Moring LLP, practicing in the bankruptcy, litigation, and insurance coverage areas. They have represented insurers in asbestos, silica, and other mass tort bankruptcy cases, including many of the cases mentioned below, and in coverage cases involving asbestos defendants. The views expressed herein are the authors' own, not necessarily those of their firm or their clients. Copyright © 2014 by Mark D. Plevin, Leslie A. Davis, Tacie H. Yoon, and Rebecca Suarez. Responses are welcome.]

Since 2001, we have been reporting in these pages on the status of asbestos-related bankruptcy cases.¹ In our last report, we observed that the pace of asbestos-related bankruptcy filings had slowed, and that the nature of debtors seeking bankruptcy relief due to asbestos-related claims seemed to be shifting, as are the reasons they sought to do so. Those trends have continued, as only eight new cases were filed in the past two years, and most of those have involved liquidating debtors who do not seek to utilize the trust-injunction mechanism set forth in Section 524(g) of the Bankruptcy Code.

This article updates our last six by noting the asbestos-related bankruptcies that have been filed since our last article, summarizing some key developments in asbestos bankruptcies that were pending when we last wrote, and discussing some of the significant themes

that have developed in these cases. With the article, we present updated versions of three charts appended to our last article: one listing asbestos bankruptcies that have been filed so far, in chronological order; one providing the same information, with the debtors listed in alphabetical order; and a third listing the case numbers of asbestos bankruptcies, the status of the plans in those cases, and the published decisions that have arisen from those cases. We keep these charts updated in real time on our web site, accessible at www.crowell.com/asbestosbankruptcy, and will continue to do so as a resource available to those interested in this field.²

1. Who Filed the Most Recent Asbestos Bankruptcies?

A. L. Burbank. On April 12, 2013, A. L. Burbank & Company, Ltd. filed a voluntary Chapter 7 petition in the U.S. Bankruptcy Court for the Southern District of New York.³ Proofs of claim totaling nearly \$28 million were filed by asbestos claimants during the course of the bankruptcy case, but the Chapter 7 Trustee's final report reported recovering only \$5,000 in assets for distribution to all of A.L. Burbank's creditors.⁴ The Chapter 7 Trustee proposed no payments to any holders of unsecured claims, including those of the asbestos claimants.⁵

Budd Company. On March 31, 2014, The Budd Company, Inc. filed a voluntary Chapter 11 petition

in the U.S. Bankruptcy Court for the Northern District of Illinois.⁶ Budd says it has “some environmental and asbestos related liabilities,” but the “vast majority” of its liabilities arise from post-retirement obligations owed to its former employees.⁷ Budd had 356 asbestos claims pending against it as of the Petition Date, which it valued at approximately \$23 million net of insurance.⁸ Budd, a former automobile and rail manufacturer, ceased manufacturing operations in 2006, divested itself of its last operating subsidiary in 2012, and no longer generates revenue from manufacturing or other operations.⁹

On May 16, 2014, an Ad Hoc Committee of asbestos claimants, consisting of law firms allegedly representing more than 950 asbestos creditors against Budd, moved for an order directing the appointment of an official asbestos claimants' committee (an “ACC”) in Budd's bankruptcy case.¹⁰ The Ad Hoc Committee asserted that Budd's present liabilities to asbestos claimants “conservatively exceeds \$50 million and may be many multiples of that amount” and that the appointment of an ACC was necessary for asbestos claimants to have a “meaningful voice in the Debtor's bankruptcy case.”¹¹ The debtor objected to the motion, claiming that it was based “primarily upon irrelevant, untrue, or greatly exaggerated allegations” because, among other things, the debtor estimated its asbestos liabilities to be only approximately \$23 million net of insurance, or approximately 2% of the debtor's liabilities.¹² The debtor further argued that claimants did not need a committee to be adequately represented in the case and that delay and additional cost would result if a committee were appointed. On July 7, 2014, the bankruptcy court granted the Ad Hoc Committee's motion and directed the U.S. Trustee to appoint an ACC. The court held that the Ad Hoc Committee had met its burden to show that the asbestos claimants were not adequately represented and that the cost to the estate of appointing an ACC was justified.¹³

Consolidated Aluminum Corporation. On December 15, 2013, Consolidated Aluminum Corporation (“Conalco”) filed a voluntary Chapter 11 petition in the U.S. Bankruptcy Court for the District of New Jersey.¹⁴ Conalco is a defendant in various personal injury cases arising from alleged asbestos exposure, along with alleged exposure to coal tar pitch volatiles and hearing loss.¹⁵ Conalco ceased business operations in 1994, and commenced its Chapter

11 case to wind down its affairs, centralize and resolve the litigation against it, resolve intercompany issues, and liquidate its remaining assets.¹⁶

On April 14, 2014, Conalco filed a proposed Chapter 11 plan of liquidation.¹⁷ Under the plan, Conalco's parent, Lonza America, will contribute \$225,000 to satisfy general unsecured claims, including asbestos tort claims. Lonza's cash contribution, together with three parcels of contiguous, unimproved real property, would be contributed to the Conalco Trust, which would pay all allowed general unsecured claims on a pro rata basis. All claimants, including asbestos tort claimants, would be enjoined from seeking recoveries from Conalco or Conalco's bankruptcy estate; rather, their recoveries would be solely be from the Conalco Trust. On May 20, 2014, the U.S. Trustee objected to Conalco's plan, arguing that it contained a non-debtor, non-consensual release that was overly broad and impermissible absent a sufficient factual basis sustained by credible evidence.¹⁸ Conalco filed an amended plan on May 25, 2014, clarifying that Conalco's insurance would be contributed to the Conalco Trust.¹⁹ On May 28, 2014, the bankruptcy court held a confirmation hearing and ruled that the Plan would be confirmed.²⁰ An order confirming the Plan was entered on June 5, 2014.²¹ On June 18, 2014, the U.S. Trustee noticed an appeal of the confirmation order.²²

Dowman Products. Dowman Products, Inc. filed a voluntary Chapter 7 petition in the U.S. Bankruptcy Court for the Central Division of California on January 25, 2013.²³ Dowman manufactured a joint compound containing asbestos which was used in drywall installation.²⁴ At the time of Dowman's filing, it had approximately 177 lawsuits pending against it.²⁵ According to the Chapter 7 Trustee appointed in the case, Dowman did not have any property available for distribution to creditors.²⁶ On April 26, 2013, the court found that a discharge was inapplicable and closed Dowman's bankruptcy case.²⁷

Rapid-American. Rapid-American Corporation filed a voluntary Chapter 11 petition in the U.S. Bankruptcy Court for the Southern District of New York on March 8, 2013.²⁸ Rapid-American was formerly a holding company with subsidiaries primarily engaged in retail sales and consumer products. Through a series of merger transactions taking place over approximately

the last 45 years, Rapid-American incurred successor liability for personal injury claims arising from exposure to asbestos-containing products sold by The Philip Carey Manufacturing Company as it existed before 1967.²⁹ According to Rapid-American, The Celotex Corporation, unrelated to Rapid-American, also incurred successor liability for The Philip Carey Manufacturing Company's asbestos claims, and after Celotex filed a voluntary Chapter 11 petition in 1990, the number of asbestos claims asserted against Rapid-American increased, peaking at more than 57,000 claims in 2000.³⁰ Rapid-American had approximately 275,000 asbestos personal injury claims pending against it on its petition date.³¹

Rapid-American filed bankruptcy in order to develop a plan of reorganization pursuant to Section 524(g) that would distribute Rapid-American's \$64 million in remaining insurance coverage to current and future asbestos claimants.³²

An ACC was appointed on March 28, 2013.³³ On September 3, 2013, the bankruptcy court entered an order appointing Lawrence Fitzpatrick as the Future Claimants Representative ("FCR").³⁴

On February 24, 2014, the bankruptcy court entered an order extending Rapid-American's exclusive period to file a Chapter 11 plan and to solicit acceptances thereof until July 2, 2014 and September 2, 2014, respectively.³⁵

Resillo Press Pad. Resillo Press Pad filed a voluntary Chapter 7 petition in the U.S. Bankruptcy Court for the Northern District of Illinois on January 25, 2013.³⁶ Resillo was a manufacturer of press pads used in the dry cleaning industry.³⁷

Beginning in June, 2013, counsel for several asbestos claimants filed a series of motions to obtain discovery from Resillo's insurers regarding the extent of coverage available from the insurers for asbestos claims against Resillo, and also for relief from the automatic stay so that the claimants could pursue coverage from those insurers.³⁸ One of Resillo's insurers, Fireman's Fund, filed limited objections to those motions, asserting that the unrestricted examination of a single person would be unnecessary and unduly burdensome given that the information sought can be obtained through written discovery.³⁹ Fireman's

Fund also sought the addition of "insurance neutrality" language in any orders granting stay relief, to prevent any potential prejudice against Fireman's Fund.⁴⁰ Another of Resillo's insurers, Continental, also objected to certain of the motions, asserting that stay relief may "open the litigation floodgates" and that Resillo may be prejudiced by the requested stay relief because it would be forced to participate in coverage litigation that would be likely to ensue between the claimants and insurers.⁴¹ On March 18 and May 7, 2014, the bankruptcy court entered orders granting certain claimants' requests for stay relief, limiting the claimants' recoveries to Resillo's insurance.⁴²

Saberhagen. Saberhagen Holdings, Inc., formerly known as The Brower Company, filed a voluntary Chapter 11 petition in the U.S. Bankruptcy Court for the Western District of Washington on April 18, 2013.⁴³ Saberhagen's principal business activities included industrial shelving, insulation and acoustical contracting, window tint film, and related services, but it has had no business operations since 1991.⁴⁴ Saberhagen's primary assets consist of its rights under policies issued by various insurance companies.⁴⁵ Saberhagen's sole activity since 1991 has been the administration, defense, and resolution of various asbestos-related suits against it.⁴⁶ Saberhagen filed its voluntary petition seeking to resolve the company's involvement with asbestos-related claims by creating an "insurance trust" that would pay present and future asbestos claimants.⁴⁷

On June 9, 2013, Saberhagen moved to dismiss its bankruptcy case.⁴⁸ Saberhagen asserted that because counsel representing asbestos claimants had expressed no interest in negotiating an asbestos trust, there was no likelihood that such a plan could be confirmed within a reasonable time and thus no rationale for the company to remain in Chapter 11.⁴⁹ Counsel for certain asbestos claimants objected to Saberhagen's motion to dismiss, arguing that the bankruptcy case should be converted to a Chapter 7 case rather than dismissed, so that a Chapter 7 trustee could fully investigate Saberhagen's past transactions and potential assets for the benefit of creditors.⁵⁰ On July 2, 2013, the Bankruptcy Court dismissed Saberhagen's bankruptcy case.⁵¹

Yarway. On April 22, 2013, Yarway Corporation filed a voluntary Chapter 11 petition in the U.S.

Bankruptcy Court for the District of Delaware.⁵² Yarway allegedly manufactured, distributed and/or sold asbestos-containing gaskets and joint packing.⁵³ The company ceased business operations in 2003, and has remained in existence since then in order to “defend, process and satisfy asbestos-related claims asserted against it.”⁵⁴ Yarway asserts that it was first named as a defendant in an asbestos lawsuit in 1991, and that over 10,000 new asbestos-related claims have been asserted against it in the past 5 years.⁵⁵ According to Yarway, it settled the last of its insurance policies known to provide coverage for asbestos-related claims in 2012, and it has no additional insurance coverage for future claims.⁵⁶ In its bankruptcy case, Yarway seeks to “negotiate, obtain approval of, and consummate a plan for reorganization that establishes an appropriately funded trust to provide for the fair and equitable payment of legitimate current and future Yarway asbestos claims.”⁵⁷

An ACC was appointed on May 6, 2013.⁵⁸ The bankruptcy court appointed James Patton, Jr. as the FCR on May 28, 2013.⁵⁹

On April 7, 2014, the bankruptcy court extended Yarway’s exclusive period to file a plan of reorganization and solicit acceptances thereof until June 15, 2014 and August 14, 2014, respectively.⁶⁰ The order further provides that if neither the Official Committee of Asbestos Personal Injury Claimants or the FCR objected to a further extension of the exclusive periods by June 2, 2014, then the exclusive periods to file a plan and solicit acceptances thereof would be extended until August 15, 2015 and October 14, 2014, respectively.⁶¹

2. Significant Developments In Pending Bankruptcy Cases

Chicago Fire Brick. On June 1, 2012, almost 11 years after commencing their bankruptcy cases, the debtors filed a Joint Chapter 11 Plan of Liquidation. That plan proposed to establish a liquidating trust to supervise, maintain, and liquidate all of the debtors’ remaining assets for the benefit of their creditors, including asbestos claimants.⁶² The plan divided asbestos claimants into two classes based on when their claims were filed. Claimants who filed claims against the debtors before the initial claims bar date on February 19, 2002 would be paid from

a Class 3 Funds Account, consisting of approximately \$14 million from the debtors’ insurance policies.⁶³ Claimants who filed claims against the debtors after that initial claims bar date, but before the supplemental bar date of July 16, 2012, would be paid from a Class 4 Funds Account consisting of approximately \$2.45 million in funds from the debtors’ insurance policies.⁶⁴ The plan does not appear to provide for any asbestos claims filed after July 16, 2013. The Joint Plan of Liquidation was confirmed by the bankruptcy court on September 7, 2012.⁶⁵

C.P. Hall. On August 29, 2012, one of C.P. Hall’s asbestos claimants moved to dismiss the debtor’s Chapter 11 bankruptcy case or, alternatively, to convert it to a case under Chapter 7.⁶⁶ The claimants argued that debtor had no business to reorganize, had made no progress toward proposing a plan or otherwise advancing the Chapter 11 case, and that debtor’s acquiescence to a different asbestos plaintiffs’ law firm’s assertion of a security interest in all of debtor’s assets constituted gross mismanagement and bad faith.⁶⁷ Debtor objected to the claimant’s motion, arguing that Chapter 11 relief was necessary for debtor to confirm the liquidating Chapter 11 plan that it would shortly file, which would maximize the value of debtor’s remaining insurance and allow proceeds to be distributed to claimants in an orderly and equitable manner.⁶⁸ Debtor further argued that dismissal was not warranted because continuing in Chapter 11 would not deplete creditor value and would, in fact, result in the recovery of millions in insurance coverage. The court granted the claimant’s motion and converted the debtor’s case to one under Chapter 7 on October 22, 2012.⁶⁹

On February 14, 2014, the Chapter 7 trustee moved for approval of a proposed settlement with asbestos creditors represented by two law firms, Cooney & Conway and The O’Brien Law Firm. Those asbestos creditors asserted proofs of claim against debtor for pre-petition judgments in the aggregate amount of more than \$150 million, with more than \$40 million secured by liens against debtor’s insurance policies and proceeds. Pursuant to the settlement, (i) the subject claimants’ claims would be allowed in full, (ii) the claimants’ allowed claims would be treated as general unsecured claims without priority, (iii) the claimants agreed to share proceeds obtained from one of

debtor's now-insolvent insurers with the Chapter 7 trustee and the estate notwithstanding their argument that the Chapter 7 trustee's and estate's rights were subordinate to their interests in those policy proceeds, and (iv) the two law firms would pursue claims against debtor's other insurers for the benefit of all asbestos claimants.⁷⁰ One of debtor's insurers, Great American, objected to the trustee's motion, arguing that its policies provided only first-party coverage or had asbestos exclusions, such that it would not cover any claims asserted by two law firm's clients.⁷¹ Great American argued that the court should therefore not approve the settlement to the extent it would allow the trustee to pursue coverage from Great American, as it would be a waste of the estate's and judicial resources.⁷² Another insurer, Columbia Casualty, also objected to the motion, arguing that it would be prejudiced if the claimants were treated as general unsecured creditors without also dismissing their pending lawsuits against Columbia based on their alleged liens.⁷³ Columbia further argued that that one of the two law firms, Cooney & Conway, would improperly be "serv[ing] two masters," because it would be advancing the estate's interests in recovering from debtor's insurers while also seeking to advance the particular interests of its clients in state court litigation against Columbia.⁷⁴

On March 10, 2014, the Chapter 7 trustee challenged Great American's standing to object to the asbestos claims settlement because it is not a creditor and had no pecuniary interest in the outcome of the motion or the terms of the settlement agreement.⁷⁵ The trustee further argued that Great American's objection should be denied on the merits because the trustee, not the court, is charged with administering property of the debtor's estate, and bankruptcy courts do not adjudicate the existence, validity, or value of claims that a trustee determines to prosecute before such claims are actually prosecuted.⁷⁶ On June 10, 2014, the Chapter 7 trustee challenged Columbia's standing to object to the asbestos claims settlement because its rights would not be impaired by the agreement insofar as the debtor had no duty to refrain from suing Columbia for coverage, and Columbia would retain all of its contractual rights and defenses.⁷⁷ On June 30, 2014, the bankruptcy court overruled Great American's and Columbia's objections "for lack of standing."⁷⁸ However, on July 15, 2014, the court reconsidered a previous

ruling that the settlement could be approved over the objection of another asbestos claimant, Shipley. On reconsideration, the court found that Shipley was entitled to a ruling on his objections to the law firm's claims before the court could consider the trustee's Rule 9019 motion, since the Bankruptcy Code did not permit the trustee to settle Shipley's claim objection "out from under him."⁷⁹

On April 24, 2014, the Seventh Circuit issued a decision on Columbia's appeal of the bankruptcy court's February 27, 2012 order approving a settlement between C.P. Hall and Integrity Insurance Company, and denying Columbia standing to object to that settlement.⁸⁰ Columbia had argued that it had standing because the debtor's settlement for less than the full limits of the Integrity policy increased the likelihood that Columbia's excess policy would be called upon to cover debtor's asbestos liabilities.⁸¹ The Seventh Circuit held that Columbia lacked standing to object to the Integrity settlement because the settlement did not directly threaten Columbia's contractual rights and because Columbia's interests were "too remote" under the circumstances.⁸²

Durabla. On June 27, 2012, the bankruptcy court confirmed debtors' Second Amended Joint Plan of Reorganization, which utilizes the trust-injunction mechanism set forth in § 524(g) of the Bankruptcy Code.⁸³ No objections were filed to confirmation of the plan – it was supported by asbestos claimants and the FCR and the debtors had reached settlements with all of their insurers before the confirmation hearing. On August 2, 2012, the district court affirmed the plan confirmation order and issued a § 524(g) channeling injunction.⁸⁴

Flintkote. On December 21, 2012, the bankruptcy court confirmed debtors' Amended Joint Plan of Reorganization, which utilizes the trust-injunction mechanism set forth in § 524(g) of the Bankruptcy Code.⁸⁵

Flintkote's former parent company, Imperial Tobacco Canada Limited ("ITCAN") – which claimed to be a creditor based on (i) Flintkote-related asbestos claims brought against ITCAN pursuant to an alter-ego theory and (ii) contribution and indemnity claims it asserted against Flintkote arising from certain environmental remediation obligations at a property

formerly owned by Flintkote – appealed the bankruptcy court's confirmation order.⁸⁶ On appeal, ITCAN argued that the bankruptcy court erred in determining, among other things, that (i) ITCAN lacked standing to object to confirmation of the plan, (ii) Reorganized Flintkote would have a viable business sufficient to satisfy the "evergreen" funding requirement in § 524(g), and (3) Flintkote, which had no business operations on the petition date, could create a business during the bankruptcy case to avail itself of the benefits of § 524(g).⁸⁷

On July 10, 2014, the district court affirmed the plan confirmation order and issued the § 524(g) channeling injunction.⁸⁸ The district court concluded that ITCAN lacked constitutional standing because its asserted future alter ego claims against Flintkote were speculative, not "actual and imminent."⁸⁹ The court further held that § 524(g) does not require that a reorganized debtor's business be one that the debtor engaged in before filing for bankruptcy, nor does it impose a particular rate of profitability for the reorganized debtor's future business.⁹⁰

Garlock. In July and August, 2013, the bankruptcy court held a 17-day trial to estimate Garlock's total liability for current and future mesothelioma claims. Garlock argued that the estimation should be based on a "legal liability approach," which considered the merits of the claims against Garlock in the aggregate and applied an econometric analysis of the projected number of claimants and their likelihood of recovery.⁹¹ The ACC and FCR argued for a "settlement approach" based on an extrapolation from Garlock's history of resolving mesothelioma claims in the tort system pre-petition.⁹² Garlock argued that its liability for mesothelioma claims should be estimated at \$125 million, while the ACC and FCR argued that Garlock's estimated liability was between \$1.0–\$1.3 billion.

On July 3, 2013, Garlock asked the court to remove the confidentiality designations from information produced by various asbestos plaintiffs' firms, including (i) claims submitted to various 524(g) trusts, (ii) Rule 2019 statements, (iii) ballots cast in other asbestos bankruptcy cases, and (iv) testimony concerning the law firms' practices with respect to filing trust claims and disclosing exposure evidence to tort

defendants.⁹³ Garlock argued that keeping such material confidential during the estimation trial would prevent Congress, state legislatures, state and federal courts, other defendants, and the public "from getting the full story on these issues of major public concern" – in particular, evidence of "incomplete disclosure of exposure facts in the tort system" – and would prevent Garlock from having an open trial as guaranteed by the Constitution.⁹⁴ Certain law firms objected to Garlock's motion, arguing that they had produced the requested materials expressly subject to Garlock's agreement that they would be kept confidential, and that Garlock could rely on those confidential materials for purposes of the estimation trial without stripping them of their protections so that other parties could use them for purposes outside the confines of the estimation trial.⁹⁵ The ACC also objected to the motion, making similar arguments.⁹⁶ The bankruptcy court denied Garlock's motion, ruling that materials designated as confidential would remain protected during the estimation trial.⁹⁷

On July 30, 2013, Legal Newsline moved the court to keep the estimation proceedings open to the media and the public, and to make available transcripts of those portions of the estimation hearing from which Legal Newsline, other members of the media, and the public were excluded.⁹⁸ The ACC objected to that motion, arguing that the court had already rejected Garlock's similar motion, and that the asbestos plaintiffs' and their attorneys' interests in their personal information and practices were sufficient to overcome the presumption of public access.⁹⁹ On July 31, 2013, the bankruptcy court denied Legal Newsline's motion, finding that the matters at issue constituted trade secrets, confidential business information, or attorney-client privileged information for which the parties' rights outweigh the public's interest.¹⁰⁰ Legal Newsline's appeal of the bankruptcy court's order remains pending.¹⁰¹

On January 9, 2014, Garlock filed four adversary complaints against several law firms and attorneys that historically had brought the majority of asbestos claims against Garlock. The complaints, filed under seal, are reported to include allegations of conspiracy, fraud, and violations of the Racketeer Influenced and Corrupt Organizations Act.

On January 10, 2014, the bankruptcy court issued an order estimating Garlock's asbestos liability for present and future mesothelioma claims to be \$125 million, the value proposed by the debtors (the "Estimation Decision").¹⁰² The bankruptcy court concluded that "the estimates of Garlock's aggregate liability that are based on its historic settlement values are not reliable because those values are infected with the impropriety of some law firms and inflated by the cost of defense," such that the "best evidence of Garlock's aggregate responsibility is the projection of its legal liability that takes into consideration causation, limited exposure and the contribution of exposures to other products."¹⁰³ The judge concluded that Garlock's historical settlements were "unreliable as a predictor of its true liability," based on demonstrated withholding of exposure evidence in each of the 15 cases in which the court permitted Garlock to have full discovery, which the court found was a "pattern . . . sufficiently widespread to have a significant impact on Garlock's settlement practices and results."¹⁰⁴

The Estimation Decision set off a flurry of activity by various entities seeking access to sealed evidence from the estimation hearing, Rule 2019 statements filed in Garlock's bankruptcy case, and ballot information from other asbestos bankruptcies collected by Garlock during discovery (the "Access Motions"). On February 19, 2014, Aetna Inc., a healthcare coverage provider, and The Rawlings Company, a provider of cost-containment services to health plans, filed a motion seeking access to the Rule 2019 statements and exhibits thereto filed on behalf of asbestos claimants, asserting that such information would help them identify claims for which they were entitled to subrogation.¹⁰⁵ On March 14, 2014, Ford Motor Company filed a motion seeking access to (i) the Rule 2019 statements and exhibits filed by law firms representing asbestos claimants against Garlock, and (ii) the sealed testimony and exhibits found pertinent to the bankruptcy court's finding of "widespread" and "demonstrable misrepresentation" by asbestos claimants in its estimation decision. Ford argued that it is a co-defendant of Garlock that has been sued by the same claimants and thus was likely subject to the same "demonstrable misrepresentation."¹⁰⁶ Ford's motion was joined by other asserted co-defendants of Garlock, along with certain

insurance companies.¹⁰⁷ On April 1, 2014, asbestos debtors Specialty Products Holdings Corp. and Bondex International filed a motion seeking access to (a) Rule 2019 statements and exhibits thereto, (b) ballots cast by asbestos personal injury claimants in other bankruptcy cases that are in Garlock's possession, and (c) the sealed deposition testimony of six law firms and other evidence related to the bankruptcy court's findings of manipulation or disappearance of exposure evidence by asbestos plaintiffs and their lawyers. The two debtors argued that because Garlock is a co-defendant in most of the asbestos lawsuits against the two debtors, they were likely subject to the same manipulation of exposure evidence and "demonstrable misrepresentations" that the court found in its Estimation Decision.¹⁰⁸

The Access Motions were opposed by the ACC and various law firms representing asbestos claimants. The objectors challenged the moving parties' motives, and argued that claimants' confidentiality and privacy concerns justified continued protection of the requested information.¹⁰⁹

Ultimately, the bankruptcy court granted the requesting entities access to the Rule 2019 statements and exhibits filed in Garlock's bankruptcy case, subject to certain limitations to protect claimants' confidential information.¹¹⁰ The bankruptcy court denied, however, the various parties' motions seeking access to the sealed estimation hearing evidence, holding that those issues are directly before the District Court on Legal Newsline's appeal, or are so closely related that they are inextricably intertwined, such that the most expeditious route to resolving the issues is to have all matters presented to the District Court when it considers the appeal.¹¹¹ Ford and those who had joined Ford's access motion noticed appeals of the order denying access to sealed estimation hearing evidence.¹¹² The ACC moved to stay the bankruptcy court's order pending appeal, and the bankruptcy court granted that motion.¹¹³ Ford appealed the stay order.¹¹⁴ The ACC did not appeal the 2019 Order, but instead moved for reconsideration, asking that the 2019 Order be amended to include language prohibiting parties receiving the 2019 exhibits from publishing the information contained in those exhibits or transferring the information to third parties.¹¹⁵ Ford and the other requesting entities objected to the ACC's reconsideration motion.¹¹⁶ The bankruptcy

court granted the ACC's motion for reconsideration and entered an amended 2019 Order on July 9, 2014.¹¹⁷

On May 29, 2014, Garlock filed a First Amended Plan of Reorganization.¹¹⁸ Unlike Garlock's previous plan, the First Amended Plan does not propose to utilize the § 524(g) trust-injunction mechanism, although it includes a broad discharge injunction that would protect Garlock and its affiliates from all current and future asbestos claims. The First Amended Plan provides that asbestos claims would be resolved either through (i) a settlement option, whereby claims would be submitted to a trust-like "Settlement Facility" for resolution pursuant to matrix-based "Claims Resolution Procedures," or (ii) a litigation option, whereby holders of asbestos claims may pursue litigation-based claims allowance procedures in the bankruptcy court pursuant to a case management order that would require claimants to certify that they have filed any and all asbestos claims against asbestos trusts that are available to them. Garlock proposes to pay all asbestos claims in full, which it argues renders such asbestos claimants "unimpaired" and without a vote on the First Amended Plan. A hearing on whether to approve the disclosure statement for the First Amended Plan is scheduled for August 21, 2014.

On June 4, 2014, the ACC moved to reopen the record of the asbestos claims estimation proceeding to permit the presentation of supplemental evidence after certain additional proposed discovery.¹¹⁹ The ACC argued that Garlock withheld certain evidence that led the bankruptcy court in the Estimation Decision to adopt Garlock's "legal liability" theory. In particular, the ACC asserted that it had evidence showing (i) that Garlock possessed information that it claimed to lack regarding claimants' exposures to products other than Garlock's gaskets, and (ii) that in settling asbestos cases, Garlock did not consider itself to be under coercion when it reached deals with asbestos plaintiffs' lawyers.¹²⁰ The ACC seeks additional discovery regarding Garlock's settlement communications, its internal case evaluations, and its knowledge of non-Garlock exposures in key cases and at critical sites, and requested that the court reopen the record of the estimation hearing to receive that additional evidence.¹²¹ On June 27, 2014, both Garlock and its parent company, Coltec, objected to the motion. Garlock argued in the public, redacted

version of its opposition that the substance of the ACC's motion is "remarkably thin" because the motion fails to attack "the fundamental bases of the" Estimation Decision.¹²² Garlock said that the ACC's motion makes arguments about only two of the 15 underlying tort cases analyzed in the Estimation Decision, that the ACC and its constituents actually had in their possession at the time of the hearing (and themselves failed to produce) the evidence the ACC claimed Garlock had failed to produce, and that the motion in fact "reinforces the Court's conclusion [in the Estimation Decision] that Garlock's historical settlements and verdicts were not based on a full evidentiary record and therefore do not provide a reliable guide to its liability for mesothelioma claims."¹²³ Coltec argued that the aspects of the estimation proceeding questioned by the ACC are neither necessary nor essential to the bankruptcy court's conclusions set forth in the Estimation Decision, which are sufficient in themselves and independent of the areas of inquiry and dispute that are the subject of the ACC's motion.¹²⁴ Coltec further argued that the motion should be denied because it rests on the outcome of the ACC's consciously chosen but unsuccessful trial strategy to pursue the "standard" estimation methodology, and fails to make any credible showing that the asserted "newly discovered evidence" is not cumulative or was not available to the ACC before the estimation hearing.¹²⁵ A hearing on the motion to reopen is scheduled for July 24, 2014.

Global Industrial Technologies. The Third Circuit remanded the case to the bankruptcy court in May, 2011, holding that GIT's insurers had standing to contest plan confirmation.¹²⁶ GIT then settled with the insurers that had objected to plan confirmation. On August 29, 2012, GIT filed technical amendments to its plan, which (i) added language consistent with or required by its settlements with the objecting insurers, and (ii) accounted for certain other changes since the confirmation hearings were originally held in the bankruptcy court during 2006 and 2007.¹²⁷ A new confirmation hearing was held on October 29, 2012 and the bankruptcy court confirmed the amended plan on February 13, 2013.¹²⁸ The district court affirmed confirmation on April 12, 2013 and entered a channeling injunction pursuant to § 524(g) of the Bankruptcy Code.¹²⁹

Lloyd E. Mitchell. In 2010, the debtor entered into a settlement with approximately 9,000 claimants represented by the Law Offices of Peter G. Angelos and with two insurers, Travelers Indemnity and Maryland Casualty. Under the settlement, the settling claimants would be paid by the insurers. The parties to the settlement jointly filed a motion for relief from the automatic stay in order to implement the settlement.¹³⁰ The Law Offices of Peter T. Nicholl opposed the lift-stay motion, arguing that the settlement could exhaust all of the debtor's available insurance, depending on how certain coverage issues were resolved in pending state court litigation.¹³¹ On September 30, 2011, the bankruptcy court granted limited relief from the automatic stay to (i) permit the settled parties to submit the agreement to the state coverage court for approval of the terms of the settlement agreement in the context of that litigation, (ii) permit them to submit the settlement agreement to the state court where the asbestos claims were pending for approval of the terms and liquidated amounts as to the individual settling claimants, (iii) permit the settling claimants to dismiss their claims against the debtor, and (iv) permit the settled parties to dismiss their claims against each other in the state court coverage litigation.¹³² The court did not, however, authorize the insurers to make any payments to the settling claimants.

On September 5, 2012, the settled parties filed another joint motion for relief from the automatic stay to permit the insurers to pay the settling claimants.¹³³ The settled parties asserted that they had obtained approval of the settlement agreement from the two state courts, as previously directed by the bankruptcy judge.¹³⁴ The settled parties argued that "cause" existed to lift the stay because doing so would not prejudice the debtor's estate because no payment by the debtor was required, the settlement did not purport to resolve or compromise any non-settling parties' claims, and lifting the stay would resolve more than 9,000 asbestos claims against the debtor and eliminate insurer objections to a pending motion by the debtor and the ACC to dismiss the bankruptcy case.¹³⁵ The Nicholl firm objected to the lift-stay motion.¹³⁶ On November 29, 2012, the bankruptcy court granted the lift-stay motion.¹³⁷ On March 29, 2013, the bankruptcy court denied a motion for reconsideration by the Nicholl firm.¹³⁸

On April 11, 2013, the Nicholl firm appealed the 2012 lift-stay order and the order denying reconsideration

to the District Court.¹³⁹ Following briefing, the district court affirmed the bankruptcy court's orders on March 26, 2014.¹⁴⁰ On April 7, 2014, the Nicholl firm appealed the district court's order to the Fourth Circuit;¹⁴¹ that appeal is in the process of being briefed.

Metex. On November 9, 2012, Metex Manufacturing Corporation filed a voluntary petition under Chapter 11 in the U.S. Bankruptcy Court for the Southern District of New York.¹⁴² Metex, formerly known as Kentile Floors, Inc., emerged from a previous asbestos-related bankruptcy case in December, 1998, but did not obtain § 524(g) relief in that earlier case.¹⁴³ Metex has no employees and only one officer, and its only business is managing two industrial sites that it leases to affiliates.¹⁴⁴ Although Kentile's insurers have handled asbestos claims against Kentile since the 1998 confirmation of Kentile's plan, disputes over coverage arose in the mid-2000s, resulting in the filing of a coverage case against Kentile/Metex in New York state court.¹⁴⁵ Metex, its solvent insurers, a prepetition asbestos claimants committee, and a prepetition FCR negotiated a pre-packaged plan designed to provide § 524(g) relief to Metex and its settled insurers. Metex solicited votes on the plan pre-petition. Although the plan failed to garner sufficient votes to be approved by the voting deadline, Metex asserted that a sufficient number of acceptances had been received after the deadline to render the plan confirmable.¹⁴⁶ Metex said that it filed its Chapter 11 petition to stay the coverage litigation and to preserve the settlements it had reached with its insurers.¹⁴⁷

The bankruptcy court appointed an ACC and approved the debtor's motion to allow the prepetition FCR, Lawrence Fitzpatrick, to serve as the FCR during the bankruptcy.¹⁴⁸ On December 23, 2013, Metex filed its plan of reorganization, motions to approve the assumption and assignment of nine settlement agreements between Metex and its solvent and insolvent insurers, and a motion to approve the disclosure statement, establish voting procedures, and schedule a hearing on plan confirmation and approval of the proposed insurance settlements.¹⁴⁹

On June 23, 2014, the bankruptcy court entered (i) orders approving the settlements between Metex and its solvent and insolvent insurers¹⁵⁰ and (ii) findings of fact, conclusions of law, and an order confirming Metex's plan of reorganization.¹⁵¹ No one objected to

the plan, the disclosure statement, or the insurance settlements. On July 9, 2014, Metex filed a motion seeking an order from the district court pursuant to § 524(g) affirming the bankruptcy court's confirmation order.¹⁵²

North American Refractories Corp. Certain of NARCO's insurers appealed the district court's affirmation of confirmation of NARCO's plan to the Third Circuit, but those appeals were voluntarily dismissed on August 3, 2010.¹⁵³ The NARCO plan and § 524(g) channeling injunction became effective on April 30, 2013.¹⁵⁴

Plant Insulation. On March 16, 2012, the bankruptcy court issued findings of fact and conclusions of law supporting confirmation of Plant's plan of reorganization, which utilized the § 524(g) trust-injunction mechanism.¹⁵⁵ The court entered a plan confirmation order on April 4, 2012.¹⁵⁶ Plant's insurers who had not settled with Plant appealed to the U.S. District Court for the Northern District of California, which affirmed the confirmation order on October 9, 2012.¹⁵⁷ The non-settled insurers sought to stay the confirmation order pending appeal to the Ninth Circuit, but that stay motion was denied by the district court, the Ninth Circuit, and the U.S. Supreme Court. Notwithstanding the appeal, Plant took the confirmed plan effective on November 16, 2012, forming the Plant Asbestos Settlement Trust pursuant to § 524(g).¹⁵⁸

On October 28, 2013, the Ninth Circuit reversed the confirmation order, finding that certain plan provisions that would allow the trust to gain control over the reorganized debtor upon the occurrence of certain contingencies failed to satisfy the requirements of § 524(g).¹⁵⁹ In particular, the plan provided that the trust could gain ownership of the reorganized debtor (i) by using its outstanding warrant to purchase an additional 11% of the shares of the reorganized debtor or (ii) if the reorganized debtor defaulted on the \$250,000 note that it provided to the trust. The Ninth Circuit found that these contingencies failed to satisfy § 524(g) because "a trust that is struggling to pay claims cannot be expected to purchase control of the reorganized debtor and such a right leaves the trust in scarcely a better position than a third party," and, with respect to the note-default contingency, "if a reorganized debtor were to default on

such insignificant payments, it is essentially insolvent, making the value of the shares negligible . . . This cannot be the kind of contingency Congress envisioned when it drafted" § 524(g). The Ninth Circuit thus concluded that the plan did not comply with § 524(g) because it would not permit the trust to control the reorganized debtor either after confirmation or at any point where control would meaningfully benefit the trust. The Ninth Circuit did, however, affirm the plan's injunction barring non-settling insurers from asserting equitable contribution claims against settled insurers, finding that § 524(g) provides no statutory protection for the non-settling insurers' contribution claims, and that the plan's injunctions were permissible because they are fair and equitable to future claimants in light of the benefits provided to the trust by the settled insurers.

On November 26, 2013, over the non-settled insurers' objection, the bankruptcy court partially granted the plan proponents' motion to "preserve the status quo" pending entry of a final confirmation order consistent with the Ninth Circuit's decision. The bankruptcy court's "status quo" order (i) allowed the § 524(g) trust to continue operating, although it could not pay any claims or allow any asbestos claimant to pursue a direct action against any non-settled insurer and (ii) left all previous transfers of estate property in place.¹⁶⁰

On November 20, 2013, Plant filed an amended plan to address the issues identified by the Ninth Circuit.¹⁶¹ Following two days of confirmation hearings in January, 2014, the bankruptcy court entered an order confirming the amended plan on March 3, 2014.¹⁶² Non-settled insurers appealed to the district court from the post-remand confirmation order; oral argument in the district court is scheduled for July 28, 2014.¹⁶³

Quigley. Quigley and counsel for certain asbestos claimants were involved in an appeal to the Second Circuit from a district court order that reversed a bankruptcy court order enjoining an asbestos claimants' law firm from litigating tort claims under Pennsylvania law against Quigley's non-debtor parent company Pfizer, based on the use of Pfizer's name on bags of Quigley asbestos products.¹⁶⁴ On April 10, 2012, the Second Circuit affirmed the district court's ruling, holding that § 524(g)(4)(A) could not protect

Pfizer from asbestos claims under an “apparent manufacturer” theory of liability, because such protection was only available in the limited circumstance in which, as a matter of law, a non-debtor could only be liable as a result of the legal nature of its relationship with the debtor and not because its relationship gave rise to a factual situation in which the non-debtor and debtor would be co-liable for the debtor’s asbestos claims.¹⁶⁵

On June 29, 2012, Quigley filed a Fifth Amended and Restated Chapter 11 Plan of Reorganization.¹⁶⁶ Like Quigley’s previously-proposed plans, the Plan proposed to utilize the trust-injunction mechanism set forth in § 524(g) of the Bankruptcy Code, but the new plan increased both (i) the amount of Pfizer’s contribution to the proposed Asbestos PI Trust and (ii) the distribution on account of Pfizer-derivative claims for asbestos claimants who had not settled with Pfizer before Quigley’s bankruptcy case was commenced.¹⁶⁷ Pfizer also committed to transfer to reorganized Quigley commercial real estate valued at \$44 million, to generate income and a continuing revenue stream for the benefit of the 524(g) asbestos trust.¹⁶⁸ On July 2, 2013, the bankruptcy court entered an order (i) confirming the Plan and (ii) recommending affirmance of the Plan and entry of the § 524(g) injunction by the district court.¹⁶⁹ On July 30, 2013, the district court entered an order adopting and affirming the confirmation order, including the § 524(g) injunctions.¹⁷⁰

Specialty Products/Bondex. The bankruptcy court held a hearing regarding the estimation of debtors’ asbestos liabilities from January 7-11, 2013. On May 20, 2013, the court issued an opinion estimating the net present value of pending and future mesothelioma claims against the debtors at \$1.1 billion and the net present value of non-mesothelioma asbestos personal injury claims at \$66 million.¹⁷¹ Debtors and their non-debtor parent, RPM International, Inc., appealed the bankruptcy court’s estimation decision, moved to certify the decision to the Third Circuit, and sought a stay pending appeal. The ACC moved to dismiss the appeal. In February, 2014, the U.S. District Court for the District of Delaware granted Debtors’ certification motion, concluding that input from the Third Circuit regarding the estimation process in the particular context of asbestos litigation would be beneficial.¹⁷² It also entered an order staying

the bankruptcy proceedings pending resolution of the appeal.¹⁷³ On March 10, 2014, debtors petitioned the Third Circuit to allow a direct appeal of the estimation decision, arguing that a direct appeal would materially advance the bankruptcy case by resolving issues critical to plan confirmation and that whether the Bankruptcy Code requires an asbestos estimation is of great public importance.¹⁷⁴ The ACC and FCR opposed the petition,¹⁷⁵ which the Third Circuit denied on April 4, 2014.¹⁷⁶ The district court appeal of the estimation decision remains stayed.

Before the bankruptcy case was stayed pending appeal of the estimation order, Debtors, on the one hand, and the ACC and FCR, on the other hand, filed competing proposed plans of reorganization.¹⁷⁷ The parties also filed cross-motions seeking to establish bar dates for the filing of claims. The ACC and FCR sought a bar date for the filing of proofs of claim for pre-petition non-asbestos claims, while Debtors cross-moved to establish a bar date for asbestos-related claims.¹⁷⁸ Debtors argued that a bar date for asbestos claims was necessary because competing plans had been filed, the outcome of the estimation proceeding remained undetermined because of the appeal, and, if a consensual plan under § 524(g) could not be confirmed, the debtors would seek to cram down a plan and obtain a discharge under § 1141(d). Relying on the Third Circuit’s *Grossman’s* decision, Debtors argued that claims based on pre-petition asbestos exposures arose pre-petition, such that asbestos claimants were required to file proofs of claim in order to recover on their claims.¹⁷⁹ The bankruptcy court held a hearing on the respective bar date motions on November 5, 2013, and ruled it would establish an asbestos claims bar date.¹⁸⁰ The parties were unable to agree on a proposed form of order and proposed claim form, and reported their disagreements to the court at a hearing on December 17, 2013. The court had not yet ruled when the bankruptcy case was stayed pending appeal of the estimation ruling.

The two competing plans of reorganization remain pending, as does a motion filed by the ACC and FCR to establish procedures for soliciting and tabulating votes on their proposed plan.

Pittsburgh Corning. On August 17, 2012, Pittsburgh Corning filed a Modified Third Amended Plan,

which contained revised insurance neutrality and judgment reduction provisions agreed to by certain of Pittsburgh Corning's insurers.¹⁸¹ Two of debtor's insurers objected to confirmation of the plan, arguing that the plan threatened to impair their rights notwithstanding the insurance neutrality provisions. Garlock also objected to the plan on the grounds that the proposed trust distribution procedures unfairly impaired its ability to pursue potential co-defendant contribution claims against Pittsburgh Corning. On May 24, 2013, the bankruptcy court overruled all objections and issued findings of fact and conclusions of law regarding confirmation and an order confirming the Plan.¹⁸²

The insurers moved for reconsideration of the confirmation order, arguing that (i) the scope of the § 524(g) injunction was unclear, as was the identify of various PPG affiliates it purports to protect, and (ii) the plan improperly provides injunctive relief to PPG and Corning without those two companies making adequate contributions to the § 524(g) trust.¹⁸³ Garlock appealed the confirmation order and the bankruptcy court's March 25, 2010 order denying Garlock's motion for access to statements filed by asbestos plaintiffs' counsel pursuant to Bankruptcy Rule 2019.¹⁸⁴ Garlock's appeal was stayed pending the outcome of the insurers' motion for reconsideration.

On November 12, 2013, the bankruptcy court granted the insurers' motion for reconsideration to the extent of clarifying the scope of the § 524(g) injunction. The bankruptcy court concluded that the insurers had otherwise failed to meet the "exacting standard of its burden of proof" as to the remaining issues for which they sought reconsideration.¹⁸⁵ On November 25, 2013, the insurers appealed the confirmation order and the order on their motion for reconsideration.¹⁸⁶ Garlock also noticed an appeal of the confirmation order and the order denying Garlock access to asbestos plaintiffs' counsel's Rule 2019 statements for use in connection with Garlock's estimation proceeding in its own bankruptcy case.¹⁸⁷ On February 28, 2014, the district court reversed the order denying Garlock's motion to obtain asbestos plaintiffs' counsel's Rule 2019 statements in Pittsburgh Corning's and in several other asbestos bankruptcy cases.¹⁸⁸ The insurers' appeal of the confirmation order remains pending.

Skinner Engine. On July 25, 2012, Third Circuit affirmed the district court's order affirming the

bankruptcy court's order (i) rejecting debtor's proposed Chapter 11 plan in the context of reviewing the disclosure statement relating to that plan, and (ii) converting debtor's case from a Chapter 11 to Chapter 7.¹⁸⁹ The Third Circuit reasoned that a bankruptcy court could exercise its equitable powers under Bankruptcy Code § 105 to reject a plan before a confirmation hearing, stating that "a bankruptcy court may address the issue of plan confirmation where it is obvious at the disclosure statement stage that a later confirmation hearing would be futile because the plan described by the disclosure statement is patently unconfirmable." The Third Circuit also affirmed the lower courts' finding that debtors' plan did not comply with the feasibility requirement for confirmation because the "sole source of funding" for debtors' plan was a surcharge on insurance proceeds to be recovered by asbestos claimants, and the speculative nature of these recoveries made debtors' plan not feasible as a matter of law. Similarly, the Third Circuit found that debtors' plan was proposed in bad faith "because it establish[ed] an inherent conflict of interest under circumstances that are especially concerning," insofar as the plan: (a) provided incentive for debtors to sabotage their own defense against asbestos claimants because the only source of funding would be asbestos litigants' insurance recoveries based on settlements against the estate; (b) contained a settlement procedure and baseball arbitration provision that severely limited the insurers' procedural and substantive rights; and (c) included no contribution from debtors to the claimant trust, but instead pulled money from the trust to repay debtors' professionals and non-asbestos claimants.

On September 11, 2013, the bankruptcy court dismissed Skinner's bankruptcy case.¹⁹⁰

State Insulation. On March 2, 2012, the district court entered an order confirming State Insulation's Chapter 11 plan of reorganization, which establishes a § 524(g) trust funded by a \$1.3 million promissory note and \$350,000 cash, along with the right to receive proceeds from State Insulation's asbestos insurance.¹⁹¹ The effective date of the Plan occurred on June 25, 2012.¹⁹²

THAN. On March 3, 2014, certain AIG insurers ("AIG") moved to reopen THAN's bankruptcy case so that the AIG could commence an adversary

proceeding to enforce its rights under a settlement with THAN and its parent ("PENAC") to audit payments and distributions made by the THAN 524(g) asbestos trust.¹⁹³ The Trust objected to AIG's motion to reopen, arguing that the breach of contract action that AIG seeks to bring is a matter involving state law contract principles that does not require the bankruptcy court's jurisdiction, with no nexus to the confirmed Plan or THAN's bankruptcy case.¹⁹⁴ The Trust further argued that neither the Reorganized Debtor nor the estate would benefit if the case were reopened, and that the adversary proceeding that AIG sought to file lacked merit in any event because THAN, PENAC, and the Trust were willing to accommodate the audit that AIG sought upon execution of a confidentiality agreement as contemplated by the AIG settlement agreement.¹⁹⁵ THAN and PENAC also objected to AIG's motion to reopen.¹⁹⁶ On June 11, 2014, the bankruptcy court denied AIG's motion to reopen.¹⁹⁷

On July 2, 2014, AIG filed a complaint against PENAC, THAN, and the Trust in the Delaware Chancery Court, asserting claims for (i) breach of contract against PENAC and THAN based on their alleged failure to allow AIG to conduct a commercially reasonable audit of the Trust unless AIG agrees to conditions beyond those required by the AIG settlement agreement, (ii) breach of contract against the Trust for its alleged failure to allow AIG to conduct a commercially reasonable audit of the Trust unless AIG agrees to conditions beyond those required by the AIG settlement agreement, (iii) tortious interference with contract against the Trust based on its asserted interference with AIG's rights under the settlement agreement to conduct a commercially reasonable audit of the payments and distributions by the Trust, which have resulted in PENAC breaching its obligations under the settlement agreement, and (iv) declaratory relief regarding AIG's audit rights.¹⁹⁸ AIG asserted that the Trust has processed and paid larger numbers of asbestos claims than were expected to be compensated in the tort system, which has resulted in AIG making millions more in payments to date under the AIG settlement agreement than it otherwise would have, and that AIG is entitled to audit the payments and distributions to date to determine whether that was caused to any extent by fraud.¹⁹⁹ AIG seeks a declaration and determination of the nature and extent

of its audit rights, and judgment that relieves AIG from any further obligations under the settlement agreement.

Thorpe Insulation. On January 24, 2012, the Ninth Circuit issued an opinion reversing the district court's decision that the insurers lacked standing to object to Thorpe's plan of reorganization. The circuit court remanded the case so the insurers could be afforded a full and fair opportunity to present evidence to the bankruptcy court in support of their confirmation objections.²⁰⁰ In particular, the Ninth Circuit found that the plan may have a "substantial economic impact on insurers" and thus could not be "insurance neutral" to the extent that (i) the plan may have a preclusive effect with respect to asbestos claims brought directly against the insurers, (ii) non-settling insurers may be required to indemnify trust payments to asbestos claimants that were made without insurer participation, (iii) asbestos claimants are permitted to file direct lawsuits against non-settling insurers pursuant to the plan, and (iv) non-settling insurers are enjoined from asserting contribution claims against settled insurers and the trust may lack sufficient funds to pay those contribution claims.²⁰¹

On March 20, 2013, the plan proponents filed their Sixth Amended Joint Plan.²⁰² Thereafter, Thorpe reached settlements with the three insurers who had appealed plan confirmation to the Ninth Circuit, and Thorpe filed a new plan that reflected the terms of the post-remand insurance settlements.²⁰³ After a new confirmation hearing, the bankruptcy court on May 8, 2013 confirmed the revised post-remand plan.²⁰⁴ The district court on June 6, 2013 issued an order affirming plan confirmation and issuing a new § 524(g) channeling injunction.²⁰⁵ The effective date of the post-remand plan occurred on July 9, 2013.²⁰⁶

United Gilsonite. United Gilsonite Laboratories filed a proposed plan of reorganization on September 21, 2012.²⁰⁷ The plan proposes to establish a § 524(g) trust that would be funded with \$2 million in cash from UGL, a promissory note in the principal amount of \$8 million, and UGL's insurance rights.²⁰⁸

On June 24, 2013, the ACC and the FCR sought an order authorizing them to prosecute claims on UGL's behalf (i) to avoid and recover fraudulent conveyances

against UGL's shareholders, (ii) for breach of fiduciary duty against UGL's directors, and (iii) for any other claims related to the payment of dividends identified during further discovery.²⁰⁹ The ACC and FCR argued that there was a high likelihood of success in the prosecution of these claims and that UGL had advised them that it would not prosecute such claims.²¹⁰ UGL opposed the motion, arguing that it had not refused to bring such actions and that it intended to assign any claims it had to a § 524(g) asbestos trust.²¹¹ Certain UGL shareholders also opposed the motion, arguing that it was premature and included unfounded allegations, misstatements, and omissions of fact.²¹² The parties later notified the court that they had reached a global settlement regarding UGL's case, and would shortly finalize a term sheet and then proceed to formal plan documentation.²¹³ UGL has not yet filed an amended plan.

W.R. Grace. Following the district court's affirmation of the bankruptcy court's confirmation order, numerous parties appealed to the Third Circuit, while Garlock filed a motion for reargument, claiming that the district court had erroneously concluded that Garlock's filing of a proposed plan in its own bankruptcy case resulted in Garlock no longer having standing to object to Grace's plan. The appellants included: asbestos claimants whose asserted exposures arose from Grace's vermiculite mine in Libby, Montana (the "Libby Claimants"); the State of Montana, which had claims against Grace arising from asbestos lawsuits asserting that Montana failed to warn Grace employees and Libby residents of asbestos-related dangers at the Libby mine; BNSF Railway, which had claims against Grace arising from asbestos lawsuits based on railroad shipment of asbestos-contaminated vermiculite; numerous asbestos property damage claimants; Canadian class action plaintiffs and Her Majesty the Queen in the Right of Canada ("the Crown"), whose claims arose from Grace's allegedly asbestos-contaminated insulation products; Garlock; various insurers who alleged that their contractual rights were violated by the plan; and Grace's bank lenders, who disputed the amount of interest being paid on their claims under the Plan.²¹⁴ On June 11, 2012, the district court entered a memorandum opinion overruling all of the objections and appeals and affirming confirmation of Grace's plan.²¹⁵

Several parties appealed the District Court's confirmation affirmation order to the Third Circuit.²¹⁶ After

several parties resolved their appeals by agreement with Grace, the only appeals that ultimately remained for decision by the Third Circuit were those of Garlock, Anderson Memorial Hospital, Canada, and Montana.

On July 24, 2013, the Third Circuit affirmed the confirmation order as to Garlock, concluding that Garlock lacked standing to object to the Plan because it could only allege speculative future injuries that were insufficient to satisfy Article III standing requirements.²¹⁷ Specifically, the Third Circuit found that Garlock had never asserted any contribution or setoff claims against Grace based on Grace's alleged liability as a co-defendant of Garlock, and there was no evidence that Garlock ever suffered a judgment for which Grace owed it contribution during Grace's bankruptcy case.²¹⁸

On September 26, 2013, the Third Circuit affirmed the confirmation order as to Anderson Memorial Hospital,²¹⁹ rejecting the Hospital's arguments that (i) the Plan did not meet the requirements of § 524(g) because there would be no future asbestos property damage ("PD") demands warranting that injunction, since any buildings with asbestos already contain the material, (ii) the Plan did not provide equal treatment to the Hospital for its PD claims, (iii) the Plan was not proposed in good faith, and (iv) the Plan was not feasible. Specifically, the Court concluded that since § 524(g) explicitly states that asbestos trusts can include PD claims, the Hospital's proffered interpretation would be inconsistent with congressional intent. Further, the Hospital was not being treated differently than future PD creditors who could file obtain jury trials on their claims, whereas the Hospital had submitted itself to the bankruptcy court's jurisdiction by filing a proof of claim and therefore was subject to the Plan's provisions. The court found that Grace had demonstrated that the Plan the "good faith" requirement for plan confirmation and the Plan was feasible because Grace had presented sufficient evidence that the \$1.6 billion in possible Plan funding was reasonably likely to provide for all claims, including the Hospital's asserted class PD claims.

Also on September 26, 2013, the Third Circuit affirmed the confirmation order as to Montana and the Crown.²²⁰ Montana and the Crown had argued that their indemnification and contribution claims

against Grace were substantively different than, and thus could not properly be classified with, asbestos personal injury claims, that they were improperly subject to the channeling injunction, and that they were treated unfairly under the Plan. The court held that the express language of § 524(g) states that courts can enjoin claims seeking to “indirectly” receive payment or recovery for asbestos claims against a debtor, and that Montana’s and the Crown’s claims were “precisely” that. The court further held that Montana’s and the Crown’s claims were properly classified with direct personal injury claims, because Grace’s liabilities for those claims turned solely on its asbestos-related activities.

On February 3, 2014, Grace’s plan became effective, and Grace emerged from chapter 11 after 13 years.

3. Overview Of Recent Asbestos Bankruptcy Developments

Defunct Debtors: Throwing In The Towel. Following the successful resolution of the *Johns-Manville* bankruptcy case and through the asbestos “bankruptcy wave” that began in 2001, approximately 70 companies filed Chapter 11 reorganization cases utilizing the trust-injunction mechanism that is now codified in § 524(g) of the Bankruptcy Code. After many of the traditional first- and second-tier defendants obtained § 524(g) relief, the pace of new asbestos-related bankruptcy case filings slowed significantly.

After a relative lull over a number of years in the number of asbestos-related bankruptcy case filings, there has been a recent uptick – seven cases were filed in 2013, compared with two in 2012, three in 2011, five in 2010, and three in 2009. Many of these new debtors long ago ceased active business operations, remaining in existence primarily – if not exclusively – to manage the asbestos claims filed against them. From the outset of their bankruptcy cases, the goal of many of those companies, such as A.L. Burbank, Conalco, Dowman, and Resillo, was to liquidate their remaining assets and wind up their business affairs, rather than to try to utilize the provisions of § 524(g). But because the Bankruptcy Code precludes discharging a liquidating debtor from its debts,²²¹ these companies will remain liable for the asbestos claims against them notwithstanding their bankruptcy cases. Nevertheless, there are several

ways that a defunct asbestos debtor may benefit by filing a liquidating bankruptcy case.

First, the bankruptcy case may be a step towards the ultimate corporate dissolution of the debtor, which in many (but not all) states eventually would have the effect of barring further claims against the debtor in the tort system.²²² Second, the bankruptcy case may be the means by which the company’s management and its defending liability insurers (if any) reach agreement to turn over responsibility for handling the litigation to the insurers. Third, even if liquidation and dissolution will not bar further claims against the debtor as a matter of law, as a practical matter claims may cease to be once claimants understand that there are few or no remaining assets from which to pay claims.

Given the large number of non-operating asbestos defendants remaining in the tort system, we expect to see several more non-reorganizing cases filed in the years to come.

Defunct Debtors: Creating a New Business To Obtain Access To § 524(g). In our last article, we noted that “[c]ertain asbestos defendants who are presently seeking to confirm § 524(g) plans – e.g., Quigley, Flintkote, and Plant – have not had active business operations for years,” and that an outstanding issue in those cases was whether non-operational debtors, with no going concern value to preserve or jobs to save, may use § 524(g).²²³ In each of those cases, the bankruptcy courts have since confirmed, and the district courts have affirmed, plans where those non-operating debtors created new business operations during their Chapter 11 cases, either by merging post-petition with an existing business (Plant), receiving an existing business contributed by a non-debtor parent (Quigley), or developing new businesses unrelated to the company’s historical operations (Flintkote).

Most recently, the district court in *Flintkote* concluded that Flintkote, which had no business operations on the petition date, could confirm a plan under § 524(g) based on businesses it developed during the bankruptcy case.²²⁴ The district court agreed with the bankruptcy court’s conclusion that “[n]othing in § 524(g), § 1129, § 1141, or *Combustion Engineering* requires a debtor to continue to engage in a

pre-petition [] business,” and it held that “[n]either the law. . . nor logic dictates that the evergreen source of funds must be a business the debtor engaged in prior to filing for bankruptcy.”²²⁵ The objecting party’s time to appeal the district court decision has not yet run, so the Third Circuit may well have the opportunity to weigh in on this issue in light of *Combustion Engineering*, where it noted that § 524(g) requires a debtor to be “a going concern, such that it is able to make future payments into the trust to provide an ‘evergreen’ funding source for future asbestos claims.”²²⁶

The *Flintkote* ruling may encourage debtors without business operations, who previously might not have been thought of as viable § 524(g) candidates, to consider invoking that provision. However, for such companies to pursue § 524(g) plans, they must have not only the ability to acquire an ongoing business (by purchasing one, a tall order for a tapped-out, non-operational debtor; merging with one, which requires persuading an existing business to combine with a non-operating company; or being given one by a non-debtor parent company), but also access to enough cash to fund an ACC, an FCR, lawyers and experts for the ACC and FCR, and possibly fights with insurers.

Asbestos Trusts and the Tort System: Parallel Universes? In our series of “Where Are They Now” articles, we have reported how many of the most prominent asbestos defendants have filed for bankruptcy and established § 524(g) trusts. In recent years, the number of operating bankruptcy trusts has grown, with nearly \$37 billion in assets available or shortly becoming available to pay asbestos claims against those former debtors.²²⁷ Bankruptcy trust payments to claimants have likewise increased, with more than \$15 billion distributed to claimants between 2006 and 2012.²²⁸ While these bankruptcy trusts have stepped into the shoes of many of the most culpable companies and are paying significant sums for those companies’ liabilities, claimants may also – and generally do – seek recovery for their claims in the tort system against solvent former co-defendants of those debtor entities. These methods of recovery are non-exclusive, and have become parallel means of recovery for asbestos plaintiffs.

To date, this parallel system of recovery has been generally uncoordinated. Many of the § 524(g)

bankruptcy trust distribution procedures contain provisions intended to keep claimants’ trust submissions confidential and shielded from disclosure, along with tolling provisions that have allowed claimants to delay making their claims against the trusts until after they have obtained tort system recoveries from solvent defendants. These provisions have also resulted in circumstances where claimants avoid identifying bankruptcy trust defendants as sources of exposure in tort system litigation, such that solvent defendants have difficulty presenting third-party fault-related defenses or obtaining judgment credits/setoffs for trust payments.²²⁹ Those same claimants later assert claims against bankruptcy trusts, certifying that they have been exposed to the particular debtors’ asbestos even if such exposures were not disclosed in tort litigation.²³⁰

The *Garlock* Estimation Decision illuminates the reality of these issues. In that ruling, which may be one of the most significant rulings in the annals of asbestos bankruptcies,²³¹ the bankruptcy court addressed evidence presented by Garlock regarding its tort system settlement and trial experience and concluded that “the last ten years of [Garlock’s] participation in the tort system was infected by the manipulation of exposure evidence by plaintiffs and their lawyers.”²³² In particular, the court concluded that Garlock “presented substantial evidence” of “the effort by some plaintiffs and their lawyers to withhold evidence of exposure to other asbestos products and to delay filing claims against bankrupt defendants’ asbestos trusts until after obtaining recoveries from Garlock (and other viable defendants).”²³³

The *Garlock* ruling adds credibility to the “trust transparency” arguments that have been advanced by defendants and insurers for many years. The tort system manipulation discussed in that decision has garnered significant media attention, and has been cited by parties in tort litigation pending in other courts.²³⁴ While the *Garlock* ruling does not itself cure of the potential ills created by the parallel systems for asbestos recoveries, the manipulation described therein supports allowing asbestos defendants to have broad access to materials submitted and filed by claimants and their counsel in asbestos bankruptcy cases as at least an initial step to stop any such behavior.²³⁵

Insurance Issues Close To Resolution. In our past reports, we highlighted two issues that were the subject of frequent litigation involving asbestos debtors' insurance: (i) whether policies could be assigned by debtors to § 524(g) trusts notwithstanding anti-assignment clauses in insurance policies; and (ii) whether insurers had standing to object to plan confirmation. Recent appellate decisions have provided guidance on these issues.

On the anti-assignment issue, both the Ninth Circuit in *Thorpe Insulation*²³⁶ and the Third Circuit in *Federal-Mogul*²³⁷ held that policies could be assigned to § 524(g) trusts. The Ninth Circuit held that although California law held that anti-assignment clauses were enforceable under certain circumstances, federal bankruptcy law preempted the insurers' contractual rights because such rights interfere with the potential efficacy of § 524(g) plans. The Third Circuit said that § 1123(a)(5) of the Bankruptcy Code preempts anti-assignment provisions that would otherwise bar the transfer of insurance rights to a § 524(g) trust. In addition, the court found that preempting anti-assignment provisions furthers the purposes of the Bankruptcy Code and § 524(g).

Insurers fared better on the standing issue, which was the linchpin of the *Thorpe Insulation* decision. There, the Ninth Circuit found that the bankruptcy court and district court had erred in not allowing the insurers to pursue plan objections, where the plan had the potential substantially to impact the insurers economically because it allowed direct actions against the insurers, it allowed the trust to pay out claims according to trust distribution procedures and then to seek indemnification from the insurers, it terminated the insurers' ability to collect claims from settling insurers, and it affected the nature of the insurers' contracts with the debtors. The fact that the plan proponents asserted that the plan was "insurance neutral" did not overcome the plan's potential economic impact on the insurers. Likewise, the Third Circuit in *Global Industrial Technologies*²³⁸ concluded that the objecting insurers had standing to object to confirmation of the debtor's plan and that the failure to hear their arguments required reversal and remand of plan confirmation. Although the Seventh Circuit ruled against insurer standing in *C.P. Hall*, that case did not concern confirmation of a plan that would adversely affect insurers

economically – there, the insurer objected to a settlement that did not directly threaten its contractual rights.

As a result, we expect future contested asbestos bankruptcy confirmation hearings involving insurers to be like *Plant Insulation*, where the insurers enjoyed full discovery and trial rights – but we anticipate that in few of those cases will insurers raise anti-assignment arguments.

Pre-packs can work (almost). In the early days of asbestos bankruptcies, some debtors attempted "pre-packaged" bankruptcies, in which the plan is negotiated and voted on pre-petition. The goal of such cases is to move quickly through the bankruptcy system: if the plan is negotiated and approved pre-petition, a company can save enormous costs if its stay in bankruptcy is measured in days (*i.e.*, 60, 90, or 120 days) rather than years, as is often the case with so-called "free fall" or "traditional" bankruptcies. However, some early attempts at pre-packs failed spectacularly to achieve quick exits: the plan confirmation in *Combustion Engineering* was hard-fought and eventually reversed by the Third Circuit, with the company not emerging from bankruptcy until three years after the petition was filed; and Congoleum spent seven years in bankruptcy before emerging with a confirmed plan. More recently, the debtor in *Leslie Controls* – in which the plan was negotiated but not voted on pre-petition – emerged with a confirmed plan in about six months, but not before having to litigate against insurers who objected to the plan and appealed plan confirmation to the district court. The *Leslie Controls* plan did not resolve insurance coverage issues but rather deferred them for resolution by the § 524(g) trust.²³⁹

Metex, filed in December, 2014, is probably the most successful asbestos bankruptcy prepack in more than ten years, because the company's plan was confirmed by the bankruptcy court exactly six months after the petition was filed. Pre-petition, *Metex* negotiated settlements with all of its claimants and all of its insurers, so no objections were filed to the plan in bankruptcy court, and no appeals were taken to the district court. As a result, *Metex* itself had to ask that court to affirm plan confirmation as required for the § 524(g) channeling injunction to become effective. There was one small glitch along the way: pre-petition, *Metex*

fell just short of garnering all the votes needed to commence the case as a true pre-pack, but it successfully obtained all the necessary approving votes post-petition. And, unlike the case in *Leslie Controls*, Metex will not have any lingering insurance coverage issues to resolve following confirmation. The case therefore demonstrates that it is possible for an asbestos debtor to confirm a prepackaged plan – but it must be prepared to work hard pre-petition to get all the pieces lined up just right.

4. Conclusion

Asbestos bankruptcy cases, like the tort litigation itself, have matured, and courts have addressed significant issues of substantive law and procedure. However, significant questions remain with respect to transparency issues and insurers' and solvent co-defendants' efforts to obtain credits or reimbursement for payments that asbestos claimants receive from bankruptcy trusts, and the outcome of those issues remains to be seen.



CHART 1:
COMPANY NAME AND YEAR OF BANKRUPTCY FILING
(CHRONOLOGICALLY)

Company	Year
UNR Industries	1982
Johns-Manville Corp.	1982
Amatex Corp.	1982
Unarco	1982
Waterman Steamship Corp.	1983
Wallace & Gale Co.	1984
Forty-Eight Insulations	1985
Philadelphia Asbestos Corp. (Pacor)	1986
Standard Insulations, Inc.	1986
Prudential Lines, Inc.	1986
McLean Industries	1986
United States Lines	1986
Gatke Corp.	1987
Todd Shipyards	1987
Nicolet, Inc.	1987
Raymark Corp./Raytech Corp.	1989
Delaware Insulations	1989
Hillsborough Holding Co.	1989
Celotex Corp.	1990
Carey Canada, Inc.	1990
National Gypsum	1990
Eagle-Picher Industries	1991
H.K. Porter Co.	1991
Kentile Floors	1992
American Shipbuilding, Inc.	1993

Keene Corp.	1993
Lykes Bros. Steamship	1995
Rock Wool Manufacturing	1996
M.H. Detrick	1998
Fuller-Austin	1998
Brunswick Fabricators	1998
Harnischfeger Corp.	1999
Rutland Fire Clay	1999
Babcock & Wilcox Co.	2000
Pittsburgh Corning	2000
Owens Corning Corp./Fibreboard	2000
Armstrong World Industries	2000
Burns & Roe, Inc.	2001
G-I Holdings	2001
Skinner Engine Co.	2001
W.R. Grace	2001
USG Corp.	2001
E.J. Bartells	2001
United States Mineral Products	2001
Federal Mogul	2001
Murphy Marine Services	2001
Chicago Fire Brick	2001
Insul Co.	2001
Swan Transportation Co.	2001
North American Refractories Corp. (NARCO)	2002
Kaiser Aluminum	2002
GIT/Harbison-Walker/AP Green Industries	2002
Plibrico Co.	2002
Shook & Fletcher	2002
Porter-Hayden Co.	2002
Artra Group, Inc.	2002
Special Metals Corp.	2002
Asbestos Claims Management Corp.	2002
ACandS	2002
JT Thorpe Co. (S.D. Tex.)	2002
A-Best Products	2002
Western MacArthur/Western Asbestos	2002
C.E. Thurston	2003
Combustion Engineering	2003
Congoleum Corp.	2003

Mid-Valley (Halliburton subsidiaries)	2003
Muralo Co.	2003
Flintkote Co./Flintkote Mines	2004
Oglebay Norton Co. (ONCO)	2004
Special Electric	2004
Quigley Co.	2004
Utex Industries	2004
JT Thorpe, Inc. (C.D. Cal.)	2004
API, Inc.	2005
Lake Asbestos of Quebec, Ltd.	2005
Asarco ¹	2005
Brauer Supply Co.	2005
Dana Corporation	2006
ABB Lummus Global	2006
Lloyd E. Mitchell Co.	2006
Thorpe Insulation Co.	2007
Pacific Insulation Co. ²	2007
Schutte & Koerting, Inc.	2007
Hercules Chemical Co.	2008
Christy Refractories Co. LLC	2008
T H Agriculture & Nutrition, LLC	2008
Plant Insulation Co.	2009
General Motors Corp.	2009
Durabla Manufacturing Co. ³	2009
Bondex International, Inc. and Specialty Products Holding Corp.	2010
Garlock Sealing Technologies LLC ⁴	2010
Leslie Controls, Inc.	2010
Triple A Machine Shop, Inc.	2010
Pulmosan Safety Equipment Corp.	2010
State Insulation Corp.	2011
United Gilsonite Laboratories	2011
C.P. Hall Company	2011
National Service Industries	2012
Metex Mfg. Corp.	2012
Dowman Products, Inc.	2013
Resillo Press Pad Co.	2013
Rapid-American Corp.	2013
A.L. Burbank & Co., Ltd.	2013

¹ Three subsidiaries of Asarco – AR Sacaton LLC; Southern Peru Holdings, LLC; and Asarco Exploration Company – filed for Chapter 11 on December 12, 2006, citing asbestos exposure.

² Pacific Insulation Co. is related to Thorpe Insulation Co., which filed two weeks earlier in the same court.

³ An affiliate of Durabla – Durabla Canada Ltd. – filed for Chapter 11 on November 8, 2010, citing asbestos exposure.

⁴ Garlock filed along with its affiliates The Anchor Packing Company and Garrison Litigation Management Group Ltd.

Saberhagen Holdings	2013
Yarway Corporation	2013
Consolidated Aluminum Corp.	2013
Budd Company	2014



CHART 2:
COMPANY NAME AND YEAR OF BANKRUPTCY FILING
(ALPHABETIZED)

Company	Year
ABB Lummus Global	2006
A-Best Products	2002
ACandS, Inc.	2002
A.L. Burbank & Co., Ltd.	2013
Amatex Corp.	1982
American Shipbuilding Co.	1993
Anchor Packing Company	
Ancor Holdings Inc./National Gypsum	1990
API, Inc.	2005
Armstrong World Industries	2000
Artra Group, Inc.	2002
Asarco, Inc.	2005 ¹
Asbestos Claims Management Corp.	2002
Babcock & Wilcox Co.	2000
Bondex International, Inc. and Specialty Products Holding Corp.	2010
Brauer Supply Co.	2005
Brunswick Fabricators	1998
Budd Company	2014
Burns & Roe	2001
Carey Canada, Inc.	1990
Celotex Corp.	1990
C.E. Thurston	2003
Chicago Fire Brick	2001
Christy Refractories Co. LLC	2008
Combustion Engineering	2003
Congoleum Corp.	2003
Consolidated Aluminum Corp.	2013

¹ Three subsidiaries of Asarco – AR Sacaton LLC; Southern Peru Holdings, LLC; and Asarco Exploration Company – filed for Chapter 11 on December 12, 2006, citing asbestos exposure.

C.P. Hall Company	2011
Dana Corporation	2006
Delaware Insulations Distributors	1989
Dowman Products, Inc.	2013
Durabla Manufacturing Co. ²	2009
Eagle Pitcher Industries	1991
EJ Bartells Co., Inc.	2001
Federal Mogul Corp.	2001
Flintkote Co.	2004
Flintkote Mines Ltd.	2004
Forty-Eight Insulations	1985
Fuller-Austin Insulation Co.	1998
Garlock Sealing Technologies LLC ³	2010
Gatke Corp.	1987
General Motors Corp.	2009
G-I Holdings	2001
GIT/Harbison-Walker/AP Green	2002
Harnischfeger Corp.	1999
Hercules Chemical Co.	2008
Hillsborough Holdings	1989
H.K. Porter Co., Inc.	1991
Insul Co.	2001
Johns-Manville Corp.	1982
JT Thorpe (S.D. Tex.)	2002
JT Thorpe (C.D. Cal.)	2004
Kaiser Aluminum Corp.	2002
Keene Corp.	1993
Kentile Floors, Inc.	1992
Lake Asbestos of Quebec, Ltd.	2005
Leslie Controls, Inc.	2010
Lloyd E. Mitchell Co.	2006
McLean Industries	1986
Metex Mfg. Corp.	2012
M.H. Detrick	1998
Mid-Valley (Halliburton subsidiaries)	2003
The Muralo Co., Inc.	2003
Murphy Marine Services, Inc.	2001
National Gypsum Co.	1990
National Service Industries	2012
North American Refractories Co. (NARCO)	2002

² An affiliate of Durabla – Durabla Canada Ltd. – filed for Chapter 11 on November 8, 2010, citing asbestos exposure.

³ Garlock filed along with its affiliates The Anchor Packing Company and Garrison Litigation Management Group Ltd.

Nicolet, Inc.	1987
Ogelbay Norton (ONCO)	2004
Owens Corning/Fibreboard	2000
Pacific Insulation Co. ⁴	2007
Philadelphia Asbestos Corp. (Pacor)	1986
Pittsburgh Corning	2000
Plant Insulation Co.	2009
Plibrico Co.	2002
Porter-Hayden Co.	2002
Prudential Lines, Inc.	1986
Pulmosan Safety Equipment Corp.	2010
Quigley Co.	2004
Rapid-American Corp.	2013
Raymark Corp./Raytech Corp.	1989
Resillo Press Pad Co.	2013
Rock Wool Manufacturing	1996
Rutland Fire Clay Co.	1999
Saberhagen Holdings	2013
Schutte & Koerting, Inc.	2007
Shook & Fletcher Insulation Co.	2002
Skinner Engine Co.	2001
Special Electric Co.	2004
Special Metals Corp.	2002
Standard Insulations, Inc.	1986
State Insulation Corp.	2011
Swan Transportation Co.	2001
T H Agriculture & Nutrition, LLC	2008
Thorpe Insulation Co.	2007
Todd Shipyards	1987
Triple A Machine Shop, Inc.	2010
Unarco Industries, Inc.	1982
United Gilsonite Laboratories	2011
United States Lines	1986
United States Mineral Products	2001
UNR Industries, Inc.	1982
USG Corp.	2001
Utex Industries	2004
Wallace & Gale	1984
Waterman Steamship Corp.	1983
Western Macarthur	2002

⁴ Pacific Insulation Co. is related to Thorpe Insulation Co., which filed two weeks earlier in the same court.

W.R. Grace Co.	2001
Yarway Corporation	2013



**CHART 3:
COMPANY NAME, CASE NO., COURT, PLAN
STATUS & PUBLISHED DECISIONS**

Company	Case No. & Court	Plan Status	Published Decisions
ABB Lummus Global, Inc.	No. 06-10401-JKF (Bankr. D. Del.)	Prepackaged plan of reorganization confirmed by the bankruptcy court on June 29, 2006 and by the district court on July 21, 2006.	
A-Best Products	No. 02-12734-JKF (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on May 25, 2004 and by the district court on June 7, 2004.	
ACandS, Inc.	No. 02-12687 (Bankr. D. Del.)	Plan denied confirmation by the bankruptcy court on January 26, 2004. Debtor's revised second plan of reorganization approved by the bankruptcy court on May 6, 2008; district court affirmation order entered on June 27, 2008.	<i>ACandS, Inc. v. Travelers Cas. & Sur. Co.</i> , 435 F.3d 252 (3d Cir. 2006); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases); <i>In re ACandS, Inc.</i> , 311 B.R. 36 (Bankr. D. Del. 2004); <i>In re ACandS, Inc.</i> , 297 B.R. 36 (Bankr. D. Del. 2003); <i>In re ACandS, Inc.</i> , 297 B.R. 395 (Bankr. D. Del. 2003). See also <i>In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, USG, United States Mineral Products, and W.R. Grace</i> bankruptcy cases).
A.L. Burbank & Co., Ltd.	No. 13-11147 (Bankr. S.D.N.Y.)	Chapter 7 petition filed April 12, 2013.	
Amatex Corp.	No. 82-05220 (Bankr. E.D. Pa.)	Plan confirmed by the bankruptcy court on April 25, 1990.	<i>In re Amatex Corp.</i> , 755 F.2d 1034 (3d Cir. 1985); <i>Amatex Corp. v. Aetna Cas. & Sur. Co. (In re Amatex Corp.)</i> , 107 B.R. 856 (Bankr. E.D. Pa. 1989), <i>aff'd</i> , 908 F.2d 961 (3d Cir. 1990); <i>Amatex Corp. v. Aetna Cas. & Sur. Co. (In re Amatex Corp.)</i> , 97 B.R. 220 (Bankr. E.D. Pa.), <i>aff'd sub nom. Amatex Corp. v. Stonewall Ins. Co.</i> , 102 B.R. 411 (E.D. Pa. 1989); <i>In re Amatex Corp.</i> , 37 B.R. 613 (E.D. Pa. 1983).
American Shipbuilding Co.	No. 93-11552 (Bankr. M.D. Fla.)	Plan confirmed by the bankruptcy court on October 11, 1994.	
A.P.I., Inc.	No. 05-30073 (Bankr. D. Minn.)	Plan confirmed by the bankruptcy court on December 6, 2005; confirmation order affirmed by the district court on May 25, 2006; appeal to the Eighth Circuit (No. 06-2421) dismissed.	<i>In re A.P.I., Inc.</i> , 331 B.R. 828 (Bankr. D. Minn. 2005), <i>aff'd sub nom. OneBeacon American Ins. Co. v. A.P.I., Inc.</i> , 2006 WL 1473004 (D. Minn. May 25, 2006); <i>In re A.P.I., Inc.</i> , 324 B.R. 761 (Bankr. D. Minn. 2005).
Armstrong World Industries	No. 00-4471 (Bankr. D. Del.)	Plan recommended for confirmation by bankruptcy court on December 19, 2003; confirmation denied by district court on February 23, 2005; district court's order denying confirmation affirmed by the Third Circuit on December 29, 2005. Amended post-remand plan filed February 21, 2006. District	<i>In re Armstrong World Indus., Inc.</i> , 432 F.3d 507 (3d Cir. 2005), <i>aff'g In re Armstrong World Indus., Inc.</i> , 320 B.R. 523 (D. Del. 2005); <i>In re Kensington Int'l Ltd.</i> , 368 F.3d 289 (3d Cir. 2004) (also applicable to the <i>Federal-Mogul, Owens Corning, USG Corp.</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re Kensington Int'l Ltd.</i> , 353 F.3d 211 (3d Cir. 2003) (also applicable to the

		court entered an opinion and order confirming the plan on August 15, 2006.	<i>Federal-Mogul, Owens Corning, USG Corp., and W.R. Grace</i> bankruptcies); <i>In re Armstrong World Indus., Inc.</i> , 348 B.R. 136 (D. Del. 2006); <i>In re Armstrong World Indus., Inc.</i> , 348 B.R. 111 (D. Del. 2006); <i>In re Armstrong World Indus., Inc.</i> , 320 B.R. 523 (D. Del. 2005); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases). See also <i>In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, USG, United States Mineral Products, and W.R. Grace</i> bankruptcy cases); <i>Maertín v. Armstrong World Indus., Inc.</i> , 241 F. Supp.2d 434 (D.N.J. 2002); <i>Wise v. Travelers Indem. Co.</i> , 192 F. Supp.2d 506 (N.D. W.Va. 2002).
Artra Group, Inc.	No. 02-21522 (Bankr. N.D. Ill.)	Plan confirmed by the bankruptcy court on January 25, 2007 and by the district court on February 16, 2007.	<i>In re Artra Group, Inc.</i> , 308 B.R. 858 (Bankr. N.D. Ill. 2003); <i>Official Comm. Of Unsecured Creditors of Artra Group, Inc. v. Artra Group, Inc. (In re Artra Group, Inc.)</i> , 300 B.R. 699 (Bankr. N.D. Ill. 2003).
Asarco, LLC	No. 05-21207 (Bankr. S.D. Tex.)	Two competing plans were presented to the bankruptcy court during the confirmation hearing: (i) the seventh amended plan of reorganization of Debtors' estranged parent, Asarco, Inc., as modified on August 27, 2009; and (ii) Debtors' sixth amended plan of reorganization, as modified August 27, 2009. Consideration of a third competing plan, filed by Harbinger Capital, a bondholder of Asarco LLC, was abated on Harbinger's motion. The bankruptcy court confirmation hearing concluded on August 28, 2009. On August 31, 2009, the bankruptcy judge issued a report and recommendation recommending confirmation of the Parent's plan. Debtors appealed the report and recommendation to the District Court. On September 10, 2009, Debtors filed further modifications to their sixth plan of reorganization. On September 24, 2009, the bankruptcy judge issued a report and recommendation reiterating, in the face of Debtors' September 10 supplemental filing, that the Parent's plan should be confirmed. On November 13, 2009, the district court entered an order confirming the Parent's plan. Appeals to the Fifth Circuit were dismissed by that court as equitably moot on November 12, 2010.	<i>ASARCO, LLC v. Barclays Capital, Inc. (In re ASARCO, LLC)</i> , 702 F.3d 250 (5th Cir. 2012); <i>ASARCO, Inc. v. Elliot Management (In re ASARCO, LLC)</i> , 650 F.3d 593 (5th Cir. 2011); <i>United Steel, Paper and Forestry, etc. Service Workers Int'l Union AFL-CIO v. Asarco Incorporated (In re ASARCO LLC)</i> , 401 Fed. Appx. 914 (5th Cir. 2010); <i>ASARCO LLC v. Baker Botts L.L.P. (In re ASARCO LLC)</i> , 477 B.R. 661 (S.D. Tex. 2012); <i>In re ASARCO LLC</i> , 441 B.R. 813 (S.D. Tex. 2010), <i>aff'd</i> , <i>ASARCO, Inc. v. Elliot Management (In re ASARCO, LLC)</i> , 650 F.3d 593 (5th Cir. 2011); <i>ASARCO, LLC v. Barclays Capital Inc. (In re ASARCO LLC)</i> , 457 B.R. 575 (S.D. Tex. 2011); <i>In re ASARCO LLC</i> , 420 B.R. 314 (S.D. Tex. 2009); <i>ASARCO LLC v. Americas Mining Corp.</i> , 419 B.R. 737 (S.D. Tex. 2009); <i>ASARCO LLC v. Americas Mining Corp.</i> , 404 B.R. 150 (S.D. Tex. 2009); <i>ASARCO LLC v. Americas Mining Corp.</i> , 396 B.R. 278 (S.D. Tex. 2008); <i>ASARCO LLC v. Americas Mining Corp.</i> , 382 B.R. 49 (Bankr. S.D. Tex. 2007). See also <i>ASARCO LLC v. Union Pac. R. Co.</i> , ___ F.3d ___, 2014 WL 2808249 (10th Cir. June 23, 2014); <i>Center for Biological Diversity v. Dept. of the Interior</i> , 623 F.3d 633 (9th Cir. 2010).
Asbestos Claims Management Corp.	No. 02-37124 (Bankr. N.D. Tex.)	Plan confirmed by the bankruptcy court on May 6, 2003 and by the district court on June 5, 2003.	<i>In re Asbestos Claims Mgt. Corp.</i> , 294 B.R. 663 (N.D. Tex. 2003).
Babcock & Wilcox Co.	No. 00-10992 (Bankr. E.D. La.)	Plan recommended for confirmation by the bankruptcy court December 28, 2005, confirmed by the district court January 17, 2006.	<i>Caplin & Drysdale Chtd. v. Babcock & Wilcox Co. (In re Babcock & Wilcox Co.)</i> , 526 F.3d 824 (5th Cir. 2008); <i>Amer. Nuclear Insurers v. The Babcock & Wilcox Co. (In re The Babcock & Wilcox Co.)</i> , 69 Fed. Appx. 659 (5th Cir. 2003); <i>Clyde Bergemann, Inc. v. The Babcock & Wilcox Co. (In re The Babcock & Wilcox Co.)</i> , 250 F.3d 955 (5th Cir. 2001); <i>In re Babcock & Wilcox Co.</i> , 425 B.R. 266 (E.D. La. 2010), <i>vacating and remanding In re Babcock & Wilcox Co.</i> , 413 B.R. 337 (Bankr. E.D. La. 2009), <i>vacated</i> , 425 B.R. 266 (E.D. La. 2010); <i>The Babcock & Wilcox Co. v. Southern Indiana Gas & Elec. Co. (In re The</i>

			<i>Babcock & Wilcox Co.</i> , 316 B.R. 62 (Bankr. E.D. La. 2003); <i>In re Babcock & Wilcox Co.</i> , 274 B.R. 230 (Bankr. E.D. La. 2002); <i>Wilcox Constr. Co. v. Babcock & Wilcox Co. (In re Babcock & Wilcox Co.)</i> , 250 F.3d 955 (5th Cir. 2001). <i>See also Babcock & Wilcox Co. v. McGriff, Seibels & Williams, Inc.</i> , 235 F.R.D. 632 (E.D. La. 2006).
Brauer Supply Co.	No. 05-51754 (Bankr. E.D. Mo.)	Plan confirmed by bankruptcy court on December 8, 2006 and confirmed by the district court on January 5, 2007.	
Budd Company	No. 14-11873 (Bankr. N.D. Ill.)	Chapter 11 petition filed March 31, 2014.	
Burns & Roe	No. 00-41610 (Bankr. D.N.J.)	Plan confirmed by the district court on February 23, 2009.	
Carey Canada, Inc.	Nos. 90-10016-8B1, 90-10017-8B1 (Bankr. M.D. Fla.)	Joint plan of reorganization with Celotex Corp. confirmed by the bankruptcy court on December 6, 1996 and by the district court on March 4, 1997.	<i>See Celotex</i> -related decisions.
Celotex Corp.	Nos. 90-10016-8B1, 90-10017-8B1 (Bankr. M.D. Fla.)	Joint plan of reorganization with Carey Canada confirmed by the bankruptcy court on December 6, 1996 and by the district court on March 4, 1997.	<i>Michigan State Univ. v. Asbestos Settlement Trust (In re Celotex Corp.)</i> , 700 F.3d 1262 (11th Cir. 2012); <i>Property Damage Advisory Comm. v. Celotex Asbestos Settlement Trust (In re Celotex Corp.)</i> , 497 Fed. Appx. 896 (11th Cir. 2012); <i>Southern Wesleyan Univ. v. Asbestos Settlement Trust (In re Celotex Corp.)</i> , 496 Fed. Appx. 3 (11th Cir. 2012); <i>Claremont McKenna College v. Asbestos Settlement Trust (In re Celotex Corp.)</i> , 613 F.3d 1318 (11th Cir. 2010); <i>Asbestos Settlement Trust v. Continental Ins. Co. (In re Celotex Corp.)</i> , 299 Fed. Appx. 850 (11th Cir. 2008); <i>Asbestos Settlement Trust v. City of New York (In re Celotex Corp.)</i> , 487 F.3d 1320 (11th Cir. 2007); <i>Fibre-board Corp. v. Celotex Corp. (In re Celotex Corp.)</i> , 472 F.3d 1318 (11th Cir. 2006); <i>Dana Corp. v. Celotex Asbestos Settlement Trust</i> , 251 F.3d 1107 (6th Cir. 2001); <i>Owens-Illinois, Inc. v. Rapid Am. Corp. (In re Celotex Corp.)</i> , 124 F.3d 619 (4th Cir. 1997); <i>Hillsborough Holdings Corp. v. Celotex Corp.</i> , 123 B.R. 1018 (M.D. Fla. 1990); <i>Southern Wesleyan Univ. v. Andrews (In re Celotex Corp.)</i> , 427 B.R. 909 (Bankr. M.D. Fla. 2010), <i>aff'd</i> , 496 Fed. Appx. 3 (11th Cir. 2012); <i>Asbestos Settlement Trust v. Anderson Mem. Hosp. (In re Celotex Corp.)</i> , 380 B.R. 895 (Bankr. M.D. Fla. 2008); <i>In re Celotex Corp.</i> , 380 B.R. 623 (Bankr. M.D. Fla. 2007); <i>Asbestos Settlement Trust v. Port Auth. Of NY & NJ (In re Celotex Corp.)</i> , 377 B.R. 345 (Bankr. M.D. Fla. 2006); <i>Celotex Corp. v. Allstate Ins. Co. (In re Celotex Corp.)</i> , 336 B.R. 833 (Bankr. M.D. Fla. 2005); <i>Asbestos Settlement Trust v. Utah (In re Celotex Corp.)</i> , 330 B.R. 815 (Bankr. M.D. Fla. 2005); <i>In re Celotex Corp.</i> , 289 B.R. 460 (Bankr. M.D. Fla. 2003); <i>In re Celotex Corp.</i> , 245 B.R. 174 (Bankr. M.D. Fla. 2000); <i>In re Celotex Corp.</i> , 224 B.R. 853 (Bankr. M.D. Fla. 1998); <i>In re Celotex Corp.</i> , 204 B.R. 586 (M.D. Fla. 1996); <i>Celotex Corp. v. AIU Ins. Co. (In re Celotex Corp.)</i> , 187 B.R. 746 (M.D. Fla. 1995); <i>In re Celotex Corp.</i> , 152 B.R. 667 (Bankr. M.D. Fla. 1993); <i>In re Celotex Corp.</i> , 152 B.R. 661 (Bankr. M.D. Fla. 1993); <i>In re Celotex Corp.</i> , 149 B.R. 997 (Bankr. M.D. Fla. 1993); <i>In re Celotex Corp.</i> , 140 B.R. 912 (Bankr. M.D. Fla. 1992); <i>In re Celotex Corp.</i> , 123 B.R. 917 (Bankr. M.D. Fla. 1991); <i>Hillsborough Holdings Corp. v. Celotex Corp. (In re</i>

			<i>Hillsborough Holdings Corp.</i> , 123 B.R. 1004 (Bankr. M.D. Fla. 1990).
C.E. Thurston	No. 03-75932-SCS (Bankr. E.D. Va.)	Plan confirmed by the district court March 30, 2006.	
Chicago Fire Brick	No. 01-45483 (Bankr. N.D. Cal.)	Plan confirmed by the bankruptcy court September 7, 2012.	
Christy Refractories Co. LLC	No. 08-48541 (Bankr. E.D. Mo.)	On July 13, 2011, the bankruptcy court issued an order confirming the First Amended Plan and recommending that the district court issue the 524(g) injunctions. On August 19, 2011, the district court entered an order issuing the 524(g) injunctions.	
Combustion Engineering	No. 03-10495 (Bankr. D. Del.)	<p>Plan confirmed by the bankruptcy court on June 23, 2003 and by the district court on August 13, 2003; confirmation order vacated by the Third Circuit on December 2, 2004.</p> <p>Modified post-remand plan confirmed by the bankruptcy court on December 19, 2005; district court order affirming the bankruptcy court's confirmation order entered on March 1, 2006.</p>	<p><i>In re Combustion Eng'g, Inc.</i>, 391 F.3d 190 (3d Cir. 2004); <i>Certain Underwriters at Lloyd's, London v. ABB Lummus Global, Inc.</i>, 337 B.R. 22 (S.D.N.Y. 2005); <i>TIG Ins. Co. v. Combustion Eng'g, Inc. (In re Combustion Eng'g, Inc.)</i>, 366 F. Supp.2d 224 (D. Del. 2005); <i>In re ACandS, Inc.</i>, 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases); <i>In re Combustion Eng'g, Inc.</i>, 295 B.R. 459 (Bankr. D. Del. 2003), <i>rev'd</i>, <i>In re Combustion Eng'g, Inc.</i>, 391 F.3d 190 (3d Cir. 2004); <i>Pre-Petition Comm. of Select Asbestos Claimants v. Combustion Eng'g, Inc. (In re Combustion Eng'g, Inc.)</i>, 292 B.R. 515 (Bankr. D. Del. 2003). <i>See also In re Motions for Access of Garlock Sealing Technologies LLC</i>, 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Flintkote, Kaiser Aluminum, Owens Corning, USG, United States Mineral Products, and W.R. Grace</i> bankruptcy cases).</p>
Congoleum Corp.	No. 03-51524 (Bankr. D.N.J.)	<p>On February 1, 2007, the bankruptcy court docketed opinions and orders finding debtors' tenth plan and the CNA insurers' second plan unconfirmable as a matter of law. On June 5, 2008, the bankruptcy court issued an opinion finding an amended proposed plan of reorganization filed on February 5, 2008 by debtors, future claimants' representative, and the official bondholder's committee the plan unconfirmable as a matter of law. On February 26, 2009, the bankruptcy court issued an opinion finding an amended joint plan filed on November 14, 2008 by debtors, the official bondholder's committee, and the official committee of asbestos claimants unconfirmable as a matter of law, and stating that the Chapter 11 case would be dismissed as of March 18, 2009. The bankruptcy court stayed its dismissal order pending appeal on March 3, 2009.</p> <p>On August 17, 2009, the district court entered an order reversing in part and affirming in part the bankruptcy court's order denying confirmation of the plan, reversing and vacating the bankruptcy court's order dismissing the Chapter 11 case, and withdrawing the reference as to all future proceedings in the bankruptcy case. On September 24, 2009, certain insurers filed an appeal of the district court's order. On October 5, 2009, the district court issued an opinion and order refusing to certify the appeal for interlocutory review.</p> <p>On June 7, 2010, the District Court confirmed the Fourth Amended Joint Plan of Reorganization</p>	<p><i>Century Indem. Co. v. Congoleum Corp. (In re Congoleum Corp.)</i>, 426 F.3d 675 (3d Cir. 2005); <i>In re Congoleum Corp.</i>, 414 B.R. 44 (D.N.J. 2009); <i>Baron & Budd, P.C. v. Unsecured Asbestos Claimants Comm. (In re Congoleum Corp.)</i>, 321 B.R. 147 (D.N.J. 2005); <i>In re Congoleum Corp.</i>, 362 B.R. 198 (Bankr. D.N.J. 2007); <i>In re Congoleum Corp.</i>, 362 B.R. 167 (Bankr. D.N.J. 2007).</p>

		filed by Debtors, the ACC, the FCR, and the official committee of bondholders on March 11, 2010. An appeal to the Third Circuit by certain claimants (No. 10-3011) was dismissed as "equitably moot" on October 7, 2010.	
Consolidated Aluminum Corp.	No. 13-37149 (Bankr. D.N.J.)	Chapter 11 plan of liquidation confirmed by the bankruptcy court on June 5, 2014.	
C.P. Hall Company	No. 11-26443 (Bankr. N.D. Ill.)	Petition filed June 24, 2011. Converted to Chapter 7 on October 22, 2012.	<i>In re C.P. Hall Co. (Appeal of Columbia Cas. Co.)</i> , __ F.3d __, 2014 WL 1628119 (7th Cir. April 24, 2014); <i>Shipley v. Cooney & Conway Creditors (In re C.P. Hall Co.)</i> , 506 B.R. 751 (Bankr. N.D. Ill. 2014).
Dana Corporation	No. 06-10354 (BRL) (Bankr. S.D.N.Y.)	Plan confirmed by bankruptcy court December 26, 2007; appeals by certain asbestos claimants dismissed by the district court on September 30, 2008; remaining appeal by one asbestos claimant dismissed by the Second Circuit on December 23, 2008.	<i>Jasco Tools, Inc. v. Dana Corp. (In re Dana Corp.)</i> , 574 F.3d 129 (2d Cir. 2009); <i>Ad Hoc Comm. Of Personal Injury Asbestos Claimants v. Dana Corp. (In re Dana Corp.)</i> , 412 B.R. 53 (S.D.N.Y. 2008); <i>In re Dana Corp.</i> , 379 B.R. 449 (S.D.N.Y. 2007); <i>In re Dana Corp.</i> , 390 B.R. 100 (Bankr. S.D.N.Y. 2008); <i>In re Dana Corp.</i> , 367 B.R. 409 (Bankr. S.D.N.Y. 2007); <i>In re Dana Corp.</i> , 358 B.R. 567 (Bankr. S.D.N.Y. 2006); <i>In re Dana Corp.</i> , 351 B.R. 96 (Bankr. S.D.N.Y. 2006); <i>In re Dana Corp.</i> , 350 B.R. 144 (Bankr. S.D.N.Y. 2006); <i>In re Dana Corp.</i> , 344 B.R. 35 (Bankr. S.D.N.Y. 2006).
Delaware Insulations Distributors	No. 89-00295 (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on September 9, 1992.	
Dowman Products, Inc.	No. 8:13-bk-19741-ES (Bankr. C.D. Cal.)	Chapter 7 petition filed January 25, 2013.	
Durabla Manufacturing Co.	No. 09-14415-MFW (Bankr. D. Del.)	On June 27, 2012, the bankruptcy court issued an order confirming the plan and recommending that the district court issue the 524(g) injunction. On August 2, 2012, the district court issued an order affirming the bankruptcy court's confirmation order and issuing the 524(g) injunction.	
Eagle-Picher Industries	No. 91-10100 (Bankr. S.D. Ohio) No. 05-12601 (Bankr. S.D. Ohio)	Plan confirmed by the bankruptcy and district courts on November 18, 1996. Company filed a new bankruptcy petition on April 11, 2005. Plan confirmed by the bankruptcy court on June 28, 2006.	<i>Caradon Doors & Windows, Inc. v. Eagle-Picher Indus., Inc. (In re Eagle-Picher Indus., Inc.)</i> , 447 F.3d 461 (3d Cir. 2006); <i>American Imaging Services, Inc. v. Eagle-Picher Indus., Inc. (In re Eagle-Picher Indus., Inc.)</i> , 963 F.2d 855 (6th Cir. 1992); <i>In re Eagle-Picher Holdings, Inc.</i> , 345 B.R. 860 (S.D. Ohio 2006); <i>Official Comm. of Unsecured Creditors v. Eagle-Picher Indus., Inc. (In re Eagle-Picher Indus., Inc.)</i> , 169 B.R. 130 (S.D. Ohio 1994); <i>In re Eagle-Picher Indus.</i> , 203 B.R. 256 (Bankr. S.D. Ohio 1996), <i>aff'd</i> , 1996 U.S. Dist. LEXIS 17160 (S.D. Ohio Nov. 18, 1996), <i>aff'd without op.</i> , 172 F.3d 48 (6th Cir. 1998); <i>In re Eagle-Picher Indus.</i> , 189 B.R. 681 (Bankr. S.D. Ohio 1995), <i>aff'd</i> , 1996 U.S. Dist. Lexis 22742 (S.D. Ohio 1996); <i>In re Eagle-Picher Indus.</i> , 144 B.R. 69 (Bankr. S.D. Ohio 1992).
E.J. Bartells Co., Inc.	No. 00-10390 (Bankr. W.D. Wash.)	Plan confirmed by the bankruptcy court on February 14, 2001.	
Federal-Mogul	No. 01-10578 (Bankr. D. Del.)	Plan confirmed by bankruptcy court on November 8, 2007; confirmation order affirmed by district court on November 15, 2007. Opinion and order declining confirmation of alternative "Plan B" entered by the bankruptcy court on September 30, 2008.	<i>In re Federal-Mogul Global Inc.</i> , 684 F.3d 355 (3d Cir. 2012); <i>In re Kensington Int'l Ltd.</i> , 368 F.3d 289 (3d Cir. 2004) (also applicable to the <i>Armstrong, Owens Corning, USG Corp.</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re Kensington Int'l Ltd.</i> , 353 F.3d 211 (3d Cir. 2003) (also applicable to the <i>Armstrong, Owens Corning, USG Corp.</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re Federal-Mogul Global, Inc.</i> , 300 F.3d 368 (3d Cir. 2002); <i>In re Federal-Mogul Global, Inc.</i> , 402 B.R. 625 (D. Del. 2009), <i>aff'g In re Federal-Mogul Global, Inc.</i> , 385 B.R. 560 (Bankr. D. Del. 2008); <i>In re Federal-Mogul</i>

			<i>Global, Inc.</i> , 330 B.R. 133 (D. Del. 2005); <i>In re Federal-Mogul Global, Inc.</i> , 438 B.R. 787 (Bankr. D. Del. 2010); <i>In re Federal-Mogul Global, Inc.</i> , 411 B.R. 148 (Bankr. D. Del. 2008); <i>In re Federal-Mogul Global, Inc.</i> , 385 B.R. 560 (Bankr. D. Del. 2008); <i>In re Federal-Mogul Global, Inc.</i> , 282 B.R. 301 (Bankr. D. Del.), <i>mandamus denied</i> , 300 F.3d 368 (3d Cir. 2002), <i>cert. denied</i> , 537 U.S. 1148 (2003). <i>See also Federal-Mogul U.S. Asbestos Personal Injury Trust v. Continental Cas. Co.</i> , 666 F.3d 384 (6th Cir. 2011); <i>Arnold v. Garlock</i> , 278 F.3d 426 (5th Cir. 2001).
Flintkote Co.	No. 04-11300 (JKF) (Bankr. D. Del.)	Plan confirmed by bankruptcy court on December 21, 2012 and by the district court on July 10, 2014.	<i>Imperial Tobacco Canada Ltd. v. The Flintkote Co.</i> (In re <i>The Flintkote Co.</i>), 471 B.R. 95 (D. Del. 2012); <i>Hopkins v. Plant Insulation Co.</i> , 342 B.R. 703 (D. Del. 2006); <i>Certain Underwriters at Lloyd's, London v. Future Asbestos Claims Representative</i> (In re <i>Kaiser Aluminum Corp.</i>), 327 B.R. 554 (D. Del. 2005) (consolidated with <i>London Mkt. Ins. Cos. v. Baron & Budd PC</i> (In re <i>The Flintkote Co.</i>); <i>In re Flintkote Co.</i> , 486 B.R. 99 (Bankr. D. Del. 2012), <i>aff'd</i> , No. 13-227-LPS (D. Del. July 14, 2014); <i>In re Flintkote Co.</i> , 475 B.R. 400 (Bankr. D. Del. 2012); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases). <i>See also Flintkote Co. v. Gen'l Acc. Assur. Co.</i> , 480 F. Supp.2d 1167 (N.D. Cal. 2007); <i>Flintkote Co. v. Gen'l Acc. Assur. Co.</i> , 410 F. Supp.2d 875 (N.D. Cal. 2006); <i>Hopkins v. Plant Insulation Co.</i> , 349 B.R. 805 (N.D. Cal. 2006). <i>See also In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Combustion Engineering, Kaiser Aluminum, Owens Corning, USG, United States Mineral Products, and W.R. Grace</i> bankruptcy cases).
Forty-Eight Insulations	No. 85-B-05061 (Bankr. N.D. Ill.)	Modified Fourth Amended Plan of Liquidation confirmed by bankruptcy court on May 16, 1995.	<i>In re Forty-Eight Insulations</i> , 115 F.3d 1294 (7th Cir. 1997); <i>In re Forty-Eight Insulations, Inc.</i> , 133 B.R. 973 (Bankr. N.D. Ill. 1991), <i>aff'd</i> , 149 B.R. 860 (N.D. Ill. 1992); <i>In re Forty-Eight Insulations, Inc.</i> , 109 B.R. 315 (N.D. Ill. 1989).
Fuller-Austin Insulation Co.	No. 98-02038 (Bankr. D. Del.)	Plan confirmed by the district court, sitting in bankruptcy, on November 13, 1998.	<i>See Fuller-Austin Insulation Co. v. Highlands Ins. Co.</i> , 135 Cal. App.4th 958, 38 Cal. Rptr.3d 716 (2006), <i>cert. denied</i> , 127 S. Ct. 248 (2006).
Garlock Sealing Technologies LLC	No. 10-31607 (Bankr. W.D.N.C.)	Petition filed June 5, 2010. Co-debtors are The Anchor Packing Company and Garrison Litigation Management Group Ltd. Debtors filed First Amended Plan of Reorganization on May 29, 2014.	<i>In re Garlock Sealing Technologies, Inc.</i> , 504 B.R. 71 (Bankr. W.D.N.C. 2014). <i>See In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013).
Gatke Corp.	No. 87-30308 (Bankr. N.D. Ind.)	Second amended plan of liquidation filed August 17, 1989; case converted to Chapter 7 on August 9, 1991.	
General Motors Corp. (n/k/a Motors Liquidation Co.)	No. 09-50026 (Bankr. S.D.N.Y.)	Petition filed June 1, 2009. Asbestos Claimants' Committee appointed March 2, 2010. Debtors' motion for appointment of an FCR granted April 8, 2010. Amended Joint Chapter 11 Plan filed December 7, 2010. Motion to estimate Debtors' asbestos liabilities filed November 15, 2010. Stipulation estimating Debtors' asbestos liability at \$625 million filed January 21, 2011.	<i>Castillo v. General Motors Corp.</i> (in re <i>Motors Liquidation Co.</i>), 500 B.R. 333 (S.D.N.Y. 2013); <i>U.S. Dep't of the Treasury v. Official Comm. Of Unsecured Creditors of Motors Liquidation Co.</i> , 475 B.R. 347 (S.D.N.Y. 2012); <i>In re Motors Liquidation Co.</i> , 439 B.R. 339 (S.D.N.Y. 2010); <i>In re Motors Liquidation Co.</i> , 436 B.R. 752 (S.D.N.Y. 2010); <i>In re General Motors Corp.</i> , 430 B.R. 65 (S.D.N.Y. 2010); <i>In re</i>

		Bankruptcy court confirmed the plan on March 29, 2011.	<i>General Motors Corp.</i> , 428 B.R. 43 (S.D.N.Y. 2010); <i>In re Motors Liquidation Co.</i> , 460 B.R. 603 (Bankr. S.D.N.Y. 2011), <i>vacated</i> , 475 B.R. 347 (S.D.N.Y. 2012); <i>In re Motors Liquidation Co.</i> , 447 B.R. 150 (Bankr. S.D.N.Y. 2011); <i>In re Motors Liquidation Co.</i> , 438 B.R. 365 (Bankr. S.D.N.Y. 2010); <i>In re General Motors Corp.</i> , 409 B.R. 24 (Bankr. S.D.N.Y. 2009); <i>In re General Motors Corp.</i> , 407 B.R. 463 (Bankr. S.D.N.Y. 2009), <i>aff'd</i> , 428 B.R. 43 (S.D.N.Y. 2010) and 430 B.R. 65 (S.D.N.Y. 2010).
G-I Holdings	Nos. 01-30135 [RG] and 01-38790 [RG] (Bankr. D.N.J.)	Order confirming the plan jointly issued by the bankruptcy court and district court on November 12, 2009. On December 17, 2009, after Debtor claimed that it substantially consummated its plan, the Third Circuit issued a stay pending appeal (No. 09-4296). The appeal was dismissed on December 28, 2011 pursuant to a stipulation between the Debtor and the IRS.	<i>In re G-I Holdings, Inc.</i> , ___ F.3d ___ (Nos. 13-3335 and 13-3336) (3d Cir. June 17, 2014); <i>G-I Holdings, Inc. v. Reliance Ins. Co.</i> , 586 F.3d 247 (3d Cir. 2009); <i>Official Comm. of Asbestos Claimants v. G-I Holdings, Inc. (In re G-I Holdings, Inc.)</i> , 385 F.3d 313 (3d Cir. 2004); <i>In re G-I Holdings, Inc.</i> , 420 B.R. 216 (D.N.J. 2009); <i>Official Comm. of Asbestos Claimants of G-I Holdings, Inc. v. Heyman</i> , 359 B.R. 452 (S.D.N.Y. 2007); <i>Official Comm. of Asbestos Claimants of G-I Holdings, Inc. v. Heyman</i> , 342 B.R. 416 (S.D.N.Y. 2006); <i>In re G-I Holdings, Inc.</i> , 380 F. Supp.2d 469 (D.N.J. 2005); <i>Official Comm. of Asbestos Claimants v. Bank of N.Y. (In re G-I Holdings, Inc.)</i> , 318 B.R. 66 (D.N.J. 2004), <i>aff'd</i> , 122 Fed. Appx. 554 (3d Cir. 2004); <i>Official Comm. of Asbestos Claimants of G-I Holdings, Inc. v. Heyman</i> , 306 B.R. 746 (S.D.N.Y. 2004); <i>In re G-I Holdings, Inc.</i> , 295 B.R. 502 (D.N.J. 2003); <i>Official Comm. of Asbestos Claimants v. G-I Holdings, Inc. (In re G-I Holdings, Inc.)</i> , 295 B.R. 211 (D.N.J. 2003); <i>In re G-I Holdings, Inc.</i> , 295 B.R. 222 (D.N.J. 2003); <i>In re G-I Holdings, Inc.</i> , 295 B.R. 502 (D.N.J. 2003); <i>In re G-I Holdings, Inc.</i> , 218 F.R.D. 428 (D.N.J. 2003); <i>Official Comm. Of Asbestos Claimants of G-I Holdings v. Heyman</i> , 277 B.R. 20 (S.D.N.Y. 2002); <i>In re G-I Holdings, Inc.</i> , 477 B.R. 542 (Bankr. D.N.J. 2012); <i>In re G-I Holdings, Inc.</i> , 472 B.R. 263 (Bankr. D.N.J. 2012); <i>In re G-I Holdings, Inc.</i> , 443 B.R. 645 (Bankr. D.N.J. 2010); <i>Official Comm. Of Asbestos Claimants v. Bldg. Mat'ls Corp. of America (In re G-I Holdings, Inc.)</i> , 338 B.R. 232 (Bankr. D.N.J. 2006); <i>G-I Holdings, Inc. v. Bennet (In re G-I Holdings, Inc.)</i> , 328 B.R. 691 (Bankr. D.N.J. 2005); <i>In re G-I Holdings, Inc.</i> , 327 B.R. 730 (Bankr. D.N.J. 2005); <i>In re G-I Holdings</i> , 323 B.R. 583 (Bankr. D.N.J. 2005); <i>G-I Holdings, Inc. v. Those Parties Listed On Exhibit A (In re G-I Holdings, Inc.)</i> , 313 B.R. 612 (Bankr. D.N.J. 2004); <i>In re G-I Holdings, Inc.</i> , 308 B.R. 196 (Bankr. D.N.J. 2004); <i>In re G-I Holdings, Inc.</i> , 292 B.R. 804 (Bankr. D.N.J. 2003); <i>G-I Holdings, Inc. v. Reliance Ins. Co. (In re G-I Holdings, Inc.)</i> , 278 B.R. 725 (Bankr. D.N.J. 2002); <i>G-I Holdings, Inc. v. Hartford Acc. & Indem. Co. (In re G-I Holdings, Inc.)</i> , 278 B.R. 376 (Bankr. D.N.J. 2002).
GIT/Harbison-Walker/AP Green	No. 02-21626 (Bankr. W.D. Pa.)	Plan approved by the bankruptcy court on November 13, 2007; confirmation order affirmed by the district court on July 25, 2008; confirmation order vacated by the Third Circuit and remanded on May 4, 2011. Following another confirmation hearing, the bankruptcy court confirmed the plan again on February 13, 2013. That order was affirmed by the district court on March 11, 2013.	<i>Hartford Acc. & Indem. Co. v. Fitzpatrick (In re Global Indus. Techs., Inc.)</i> , 645 F.3d 201 (3d Cir.), <i>cert. denied</i> , 132 S. Ct. 551 (2011); <i>Global Indus. Techs., Inc. v. Ash Trucking Co. (In re Global Indus. Techs., Inc.)</i> , 375 B.R. 155 (Bankr. W.D. Pa. 2007); <i>In re Global Indus. Techs.</i> , 344 B.R. 382 (Bankr. W.D. Pa. 2006); <i>Global Indus. Techs., Inc. v. Ash Trucking Co. (In re Global Indus. Techs., Inc.)</i> , 333 B.R. 251 (Bankr. W.D. Pa. 2005); <i>Harbison-Walker</i>

			<i>Refractories Co. v. ACE Prop. & Cas. Ins. Co. (In re Global Indus. Techs., Inc.)</i> , 303 B.R. 753 (Bankr. W.D. Pa. 2004), vacated in part, modified in part by <i>In re Global Indus. Techs., Inc.</i> , 2004 WL 555418 (W.D. Pa. Feb 3, 2004). See also <i>York Linings Int'l, Inc. v. Harbison-Walker Refractories Co.</i> , 839 N.E.2d 766 (Ind. App. 2005).
Harnischfeger Corp.	No. 99-02171 (Bankr. Del.)	Plan confirmed by the bankruptcy court on May 18, 2001.	<i>In re Joy Global, Inc.</i> , 423 B.R. 445 (D. Del. 2010); <i>In re Joy Global, Inc.</i> , 381 B.R. 603 (D. Del. 2007); <i>In re Joy Global, Inc.</i> , 346 B.R. 659 (D. Del. 2006) appeal dismissed, 257 Fed. Appx. 539 (3d Cir. 2007); <i>In re Harnischfeger Indus., Inc.</i> , 270 B.R. 188 (D. Del. 2001), vacated in part and remanded, 80 Fed. Appx. 286 (3d Cir. Jul. 2, 2003); <i>In re Harnischfeger Indus., Inc.</i> , 246 B.R. 421 (Bankr. N.D. Ala. 2000).
Hercules Chemical Co.	No. 08-27822-MS	Petition filed August 22, 2008 in the Western District of Pennsylvania. Transferred to the District of New Jersey on September 18, 2008. On December 22, 2009, the bankruptcy court recommended confirmation of Hercules' plan of reorganization. On January 6, 2010, the district court entered an order confirming the plan.	
Hillsborough Holdings	No. 89-09715 (Bankr. M.D. Fla.)	Plan confirmed by the bankruptcy court on March 2, 1995.	<i>In re Hillsborough Holding Corp.</i> , 127 F.3d 1398 (11th Cir. 1997); <i>In re Hillsborough Holding Corp.</i> , 116 F.3d 1391 (11th Cir. 1997); <i>Walter Industries, Inc. v. Solutia, Inc. (In re Hillsborough Holdings Corp.)</i> , 325 B.R. 334 (Bankr. M.D. Fla. 2005); <i>Cavazos v. Mid-State Trust II (In re Hillsborough Holdings Corp.)</i> , 267 B.R. 882 (Bankr. M.D. Fla. 2001); <i>Walter v. Celotex Corp. (In re Hillsborough Holdings Corp.)</i> , 197 B.R. 372 (Bankr. M.D. Fla. 1996); <i>In re Hillsborough Holdings Corp.</i> , 197 B.R. 366 (Bankr. M.D. Fla. 1996); <i>Hillsborough Holdings Corp. v. Celotex Corp.</i> , 123 B.R. 1018 (M.D. Fla. 1990); <i>Hillsborough Holdings Corp. v. Celotex Corp. (In re Hillsborough Holdings Corp.)</i> , 123 B.R. 1004 (Bankr. M.D. Fla. 1990).
H.K. Porter Co.	No. 91-468 WWB (Bankr. W.D. Pa.)	Plan confirmed by the district court on June 25, 1998.	<i>Travelers Ins. Co. v. H.K. Porter Co.</i> , 45 F.3d 737 (3d Cir. 1995); <i>Continental Cas. Co. v. H.K. Porter Co. (In re H.K. Porter Co.)</i> , 379 B.R. 272 (W.D. Pa. 2007), aff'g <i>In re H.K. Porter Co.</i> , 358 B.R. 231 (Bankr. W.D. Pa. 2006); <i>Locks v. U.S. Trustee</i> , 157 B.R. 89 (W.D. Pa. 1993); <i>In re H.K. Porter Co.</i> , 183 B.R. 96 (Bankr. W.D. Pa. 1995); <i>In re H.K. Porter Co.</i> , 156 B.R. 16 (Bankr. W.D. Pa. 1993).
Insul Co.	No. 02-43909 (Bankr. N.D. Ohio)	Chapter 7 case; petition filed September 4, 2002; no-asset report filed May 18, 2005; case closed June 7, 2005.	
Johns-Manville Corp.	Nos. 82 B 11656 [BLR] through 82 B 11676 [BLR] (S.D.N.Y., E.D.N.Y.)	Plan confirmed by the bankruptcy court on December 22, 1986 and affirmed by the district court on July 15, 1987.	<i>Travelers Indem. Co. v. Bailey</i> , 557 U.S. 137 (2009); <i>Travelers Cas. & Sur. Co. v. Chubb Indem. Ins. Co. (In re Johns-Manville Corp.)</i> , 600 F.3d 135 (2d Cir. 2010), cert. denied, 131 S. Ct. 644 (U.S. 2010); <i>Johns-Manville Corp. v. Chubb Indem. Ins. Co. (In re Johns-Manville Corp.)</i> , 517 F.3d 52 (2d Cir. 2008), rev'd, 129 S. Ct. 2195 (2009); <i>The Asbestos Personal Injury Plaintiffs v. Travelers Indem. Co. (In re Johns-Manville Corp.)</i> , 476 F.3d 118 (2d Cir. 2007); <i>State Gov't Creditors' Comm. for Prop. Damage Claims v. McKay (In re Johns-Manville Corp.)</i> , 920 F.2d 121 (2d Cir. 1990); <i>Kane v. Johns-Manville Corp.</i> , 843 F.2d 636 (2d Cir. 1988); <i>MacArthur Co. v. Johns-Manville Corp.</i>

			<p>(<i>In re Johns-Manville Corp.</i>), 837 F.2d 89 (2d Cir. 1988), cert denied, 488 U.S. 868 (1988); <i>In re Comm. of Asbestos-Related Litigants</i>, 749 F.2d 3 (2d Cir. 1984); <i>Travelers Indem. Co. v. Common Law Settlement Counsel (In re Johns-Manville Corp.)</i>, 449 B.R. 31 (S.D.N.Y. 2011); <i>In re Johns-Manville Corp.</i>, 340 B.R. 49 (S.D.N.Y. 2006), rev'd, 517 F.2d 52 (2d Cir. 2008), rev'd, 557 U.S. 137, 129 S.Ct. 2195 (2009), on remand, 600 F.3d 135 (2d Cir. 2010); <i>In re Johns-Manville Corp.</i>, 68 B.R. 618 (Bankr. S.D.N.Y. 1986), aff'd, 78 B.R. 407 (S.D.N.Y. 1987), aff'd sub nom. <i>Kane v. Johns-Manville Corp.</i>, 843 F.2d 636 (2d Cir. 1988); <i>Albero v. Johns-Manville Corp. (In re Johns-Manville Corp.)</i>, 68 B.R. 155, (S.D.N.Y. 1986); <i>United States v. Johns-Manville Corp.</i>, 63 B.R. 600 (S.D.N.Y. 1986); <i>Manville Corp. v. Equity Sec. Holders' Comm. (In re Johns-Manville Corp.)</i>, 60 B.R. 842, 845 (S.D.N.Y. 1986), rev'd, 801 F.2d 60 (2d Cir. 1986); <i>In re Johns-Manville Corp.</i>, 52 B.R. 940 (S.D.N.Y. 1985); <i>In re Johns-Manville Corp.</i>, 45 B.R. 827 (S.D.N.Y. 1984); <i>Roberts v. Johns-Manville Corp. (In re Johns-Manville Corp.)</i>, 45 B.R. 823 (S.D.N.Y. 1984); <i>In re Johns-Manville Corp.</i>, 42 B.R. 651 (S.D.N.Y. 1984); <i>In re Johns-Manville Corp.</i>, 40 B.R. 219 (S.D.N.Y. 1984), aff'g <i>Johns-Manville Corp. v. Asbestos Litig. Group (In re Johns-Manville Corp.)</i>, 26 B.R. 420 (Bankr. S.D.N.Y. 1983), and <i>GAF Corp. v. Johns-Manville Corp. (In re Johns-Manville Corp.)</i>, 26 B.R. 405 (Bankr. S.D.N.Y. 1983); <i>In re Johns-Manville Corp.</i>, 39 B.R. 998 (S.D.N.Y. 1984); <i>Commercial Union Ins. Co. v. Johns-Manville Corp. (In re Johns-Manville Corp.)</i>, 31 B.R. 965 (S.D.N.Y. 1983); <i>In re Johns-Manville Corp.</i>, 440 B.R. 604 (Bankr. S.D.N.Y. 2010); <i>Johns-Manville Corp. v. Colorado Ins. Guar. Ass'n</i>, 91 B.R. 225 (Bankr. S.D.N.Y. 1988); <i>In re Johns-Manville Corp.</i>, 68 B.R. 618 (Bankr. S.D.N.Y. 1986); <i>Committee of Asbestos-Related Litigants v. Johns-Manville Corp. (In re Johns-Manville Corp.)</i>, 60 B.R. 612 (Bankr. S.D.N.Y. 1986); <i>In re Johns-Manville Corp.</i>, 36 B.R. 743 (Bankr. S.D.N.Y. 1984); <i>Johns-Manville Corp. v. Asbestos Litig. Group (In re Johns-Manville Corp.)</i>, 33 B.R. 254 (Bankr. S.D.N.Y. 1983); <i>Findley v. Falise (In re Joint Eastern & Southern Districts Asbestos Litig.)</i>, 878 F. Supp. 473 (E. & S.D.N.Y. 1995), aff'd in part, rev'd in part, 78 F.3d 764 (2d Cir. 1996); <i>Findley v. Falise (In re Johns-Manville Corp.)</i>, 982 F.2d 721 (2d Cir. 1992). See also <i>Volkswagen of America, Inc. v. Superior Court</i>, 139 Cal. App.4th 1481 (2006); <i>Findley v. Trustees of the Manville Personal Injury Settlement Trust (In re Joint E. & S. Dists. Asbestos Litig.)</i>, 237 F. Supp.2d 297 (Bankr. S.D.N.Y. 2002); <i>In re Davis</i>, 730 F.2d 176 (5th Cir. 1984) (per curiam).</p>
<p>JT Thorpe Co.</p>	<p>No. 02-41487-H5-11 (Bankr. S.D. Tex.)</p>	<p>Plan confirmed by the bankruptcy court on January 17, 2003 and by the district court on January 30, 2003; following appeal to the Fifth Circuit and remand by the Fifth Circuit after oral argument but before any ruling, plan re-confirmed by the bankruptcy court on March 3, 2004 and by the district court on March 3, 2004.</p>	<p><i>In re JT Thorpe Co.</i>, 308 B.R. 782 (Bankr. S.D. Tex. 2003).</p>

JT Thorpe, Inc.	No. LA02-14216-BB (Bankr. C.D. Cal.)	Plan confirmed by the bankruptcy court on September 6, 2005 and by the district court on January 17, 2006.	
Kaiser Aluminum Corp.	No. 02-10429 (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on February 6, 2006 and by the district court on May 11, 2006.	<i>In re Kaiser Aluminum Corp.</i> , 456 F.3d 328 (3d Cir. 2006); <i>In re Kaiser Aluminum Corp.</i> , 386 Fed. Appx. 201 (3d Cir. 2010), vacating and remanding <i>Moss Landing Commercial Park, LLC v. Kaiser Aluminum Corp.</i> (<i>In re Kaiser Aluminum Corp.</i>), 399 B.R. 596 (D. Del. 2009); <i>Law Debenture Trust Co. of New York v. Kaiser Aluminum Corp.</i> (<i>In re Kaiser Aluminum Corp.</i>), 380 B.R. 344 (D. Del. 2008); <i>Public Utility Dist. No. 1 of Clark Cty. v. Kaiser Aluminum Corp.</i> (<i>In re Kaiser Aluminum Corp.</i>), 365 B.R. 447 (D. Del. 2007); <i>In re Kaiser Aluminum Corp.</i> , 343 B.R. 88 (D. Del. 2006); <i>Law Debenture Trust Co. v. Kaiser Aluminum Corp.</i> (<i>In re Kaiser Aluminum Corp.</i>), 339 B.R. 91 (D. Del. 2006); <i>Certain Underwriters at Lloyd's, London v. Future Asbestos Claims Representative</i> (<i>In re Kaiser Aluminum Corp.</i>), 327 B.R. 554 (D. Del. 2005); <i>Safety Nat'l Cas. Corp. v. Kaiser Aluminum & Chem. Corp.</i> (<i>In re Kaiser Aluminum Corp.</i>), 303 B.R. 299 (D. Del. 2003); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases). See also <i>In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Combustion Engineering, Flintkote, Owens Corning, USG, United States Mineral Products, and W.R. Grace</i> bankruptcy cases); <i>Volkswagen of America, Inc. v. Superior Court</i> , 139 Cal. App.4th 1481 (2006).
Keene Corp.	No. 93 B 46090, 96 CV 3492 (Bankr. S.D.N.Y.)	Plan confirmed by the bankruptcy court on June 13, 1996 and by the district court on June 13, 1996.	<i>In re Keene Corp.</i> , 171 B.R. 180 (Bankr. S.D.N.Y. 1994); <i>Keene Corp. v. Coleman</i> (<i>In re Keene Corp.</i>), 166 B.R. 31 (Bankr. S.D.N.Y. 1994); <i>In re Keene Corp.</i> , 164 B.R. 844 (Bankr. S.D.N.Y. 1994); <i>Keene Corp. v. Acstar Ins. Co.</i> (<i>In re Keene Corp.</i>), 162 B.R. 935 (Bankr. S.D.N.Y. 1994).
Kentile Floors, Inc.	No. 92 B 46466 BRL (Bankr. S.D.N.Y.)	Plan confirmed by the bankruptcy court on December 10, 1998. Kentile's successor, Metex Mfg. Corp., filed a Chapter 11 voluntary petition on November 9, 2012 (No. 12-14554, Bankr. S.D.N.Y.).	
Leslie Controls, Inc.	No. 10-12199-CSS (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on October 28, 2010. An appeal was filed on October 29, 2010 (No. 10-924 (D. Del.)) but remanded to the bankruptcy court, prior to argument, on January 14, 2011. Order confirming a revised plan entered by the bankruptcy court January 18, 2011. Order affirming the bankruptcy court's confirmation order entered by the district court February 7, 2011 (No. 11-013, D. Del.); district court issued additional findings in support of confirmation on March 28, 2011.	<i>In re Leslie Controls, Inc.</i> , 437 B.R. 493 (Bankr. D. Del. 2010).
Lloyd E. Mitchell Co.	No. 06-13250 (Bankr. D. Md.)	First amended joint plan of liquidation filed by Debtor and ACC on July 8, 2008. On May 6, 2009, Debtor and the ACC filed a joint motion to dismiss the Chapter 11 case. On May 29, 2009, insurers Maryland Casualty and Travelers filed a plan of liquidation and a cross-motion to	<i>In re Lloyd E. Mitchell Co.</i> , 373 B.R. 416 (Bankr. D. Md. 2007).

		appoint a trustee filed by insurers Maryland Casualty and Travelers, which was heard September 30, October 1, and October 9, 2009; a ruling on the motion to appoint a trustee is pending.	
Lykes Bros. Steamship Co.	No. 95-10453 (M.D. Fla.)	Plan confirmed by the bankruptcy court on April 15, 1997 and by the district court on April 15, 1997.	<i>In re Lykes Bros. Steamship Co.</i> , 399 B.R. 555 (Bankr. M.D. Fla. 2009).
Metex Mfg. Corp.	No. 12-14554 (Bankr. S.D.N.Y.)	Plan of reorganization filed December 23, 2014. Plan confirmed by the bankruptcy court on June 23, 2014.	<i>In re Metex Mfg. Corp.</i> , ___ B.R. ___ (Bankr. S.D.N.Y. June 13, 2014).
M.H. Detrick	No. 98 B 01004 (Bankr. N.D. Ill.)	Plan confirmed jointly by the bankruptcy court and the district court on Aug. 21, 2002.	
Mid-Valley, Inc. (Halliburton subsidiaries)	No. 03-35592-JKF (Bankr. W.D. Pa.)	Plan confirmed by the bankruptcy court on July 16, 2004 and by the district court on December 1, 2004.	<i>In re Mid-Valley, Inc.</i> , 288 Fed. Appx. 784 (3d Cir. 2008); <i>In re Mid-Valley, Inc.</i> , 305 B.R. 425 (Bankr. W.D. Pa. 2004); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO</i> , and <i>Mid-Valley</i> bankruptcy cases). <i>See also Archdiocese of Milwaukee Supporting Fund, Inc. v. Halliburton Co.</i> , 597 F.3d 330 (5th Cir. 2010), <i>vacated and remanded</i> , 131 S. Ct. 2179 (2011), <i>on remand</i> , 647 F.3d 533 (5th Cir. 2011).
The Muralo Co.	No. 03-26723-MS (Bankr. D.N.J.)	Plan confirmed by the bankruptcy court on December 21, 2007.	<i>In re Muralo Co.</i> , 301 B.R. 690 (D.N.J. 2003); <i>In re Muralo Co.</i> , 295 B.R. 512 (Bankr. D.N.J. 2003).
Murphy Marine Services, Inc.	No. 01-00926 (Bankr. D. Del.)	Plan filed on January 23, 2002; case converted to Chapter 7 on July 25, 2002.	
National Gypsum Co./Ancor Holdings Inc.	No. 90-37213 (Bankr. N.D. Tex.)	Plan confirmed by the bankruptcy court on March 9, 1993.	<i>New Nat'l Gypsum Co. v. National Gypsum Co. Settlement Trust (In re Nat'l Gypsum)</i> , 219 F.3d 478 (5th Cir. 2000); <i>Century Indem. Co. v. Nat'l Gypsum Co. (In re Nat'l Gypsum Co.)</i> , 208 F.3d 498 (5th Cir. 2000); <i>Donaldson Lufkin Jenrette Securities Corp. v. National Gypsum Co. (In re National Gypsum Co.)</i> , 123 F.3d 861 (5th Cir. 1997); <i>Ins. Co. of North America v. NGC Settlement Trust (In re National Gypsum Co.)</i> , 118 F.3d 1056 (5th Cir. 1997); <i>In re National Gypsum Co.</i> , 139 B.R. 397 (N.D. Tex. 1992); <i>In re National Gypsum Co.</i> , 134 B.R. 188 (N.D. Tex. 1991); <i>In re National Gypsum Co.</i> , 257 B.R. 184 (Bankr. N.D. Tex. 2000); <i>In re National Gypsum Co.</i> , 243 B.R. 676 (Bankr. D. Tex. 1999). <i>See also United States Fire Ins. Co. v. National Gypsum Co.</i> , 101 F.3d 813 (2d Cir. 1996); <i>Browning v. Prostok</i> , 165 S.W.3d 336 (Tex. 2005).
National Service Industries	No. 12-12057 (Bankr. D. Del.)	Chapter 7 petition filed July 12, 2012.	
North American Refractories Corp. (NARCO)	No. 02-20198 (Bankr. W.D. Pa.)	Plan approved by the bankruptcy court on November 13, 2007; confirmation order affirmed by the district court on July 25, 2008; confirmation order vacated by the Third Circuit and remanded on May 4, 2011. New confirmation hearing is scheduled for October 29-31, 2012.	<i>In re North American Refractories Co.</i> , 280 B.R. 356 (Bankr. W.D. Pa. 2002); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO</i> , and <i>Mid-Valley</i> bankruptcy cases). <i>See also Continental Ins. Co. v. Honeywell Int'l, Inc.</i> , 406 N.J. Super. 156, 967 A.2d 315 (N.J. App. Div. 2009); <i>Travelers Cas. & Sur. Co. v. Honeywell Int'l Inc.</i> , 851 N.Y.S.2d 426 (N.Y. App. Div. 2008).
Nicolet, Inc.	No. 87-03574S (Bankr. E.D. Pa.)	Plan confirmed by the bankruptcy court on September 21, 1989.	

Oglebay Norton Co.	No. 04-10558-JBR (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on November 7, 2004. Company emerged from bankruptcy on Jan. 31, 2005.	
Owens Corning/Fibreboard	No. 00-03837 (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on September 26, 2006; confirmation order affirmed by the district court on September 28, 2006.	<i>In re Owens Corning</i> , 419 F.3d 195 (3d Cir. 2005), <i>rev'g In re Owens Corning</i> , 316 B.R. 168 (D. Del. 2004); <i>Owens Corning v. Credit Suisse First Boston</i> , 322 B.R. 719 (D. Del. 2005); <i>In re Owens Corning</i> , 305 B.R. 175 (D. Del. 2004); <i>In re Owens Corning</i> , 291 B.R. 329 (Bankr. D. Del. 2003); <i>In re Kensington Int'l Ltd.</i> , 368 F.3d 289 (3d Cir. 2004), <i>rev'g In re Owens Corning</i> , 316 B.R. 168 (Bankr. D. Del. 2004) (also applicable to the <i>Armstrong</i> , <i>Federal-Mogul</i> , <i>USG Corp.</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re Kensington Int'l Ltd.</i> , 353 F.3d 211 (3d Cir. 2003) (also applicable to the <i>Armstrong</i> , <i>Federal-Mogul</i> , <i>USG Corp.</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong</i> , <i>Combustion Engineering</i> , <i>Flintkote</i> , <i>Kaiser Aluminum</i> , <i>U.S. Mineral Products</i> , <i>USG</i> , <i>W.R. Grace</i> , <i>Pittsburgh Corning</i> , <i>NARCO</i> , and <i>Mid-Valley</i> bankruptcy cases). <i>See also Wright v. Owens Corning</i> , 679 F.3d 101 (3d Cir. 2012); <i>Fibreboard Corp. v. Celotex Corp. (In re Celotex Corp.)</i> , 472 F.3d 1318 (11th Cir. 2006); <i>Rogers v. McCulloch</i> , 173 Fed. Appx. 371 (6th Cir. 2006); <i>In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS</i> , <i>Armstrong</i> , <i>Combustion Engineering</i> , <i>Flintkote</i> , <i>Kaiser Aluminum</i> , <i>USG</i> , <i>United States Mineral Products</i> , and <i>W.R. Grace</i> bankruptcy cases); <i>Wright v. Owens Corning</i> , 450 B.R. 541 (W.D. Pa. 2011), <i>aff'd in part and rev'd in part</i> , 679 F.3d 101 (3d Cir. 2012).
Philadelphia Asbestos Corp. (Pacor, Inc.)	No. 86-03252G (Bankr. E.D. Pa.)	Plan confirmed by the bankruptcy court on November 30, 1989.	
Pittsburgh Corning Corporation	No. 00-22876 (Bankr. W.D. Pa.)	Second amended plan filed on November 20, 2003; order entered by the bankruptcy court on December 21, 2006 denying confirmation. Third amended plan filed January 29, 2009. Confirmation hearing conducted for three days during June, 2010; closing arguments held October 29, 2010. Order entered by the bankruptcy court on June 16, 2011 denying confirmation. Debtor filed plan modifications on September 23, 2011, April 20, 2012, and August 17, 2012. A confirmation hearing was held on October 10, 2012. Confirmation order entered by the bankruptcy court May 16, 2013.	<i>In re Pittsburgh Corning Corp.</i> , 260 Fed. Appx. 463 (3d Cir. 2008); <i>Mt. McKinley Ins. Co. v. Corning, Inc.</i> , 399 F.3d 436 (2d Cir. 2005); <i>In re Pittsburgh Corning Corp.</i> , 453 B.R. 570 (Bankr. W.D. Pa. 2011); <i>In re Pittsburgh Corning Corp.</i> , 417 B.R. 289 (Bankr. W.D. Pa. 2006); <i>In re Pittsburgh Corning Corp.</i> , 308 B.R. 716 (Bankr. W.D. Pa. 2004), <i>aff'd</i> , Dkt. No. 17, No. 2:04-cv-01199-DSC (W.D. Pa. Dec. 7, 2005); <i>In re Pittsburgh Corning Corp.</i> , 277 B.R. 74 (Bankr. W.D. Pa. 2002), <i>aff'd</i> , 260 Fed. Appx. 463 (3d Cir. 2008); <i>In re Pittsburgh Corning Corp.</i> , 255 B.R. 162 (Bankr. W.D. Pa. 2000); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong</i> , <i>Combustion Engineering</i> , <i>Flintkote</i> , <i>Kaiser Aluminum</i> , <i>Owens Corning</i> , <i>U.S. Mineral Products</i> , <i>USG</i> , <i>W.R. Grace</i> , <i>Pittsburgh Corning</i> , <i>NARCO</i> , and <i>Mid-Valley</i> bankruptcy cases). <i>See also Mt. McKinley Ins. Co. v. Corning, Inc.</i> , 918 N.Y.S.2d 22 (N.Y. App. Div. 2011).
Plant Insulation Company	No. 09-31347 (Bankr. N.D. Cal.)	Plan confirmed by the bankruptcy court on April 4, 2012; confirmation order affirmed by the district court on October 9, 2012. Stay pending appeal denied by the district court on November 1, 2012 and by both the Ninth Circuit and Justice Kennedy, as circuit justice, on November 8, 2012. Plan went effective November 16, 2012. Plan confirmation reversed by the Ninth Circuit October 28, 2013.	<i>In re Plant Insulation Co.</i> , 734 F.3d 900 (9th Cir. 2013), <i>cert. denied</i> , 134 S.Ct. 1901 (2014); <i>Fireman's Fund Ins. Co. v. Plant Insulation Co. (In re Plant Insulation Co.)</i> , 485 B.R. 203 (N.D. Cal. 2012), <i>rev'd</i> , 734 F.3d 900 (9th Cir. 2013), <i>cert. denied</i> , 134 S.Ct. 1901 (2014); <i>In re Plant Insulation Co.</i> , 469 B.R. 843 (Bankr. N.D. Cal. 2012), <i>aff'd</i> , 485 B.R. 203 (N.D. Cal. 2012), <i>rev'd</i> , 734 F.3d 900 (9th Cir. 2013), <i>cert. denied</i> , 134 S.Ct. 1901 (2014); <i>In re Plant Insulation Co.</i> , 414 B.R. 646 (Bankr. N.D. Cal. 2009).

		On March 3, 2014, the bankruptcy court issued an order confirming the revised post-confirmation plan for the reasons stated in a February 25, 2014, memorandum opinion.	
Plibrico Co.	No. 02 B 09952 (Bankr. N.D. Ill.)	Plan confirmed by the bankruptcy court and the district court on January 30, 2006.	
Porter-Hayden Co.	No. 02-54152 (Bankr. D. Md.)	Plan confirmed by the bankruptcy court on July 5, 2006 and by the district court on July 7, 2006.	<i>National Union Fire Ins. Co. v. Porter Hayden Co.</i> , 408 B.R. 66 (D. Md. 2009); <i>National Union Fire Ins. Co. v. Porter Hayden Co.</i> , 331 B.R. 652 (D. Md. 2005); <i>Porter-Hayden Co. v. First State Mgt. Group, Inc. (In re Porter-Hayden Co.)</i> , 304 B.R. 725 (Bankr. D. Md. 2004).
Prudential Lines, Inc.	No. 86-11773 (Bankr. S.D.N.Y.)	Plan confirmed by the bankruptcy court on December 15, 1989 and by the district court on October 4, 1990.	<i>Asbestosis Claimants v. American Steamship Owners Mut. Protection & Indem. Ass'n (In re Prudential Lines)</i> , 533 F.3d 151 (2d Cir. June 19, 2008); <i>Dicola v. American S.S. Owners Mut. Protection & Indem. Ass'n (In re Prudential Lines, Inc.)</i> , 158 F.3d 65 (2d Cir. 1998); <i>Dicola v. American S.S. Owners Mut. Protection & Indem. Ass'n (In re Prudential Lines, Inc.)</i> , 170 B.R. 222 (S.D.N.Y. 1994); <i>In re Prudential Lines, Inc.</i> , 202 B.R. 13 (Bankr. S.D.N.Y. 1996); <i>In re Prudential Lines, Inc.</i> , 148 B.R. 730 (Bankr. S.D.N.Y. 1992).
Pulmosan Safety Equipment Corp.	No. 10-16098 (Bankr. S.D.N.Y.)	Voluntary Chapter 7 petition filed November 15, 2010.	
Quigley Co.	No. 04-15739-SMB (Bankr. S.D.N.Y.)	Fourth amended and restated plan modified on August 6, 2009. The confirmation hearing, which consumed 15 days of trial, began September 23, 2009. On September 8, 2010, the bankruptcy court issued findings of fact and conclusions of law denying confirmation and ordered the parties "to schedule a conference to discuss the dismissal or other disposition of this case." On September 21, 2010, the bankruptcy court issued its order denying confirmation. Quigley filed a revised fifth amended and restated plan and a disclosure statement related thereto on August 13, 2012. On July 2, 2013, the bankruptcy court issued an order confirming the plan and recommending that the district court issue an injunction under § 524(g) of the Bankruptcy Code. On July 31, 2013, the district court entered an order adopting, approving, and affirming the plan and the bankruptcy court's confirmation order.	<i>Pfizer Inc. v. Law Offices of Peter G. Angelos (In re Quigley Co.)</i> , 676 F.3d 45 (2d Cir. 2012), <i>aff'g In re Quigley Co.</i> , 449 B.R. 196 (S.D.N.Y. 2011); <i>In re Ad Hoc Comm. Of Tort Victims (In re Quigley Co.)</i> , 327 B.R. 138 (S.D.N.Y. 2005); <i>Quigley Co. v. Coleman (In re Quigley Co.)</i> , 323 B.R. 70 (S.D.N.Y. 2005); <i>In re Quigley Co.</i> , 500 B.R. 347 (Bankr. S.D.N.Y. 2013); <i>In re Quigley Co.</i> , 437 B.R. 102 (Bankr. S.D.N.Y. 2010); <i>In re Quigley Co.</i> , 391 B.R. 695 (Bankr. S.D.N.Y. 2008); <i>In re Quigley Co.</i> , 383 B.R. 19 (Bankr. S.D.N.Y. 2008); <i>In re Quigley Co.</i> , 377 B.R. 110 (Bankr. S.D.N.Y. 2007); <i>Continental Cas. Co. v. Pfizer, Inc. (In re Quigley Co.)</i> , 361 B.R. 723 (Bankr. S.D.N.Y. 2007); <i>Quigley Co. v. Coleman (In re Quigley Co.)</i> , 361 B.R. 670 (Bankr. S.D.N.Y. 2007); <i>In re Quigley Co.</i> , 346 B.R. 647 (Bankr. S.D.N.Y. 2006). <i>See also In re G-I Holdings, Inc.</i> , ___ F.3d ___ (No. 13-3336) (3d Cir. June 17, 2014); <i>I.U. North America Inc. v. A.I.U. Ins. Co.</i> , 896 A.2d 880 (Del. Super. 2006).
Rapid-American Corp.	No. 13-10687-smb (Bankr. S.D.N.Y.)	Chapter 11 petition filed March 8, 2013.	
Raymark Corp./Raytech Corp.	No. 89-00293 (Bankr. D. Conn.)	Plan confirmed by the bankruptcy court on August 31, 2000.	
Resillo Press Pad Co.	No. 13-02916 (Bankr. N.D. Ill.)	Chapter 7 petition filed January 25, 2013.	
Rock Wool Manufacturing	Nos. CV-99-J-1589-S, BK-96-08295-TBB-11 (Bankr. N.D. Ala.)	Plan confirmed by the bankruptcy court on December 3, 1999 and by the district court on December 6, 1999.	
Rutland Fire Clay Co.	No. 99-11390 (Bankr. D. Vt.)	Plan confirmed by the bankruptcy court and by the district court on November 17, 2000.	
Saberhagen Holdings, Inc. (f/k/a The Brower Company)	No. 13-13531-MLB (Bankr. W.D. Wash.)	Chapter 11 petition filed April 18, 2013. Debtor's motion to dismiss the Chapter 11 case granted July 2, 2013.	
Schutte & Koerting, Inc.	No. 07-16075 (Bankr. D. Colo.)	Chapter 7 petition filed June 10, 2007.	
Shook & Fletcher Insulation Co.	No. 02-02771-BGC-11 (Bankr. N.D. Ala.)	Plan confirmed by the bankruptcy court on October 29, 2002 and by the district court on November 8, 2002.	<i>See Shook & Fletcher Asbestos Settlement Trust v. Safety National Cas. Co.</i> , 909 A.2d 125 (Del. 2006).

Skinner Engine Co.	No. 01-23987-MBM (Bankr. W.D. Pa.)	On May 27, 2009, the bankruptcy court issued an order converting this case from Chapter 11 to Chapter 7 on the ground, <i>inter alia</i> , that debtor's fifth plan of liquidation is unconfirmable and that debtor and its co-proponents have been, and are, unable to effectuate a confirmable plan. On May 29, 2010, the district court issued an order affirming the bankruptcy court's order converting the case to Chapter 7 (Case No. 09-0886). The Third Circuit affirmed the lower courts' decisions on July 25, 2012. On September 11, 2013, the bankruptcy court issued an order granting the Chapter 7 trustee's motion to dismiss the bankruptcy case.	<i>In re American Capital Equipment, LLC</i> , 688 F.3d 145 (3d Cir. 2012); <i>In re American Capital Equipment, LLC</i> , 296 Fed. Appx. 270 (3d Cir. 2008); <i>In re American Capital Equipment, LLC</i> , 405 B.R. 415 (Bankr. W.D. Pa. 2009), <i>aff'd</i> , 2010 WL 1337222 (W.D. Pa. Mar. 29, 2010), <i>aff'd</i> , 688 F.3d 145 (3d Cir. 2012); <i>In re American Capital Equipment, LLC</i> , 325 B.R. 372 (Bankr. W.D. Pa. 2005); <i>In re American Capital Equipment, LLC</i> , 324 B.R. 570 (Bankr. W.D. Pa. 2005).
Special Electric Co.	No. 04-25471-11-MDM (E.D. Wis.)	Plan confirmed December 21, 2006.	
Special Metals Corp.	Nos. 02-10335 to 02-10338 (Bankr. E.D. Ky.)	Plan confirmed by the bankruptcy court on September 29, 2003; confirmation order affirmed by the district court on March 12, 2004.	<i>Century Indem. Co. v. Special Metals Corp. (In re Special Metals Corp.)</i> , 360 B.R. 244 (E.D. Ky. 2006); <i>Century Indem. Co. v. Special Metals Corp. (In re Special Metals Corp.)</i> , 317 B.R. 326 (Bankr. E.D. Ky. 2004).
Specialty Products Holding Corp. and Bondex International, Inc.	No. 10-11780-JKF (Bankr. D. Del.)	Voluntary petitions filed May 31, 2010. On May 14, 2012, the ACC and FCR filed a joint plan of reorganization for Debtors and a proposed disclosure statement related thereto. They filed amended plans on August 23, 2012, August 2, 2013, October 15, 2013, and December 17, 2013. On July 12, 2012, Debtors filed a competing plan of reorganization, but no disclosure statement. Debtors filed an amended first joint plan of reorganization on December 16, 2013.	<i>See Bondex Int'l v. Hartford Acc. & Indem. Co.</i> , 667 F.3d 669 (3d Cir. 2011).
Standard Insulations, Inc.	No. 86-03413-1-11 (Bankr. W.D. Mo.)	Plan confirmed by the bankruptcy court and by the district court on October 26, 1992.	<i>In re Standard Insulations, Inc.</i> , 138 B.R. 947 (Bankr. W.D. Mo. 1992).
State Insulation Corp.	No. 11-15110-MBK (D.N.J.)	On February 10, 2012, the bankruptcy court recommended that the district court enter an order confirming the plan. On March 14, 2012, the district court accepted and approved the bankruptcy court's findings of fact and conclusions of law and issued a channeling injunction under § 524(g) of the Bankruptcy Code.	
Swan Transportation Co.	No. 01-11690-JKF (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on May 30, 2003 and by the district court on July 21, 2003.	
T H Agriculture & Nutrition, LLC	No. 08-14692-reg (Bankr. S.D.N.Y.)	Plan confirmed by the bankruptcy court on May 28, 2009 and affirmed by the district court on October 26, 2009.	
Thorpe Insulation Co.	No. 07-19271-BB (Bankr. C.D. Cal.)	Jointly administered with the bankruptcy case of Pacific Insulation Co., which filed a Chapter 11 petition on October 31, 2007. Plan confirmed by the bankruptcy court on February 1, 2010 and by the district court on September 21, 2010. Stay pending appeal denied by the district court on October 20, 2010, by the Ninth Circuit on October 21, 2010, and by Justice Kennedy, as circuit justice, on October 22, 2010. Plan went effective October 22, 2010. On January 24, 2012, the Ninth Circuit reversed confirmation and remanded for a new confirmation hearing in bankruptcy court. On May 8, 2013, the bankruptcy court issued an order confirming the Sixth Amended Plan. On June 6, 2013, the district court issued an order affirming the bankruptcy court's confirmation order.	<i>Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 677 F.3d 869 (9th Cir. 2012); <i>Continental Ins. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 671 F.3d 1011 (9th Cir. 2012); <i>Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 671 F.3d 980 (9th Cir. 2012), <i>amended and superseded by Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 677 F.3d 869 (9th Cir. 2012); <i>National Fire Ins. Co. of Hartford v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 393 Fed. Appx. 467 (9th Cir. 2010); <i>Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.)</i> , 392 Fed. Appx. 549 (9th Cir. 2010). <i>See Employers Reins. Co. v. Superior Ct. (Thorpe Insulation Co.)</i> , 161 Cal. App.4th 906, 74 Cal. Rptr.3d 733 (2008).

Triple A Machine Shop, Inc.	No. 10-49354 (Bankr. N.D. Cal.)	Voluntary Chapter 7 petition filed August 16, 2010.	
United Gilsonite Laboratories	No. 5:11-bk-02032 (Bankr. M.D. Pa.)	Petition filed March 23, 2011. A plan of reorganization was filed on September 21, 2012.	
United States Lines	No. 86-12240 (Bankr. S.D.N.Y.) (jointly administered with McLean Industries, No. 86-12238)	Plan confirmed by the bankruptcy court on May 16, 1989.	<i>Asbestosis Claimants v. U.S. Lines Reorganization Trust (In re United States Lines</i> , 318 F.3d 432 (2d Cir. 2003), <i>aff'g U.S. Lines, Inc. v. U.S. Lines Reorganization Trust</i> , 262 B.R. 223 (S.D.N.Y. 2001); <i>Maritime Asbestos Legal Clinic v. United States Lines, Inc. (In re United States Lines)</i> , 216 F.3d 228 (2d Cir. 2000); <i>In re United States Lines</i> , 197 F.3d 631 (2d Cir. 1999), <i>rev'g United States Lines, Inc. v. American S.S. Owners Mut. Protection & Indem. Ass'n</i> , 220 B.R. 5 (S.D.N.Y. 1997), <i>rev'g United States Lines, Inc. v. American S.S. Owners Mut. Protection & Indem. Ass'n</i> , 169 B.R. 804 (Bankr. S.D.N.Y. 1994); <i>U.S. Lines, Inc. v. U.S. Lines Reorganization Trust</i> , 262 B.R. 223 (S.D.N.Y. 2001), <i>aff'd</i> , 318 F.3d 432 (2d Cir. 2003).
United States Mineral Products	No. 01-02471 (Bankr. D. Del.)	Plan confirmed by the bankruptcy court on November 30, 2005; channeling injunction issued by the district court December 14, 2005.	<i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases). <i>See also In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, USG, and W.R. Grace</i> bankruptcy cases).
UNR Industries, Inc.	Nos. 82 B 9841-9845, 82 B 9847, 82 B 9849 (Bankr. N.D. Ill.)	Plan confirmed by the bankruptcy court on June 1, 1989.	<i>In re UNR Indus., Inc.</i> , 20 F.3d 766 (7th Cir. 1994); <i>In re UNR Indus., Inc.</i> , 986 F.2d 207 (7th Cir. 1993); <i>UNR Indus., Inc. v. Continental Cas. Co.</i> , 942 F.2d 1101 (7th Cir. 1991); <i>In re UNR Indus., Inc.</i> , 736 F.2d 1136 (7th Cir. 1984); <i>In re UNR Indus., Inc.</i> , 725 F.2d 1111 (7th Cir., 1984); <i>In re UNR Indus., Inc.</i> , 224 B.R. 664 (Bankr. N.D. Ill. 1998); <i>In re UNR Indus., Inc.</i> , 212 B.R. 295 (Bankr. N.D. Ill. 1997); <i>UNR Indus., Inc. v. Bloomington Factory Workers</i> , 173 B.R. 149 (N.D. Ill. 1994); <i>In re UNR Indus., Inc.</i> , 143 B.R. 506 (Bankr. N.D. Ill. 1992), <i>rev'd</i> , 173 B.R. 149 (N.D. Ill. 1994); <i>UNARCO Bloomington Factory Workers v. UNR Indus., Inc.</i> , 124 B.R. 268 (N.D. Ill. 1990); <i>UNR Indus., Inc. v. American Mut. Liability Ins. Co.</i> , 92 B.R. 319 (N.D. Ill. 1988); <i>In re UNR Indus., Inc.</i> , 74 B.R. 146 (N.D. Ill. 1987); <i>In re UNR Indus., Inc.</i> , 72 B.R. 796 (Bankr. N.D. Ill. 1987); <i>In re UNR Indus., Inc.</i> , 72 B.R. 789 (Bankr. N.D. Ill. 1987); <i>In re UNR Indus., Inc.</i> , 71 B.R. 467 (Bankr. N.D. Ill. 1987); <i>In re UNR Indus., Inc.</i> , 54 B.R. 270 (Bankr. N.D. Ill. 1985); <i>In re UNR Indus., Inc.</i> , 54 B.R. 266 (Bankr. N.D. Ill. 1985); <i>In re UNR Indus., Inc.</i> , 54 B.R. 263 (Bankr. N.D. Ill. 1985); <i>In re UNR Indus., Inc.</i> , 46 B.R. 671 (Bankr. N.D. Ill. 1985); <i>In re UNR Indus., Inc.</i> , 46 B.R. 25 (Bankr. N.D. Ill. 1984); <i>In re UNR Indus., Inc.</i> , 42 B.R. 99 (Bankr. N.D. Ill. 1984); <i>In re UNR Indus., Inc.</i> , 42 B.R. 94 (Bankr. N.D. Ill. 1984); <i>In re UNR Indus., Inc.</i> , 39 B.R. 190 (Bankr. N.D. Ill. 1984); <i>In re UNR Indus., Inc.</i> , 30 B.R. 609 (Bankr. N.D. Ill. 1983); <i>In re UNR Indus., Inc.</i> , 30 B.R. 613 (Bankr. N.D. Ill. 1983); <i>In re UNR Indus., Inc.</i> , 29 B.R. 741 (N.D. Ill. 1983); <i>In re UNR Indus., Inc.</i> , 23 B.R. 144 (Bankr. N.D. Ill. 1982). <i>See also Rohn</i>

			<i>Indus., Inc. v. Platinum Equity LLC</i> , 887 A.2d 983 (Del. Super. 2005).
USG Corp.	No. 01-2094 (Bankr. D. Del.)	Plan confirmed by both the bankruptcy court and the district court on June 15, 2006.	<i>In re Kensington Int'l Ltd.</i> , 368 F.3d 289 (3d Cir. 2004) (also applicable to the <i>Armstrong, Federal-Mogul, Owens Corning</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re Kensington Int'l Ltd.</i> , 353 F.3d 211 (3d Cir. 2003) (also applicable to the <i>Armstrong, Federal-Mogul, Owens Corning</i> , and <i>W.R. Grace</i> bankruptcies); <i>In re ACandS, Inc.</i> , 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, W.R. Grace, Pittsburgh Corning, NARCO</i> , and <i>Mid-Valley</i> bankruptcy cases); <i>In re USG Corp.</i> , 290 B.R. 223 (Bankr. D. Del. 2003). <i>See also In re G-I Holdings, Inc.</i> , ___ F.3d ___ (No. 13-3335) (3d Cir. June 17, 2014); <i>In re Motions for Access of Garlock Sealing Technologies LLC</i> , 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, United States Mineral Products</i> , and <i>W.R. Grace</i> bankruptcy cases).
Utex Industries	No. 04-34427 (Bankr. S.D. Tex.)	Plan confirmed by the bankruptcy court and the district court on June 16, 2004.	
Wallace & Gale	No. 85-40092 (Bankr. D. Md.)	Plan confirmed by the bankruptcy court on July 27, 1998 and affirmed by the district court on May 30, 2002.	<i>Jones v. Liberty Mut. Ins. Co. (In re Wallace & Gale Co.)</i> , 385 F.3d 820 (4th Cir. 2004), <i>aff'g</i> , <i>Aetna Cas. & Sur. Co. v. Wallace & Gale Co. (In re Wallace & Gale Co.)</i> , 284 B.R. 557 (D. Md. 2002), <i>reconsidering Aetna Cas. & Sur. Co. v. Wallace & Gale Co. (In re Wallace & Gale Co.)</i> , 275 B.R. 223 (D. Md. 2002); <i>Legal Representative for Future Claimants v. Aetna Cas. & Sur. Co. (In re Wallace & Gale Co.)</i> , 72 F.3d 21 (4th Cir. 1995); <i>Aetna Cas. & Sur. Co. v. Wallace & Gale Co. (In re Wallace & Gale Co.)</i> , 284 B.R. 560 (D. Md. 2002). <i>See also Scapa Dryer Fabrics, Inc. v. Saville</i> , 988 A.2d 1059 (Md. App. 2010).
Waterman Steamship Corp.	No. 83-11732 (Bankr. S.D.N.Y.)	Plan confirmed by the bankruptcy court on June 19, 1986.	<i>In re Waterman S.S. Corp. v. Aguiar</i> , 141 B.R. 552, 556 (Bankr. S.D.N.Y. 1992).
Western Macarthur/ Western Asbestos	No. 02-46284-86 (Bankr. N.D. Cal.)	Plan confirmed by the bankruptcy court on January 27, 2004 and affirmed by the district court on April 16, 2004.	<i>Renfrew v. Hartford Acc. & Indem. Co. (In re Western Asbestos Co.)</i> , 406 Fed. Appx. 227 (9th Cir. 2010); <i>Renfrew v. Hartford Acc. & Indem. Co. (In re Western Asbestos Co.)</i> , 416 B.R. 670 (N.D. Cal. 2009), <i>aff'd</i> , 406 Fed. Appx. 227 (9th Cir. 2010); <i>In re Western Asbestos Co.</i> , 313 B.R. 859 (N.D. Cal. 2004); <i>In re Western Asbestos Co.</i> , 318 B.R. 527 (Bankr. N.D. Cal. 2004); <i>In re Western Asbestos Co.</i> , 313 B.R. 832 (Bankr. N.D. Cal. 2003); <i>In re Western Asbestos Co.</i> , 313 B.R. 456 (Bankr. N.D. Cal. 2004). <i>See also United States Fidelity & Guar. Co. v. American Re-Insurance Co.</i> , 939 N.Y.S.2d 307 (N.Y. App. Div. 2012); <i>Volkswagen of America, Inc. v. Superior Court</i> , 139 Cal. App.4th 1481 (2006).
W.R. Grace Co.	Nos. 01-1139, 01-1140 (Bankr. D. Del.)	On January 31, 2011, the bankruptcy court issued findings of fact, conclusions of law, a memorandum opinion, and a recommendation that the district court confirm the plan and issue the various injunctions called for by the plan. On February 15, 2011, the bankruptcy court issued an order clarifying its January 31 order, findings, and conclusions. On March 4,	<i>In re W.R. Grace & Co.</i> , 729 F.3d 332 (3d Cir. 2013); <i>In re W.R. Grace & Co.</i> , 729 F.3d 311 (3d Cir. 2013); <i>In re W.R. Grace & Co.</i> , 532 Fed. Appx. 264 (3d Cir. 2013); <i>W.R. Grace & Co. v. Chakarian (In re W.R. Grace & Co.)</i> , 591 F.3d 164 (3d Cir. 2009); <i>In re W.R. Grace & Co.</i> , 316 Fed. Appx. 134 (3d Cir. 2009); <i>In re Kensington Int'l Ltd.</i> , 368 F.3d 289 (3d Cir. 2004) (also

		<p>2011, the bankruptcy court issued an order that granted in part and denied in part a motion for reconsideration of the January 31, 2011 order and opinion.</p> <p>On January 30, 2012, the district court issued an order confirming the plan. Following motions for reconsideration, on June 11, 2012 the district court issued a revised order confirming the plan. Appeals were filed in the Third Circuit (Nos. 12-1402, <i>et al.</i>, consolidated). The district court on June 27, 2012 denied a motion to stay the confirmation order pending appeal; the movant renewed its motion in the Third Circuit, where it is pending.</p> <p>The Third Circuit has issued three opinions affirming aspects of the district court's order confirming the plan (one non-precedential opinion on July 24, 2013, and two precedential opinions on September 4, 2013). The last set of objections settled, and the plan went into effect on February 3, 2014.</p>	<p>applicable to the <i>Armstrong, Federal-Mogul, Owens Corning, and USG Corp.</i> bankruptcies); <i>Gerard v. W.R. Grace & Co. (In re W.R. Grace & Co.)</i>, 115 Fed. Appx. 565 (3d Cir. 2004); <i>In re Kensington Int'l Ltd.</i>, 353 F.3d 211 (3d Cir. 2003) (also applicable to the <i>Armstrong, Federal-Mogul, Owens Corning, and USG</i> bankruptcies); <i>In re W.R. Grace & Co.</i>, 476 B.R. 114 (D. Del. 2012); <i>In re W.R. Grace & Co.</i>, 475 B.R. 34 (D. Del. 2012), <i>aff'd</i>, 532 Fed. Appx. 264 (3d Cir. 2013), <i>In re W.R. Grace & Co.</i>, 729 F.3d 332 (3d Cir. 2013), and <i>In re W.R. Grace & Co.</i>, 729 F.3d 311 (3d Cir. 2013); <i>In re W.R. Grace & Co.</i>, 468 B.R. 81 (D. Del. 2012), <i>amended and superseded</i>, 475 B.R. 34 (D. Del. 2012); <i>State of California Dep't of Gen'l Svcs. v. W.R. Grace & Co. (In re W.R. Grace & Co.)</i>, 418 B.R. 511 (D. Del. 2009); <i>State of New Jersey v. W.R. Grace & Co. (In re W.R. Grace & Co.)</i>, 412 B.R. 657 (D. Del. 2009); <i>In re W.R. Grace & Co.</i>, 398 B.R. 368 (D. Del. 2008); <i>In re ACandS, Inc.</i>, 462 B.R. 88 (Bankr. D. Del. 2011) (also entered in the <i>Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, U.S. Mineral Products, USG, W.R. Grace, Pittsburgh Corning, NARCO, and Mid-Valley</i> bankruptcy cases); <i>In re W.R. Grace & Co.</i>, 446 B.R. 96 (Bankr. D. Del. 2011), <i>aff'd</i>, 475 B.R. 34 (D. Del. 2012); <i>In re W.R. Grace & Co.</i>, 403 B.R. 317 (Bankr. D. Del. 2009); <i>In re W.R. Grace & Co.</i>, 397 B.R. 701 (Bankr. D. Del. 2008), <i>rev'd</i>, <i>State of California Dep't of Gen'l Svcs. v. W.R. Grace & Co. (In re W.R. Grace & Co.)</i>, 418 B.R. 511 (D. Del. 2009); <i>In re W.R. Grace & Co.</i>, 389 B.R. 373 (Bankr. D. Del. 2008); <i>W.R. Grace & Co. v. Chakarian (In re W.R. Grace & Co.)</i>, 386 B.R. 17 (Bankr. D. Del. 2008); <i>W.R. Grace & Co. v. Campbell (In re W.R. Grace & Co.)</i>, 384 B.R. 678 (Bankr. D. Del. 2008), <i>aff'd sub nom. State of New Jersey v. W.R. Grace & Co. (In re W.R. Grace & Co.)</i>, 412 B.R. 657 (D. Del. 2009); <i>W.R. Grace & Co. v. Chakarian (In re W.R. Grace & Co.)</i>, 384 B.R. 670 (Bankr. D. Del. 2008); <i>In re W.R. Grace & Co.</i>, 366 B.R. 302 (Bankr. D. Del. 2007), <i>aff'd</i>, 2007 WL 4333817 (D. Del. 2007), <i>aff'd</i>, 316 Fed. Appx. 134 (3d Cir. 2009); <i>W.R. Grace & Co. v. Chakarian (In re W.R. Grace & Co.)</i>, 366 B.R. 295 (Bankr. D. Del. 2007), <i>aff'd</i>, 2008 WL 3522453 (D. Del. Aug. 12, 2008), <i>aff'd</i>, 591 F.3d 164 (3d Cir. 2009); <i>In re W.R. Grace & Co.</i>, 355 B.R. 462 (Bankr. D. Del. 2006); <i>In re W.R. Grace & Co.</i>, 346 B.R. 672 (Bankr. D. Del. 2006); <i>W.R. Grace & Co. v. Chakarian (In re W.R. Grace & Co.)</i>, 315 B.R. 353 (Bankr. D. Del. 2004); <i>Official Comm. Of Asbestos Personal Injury Claimants v. Sealed Air Corp. (In re W.R. Grace & Co.)</i>, 281 B.R. 852 (Bankr. D. Del. 2002). <i>See also In re Motions for Access of Garlock Sealing Technologies LLC</i>, 488 B.R. 281 (D. Del. 2013) (also entered in the <i>ACandS, Armstrong, Combustion Engineering, Flintkote, Kaiser Aluminum, Owens Corning, United States Mineral Products, and USG</i> bankruptcy cases); <i>W.R. Grace & Co.-Conn. v. Zotos Int'l, Inc.</i>, 559 F.3d 85 (2d Cir. 2009); <i>U.S. v. W.R. Grace</i>, 526 F.3d 499 (9th Cir. 2008); <i>U.S. v. W.R. Grace</i>, 455 F. Supp.2d 1113 (D. Mont. 2006), <i>rev'd</i>, 504 F.3d 745, 755 (9th Cir.</p>
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			2007); <i>U.S. v. W.R. Grace</i> , 280 F. Supp.2d 1149 (D. Mont. 2003), <i>aff'd</i> , 429 F.3d 1224 (9th Cir. 2005), <i>cert. denied</i> , 127 S. Ct. 379 (2006); <i>TIG Ins. Co. v. Smolker</i> , 264 B.R. 661 (Bankr. C.D. Cal. 2001).
Yarway Corporation	No. 13-11025 (Bankr. D. Del.)	Chapter 11 petition filed April 22, 2013.	

Endnotes

1. See Plevin, *et al.*, *Where Are They Now? A History Of The Companies That Have Sought Bankruptcy Protection Due To Asbestos Claims*, Mealey's Asbestos Bankruptcy Report, Vol. 1, No. 1 (Aug. 2001); Plevin, *et al.*, *Where Are They Now?, Part Two: A Continuing History Of The Companies That Have Sought Bankruptcy Protection Due To Asbestos Claims*, Mealey's Litigation Report: Asbestos, Vol. 17, No. 20 (Nov. 2002); Plevin, *et al.*, *Where Are They Now?, Part Three: A Continuing History Of The Companies That Have Sought Bankruptcy Protection Due To Asbestos Claims*, Mealey's Asbestos Bankruptcy Report, Vol. 5, No. 4 (Nov. 2005); Plevin, *et al.*, *Where Are They Now?, Part Four: A Continuing History Of The Companies That Have Sought Bankruptcy Protection Due To Asbestos Claims*, Mealey's Asbestos Bankruptcy Report, Vol. 6, No. 7 (Feb. 2007); Plevin, *et al.*, *Where Are They Now?, Part Five: An Update on Developments In Asbestos-Related Bankruptcy Cases*, Mealey's Asbestos Bankruptcy Report, Vol. 8, No. 8 (March 2009); Plevin, *et al.*, *Where Are They Now, Part Six: An Update on Developments In Asbestos-Related Bankruptcy Cases*, Mealey's Asbestos Bankruptcy Report, Vol. 11, No. 7 (Feb. 2012).
2. Corrections are welcome. Please send any corrections or comments to mplevin@crowell.com or ldavis@crowell.com.
3. See Voluntary Petition, Dkt. No. 1, In re A. L. Burbank & Company, Ltd., No. 13-11147 (Bankr. S.D.N.Y. April 12, 2013).
4. See Trustee's Final Report, Dkt. No. 12, In re A. L. Burbank & Company, Ltd., No. 13-11147 (Bankr. S.D.N.Y. May 13, 2014).
5. *Id.*
6. See Voluntary Petition, Dkt. No. 1, In re The Budd Company, Inc., No. 14-11873 (Bankr. N.D. Ill. March 31, 2014).
7. See Declaration of Brian Bastien, President and Chief Executive Officer for the Debtor, In Support of First Day Pleadings. Dkt. No. 14, In re The Budd Company, Inc., No. 14-11873 (Bankr. N.D. Ill. April 1, 2014) at ¶ 5.
8. *Id.* at ¶¶ 5, 38.
9. *Id.* at ¶ 3.
10. See Motion of the Ad Hoc Committee of Asbestos Personal Injury Claimants For An Order Directing United States Trustee to Appoint Committee of Asbestos Personal Injury Claimants, Dkt. No. 169, In re The Budd Company, Inc., No. 14-11873 (Bankr. N.D. Ill. May 16, 2014) at n.1.
11. *Id.* at 3.
12. Debtor's Objection to Motion of Ad Hoc Group of Asbestos Claimants For Order Directing U.S. Trustee to Appoint Statutory Committee of Asbestos Claimants, Dkt. No. 199, In re The Budd Company, Inc., No. 14-11873 (Bankr. N.D. Ill. June 9, 2014) at 2.
13. Memorandum Opinion, Dkt. No. 286, In re The Budd Company, Inc., No. 14-11873 (Bankr. N.D. Ill. May 16, 2014) at n.1.
14. See Voluntary Petition, Dkt. No. 1, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. Dec. 15, 2013).
15. See Declaration in Support of the Debtor's Petition and First Day Motion, Dkt. No. 2, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. Dec. 15, 2013), at ¶ 10.

16. *Id.* at ¶ 11.
17. See Plan of Liquidation, Dkt. No. 52-1, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. April 14, 2014).
18. See Objection by United States Trustee to (I) Approval of Disclosure Statement for Debtor's Plan of Liquidation and (II) Confirmation of the Debtor's Plan of Liquidation, Dkt. No. 68, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. May 20, 2014).
19. See Notice of Filing of Revised Plan of Liquidation, Dkt. No. 79, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. May 25, 2014).
20. Minute of Hearing Held on May 28, 2014, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. May 28, 2014).
21. See Findings of Fact, Conclusions of Law, and Order Approving the Debtor's Disclosure Statement on a Final Basis and Confirming Debtor's Plan of Liquidation, Dkt. No. 81, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. June 5, 2014).
22. Notice of Appeal, Dkt. No. 86, In re Consolidated Aluminum Corporation, No. 13-37149 (Bankr. D.N.J. June 18, 2014).
23. See Voluntary Petition, Dkt. No. 1, In re Dowman Products Inc., No. 13-10741 (Bankr. C.D. Cal. January 25, 2013).
24. "Smoker's Asbestos Claims Fall Short with Jury," Kate Moser, Law.com, January 25, 2010. http://www.law.com/jsp/article.jsp?id=1202439424880&&Smokers_Asbestos_Claims_Fall_Short_With_Jury&slreturn=20130620224955.
25. Voluntary Petition, Dkt. No. 1, In re Dowman Products Inc., No. 13-10741 (Bankr. C.D. Cal. January 25, 2013).
26. Chapter 7 Trustee's Report of No Distribution, In re Dowman Products Inc., No. 13-10741 (Bankr. C.D. Cal. March 6, 2013).
27. See entry closing Dowman Product's bankruptcy case, Dkt. No. 4, In re Dowman Products Inc., No. 13-10741 (Bankr. C.D. Cal. April 26, 2013).
28. See Voluntary Petition, Dkt. No. 1, In re Rapid-American Corp., No. 13-10687 (Bankr. S.D. N.Y. March 8, 2013).
29. Declaration of Paul Weiner in Support of Chapter 11 Petition and First Day Pleadings, Dkt. No. 3, In re Rapid-American Corp., No. 13-10687 (Bankr. S.D. N.Y. March 8, 2013), ¶ 7.
30. *Id.*, at ¶¶ 7-10.
31. *Id.* at ¶ 12.
32. *Id.* at ¶ 17.
33. Appointment of Official Committee of Unsecured Creditors, Dkt. No. 37, In re Rapid-American Corporation, No. 13-10687-smb (Bankr. S.D.N.Y. March 28, 2013).
34. Order Approving and Authorizing the Appointment of Lawrence Fitzpatrick as the Future Claimants' Representative, Nunc Pro Tunc to July 11, 2013, Dkt. No. 129, In re Rapid-American Corp., No. 13-10687 (Bankr. S.D.N.Y. Sept. 3, 2013).
35. Third Order Extending The Exclusive Periods During Which Only the Debtor May File a Chapter 11 Plan and Solicit Acceptances Thereof, Dkt. No. 236, In re Rapid-American Corp., No. 13-10687 (Bankr. S.D. N.Y. Feb. 24, 2014).
36. See Voluntary Petition, Dkt. No. 1, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. Jan. 25, 2013).
37. Motion to Sell Property, Dkt. No. 38, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. March 26, 2013), ¶ 2.
38. See Motion Requesting Relief from Automatic Stay Pursuant to 11 U.S.C.A. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co. Pursuant to Fed.R. Bank P. 2004, Dkt. No. 50, In re Resillo Press Pad Co., No. 13-02916 (Bankr.

- N.D. Ill. June 26, 2013), ¶¶ 6-7; Motion Requesting Relief from Automatic Stay Pursuant to 11 U.S.C.A. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co. Pursuant to Fed.R. Bank P. 2004, Dkt. No. 68, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. Dec. 18, 2013); Motion Requesting Relief from Automatic Stay Pursuant to 11 U.S.C.A. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co. Pursuant to Fed.R. Bank P. 2004, Dkt. No. 73, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. June 26, 2013).
39. See Limited Objection of Fireman's Fund Insurance Company to the Motion of Betty Higgs Requesting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co., Pursuant to Fed. R. Bankr. P. 2004, Dkt. No. 53, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. July 11, 2013), ¶¶ 8-9; Limited Objection of Fireman's Fund Insurance Company to the Motion of Bruce McKim and Donna McKim Requesting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co., Pursuant to Fed. R. Bankr. P. 2004, Dkt. No. 71, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. Jan. 7, 2014); Limited Objection of Fireman's Fund Insurance Company to the Motion of Bruce Elsie McDonald Requesting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 and to Authorize Examination of Insurers of Resillo Press Pad Co., Pursuant to Fed. R. Bankr. P. 2004, Dkt. No. 75, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. Jan. 21, 2014).
40. *Id.* at ¶ 10.
41. See Omnibus Objection of Continental Insurance Company to the Motions of Roosevelt Quinn, Dorothy Phillips, John Clayton Sneed, Grace Nolan, and Gaither Ward Requesting Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362, Dkt. No. 100, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. March 17, 2014).
42. See Orders Modifying the Automatic Stay, Dkt. Nos. 101, 102, 103, 104, 105, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. March 18, 2014); Orders Modifying the Automatic Stay, Dkt. Nos. 107, 108, In re Resillo Press Pad Co., No. 13-02916 (Bankr. N.D. Ill. May 8, 2014).
43. See Voluntary Petition, Dkt. No. 1, In re Saberhagen Holdings, Inc., No. 13-13531 (Bankr. W.D. Wash. April 18, 2013).
44. Debtor's Motion to Dismiss This Bankruptcy Case, Dkt. No. 58, In re Saberhagen Holdings, Inc., No. 13-13531 (Bankr. W.D. Wash. June 13, 2013), ¶ 3.
45. *Id.* at ¶ 6.
46. *Id.* at ¶ 5.
47. *Id.* at ¶¶ 7-8.
48. See *id.*
49. *Id.* at 4-5.
50. See Bergman Plaintiffs' Response to Debtor's Motion to Dismiss the Bankruptcy Case, Dkt. No. 77, In re Saberhagen Holdings, Inc., No. 13-13531 (Bankr. W.D. Wash. June 26, 2013).
51. Order Dismissing Bankruptcy, Dkt. No. 84, In re Saberhagen Holdings, Inc., No. 13-13531 (Bankr. W.D. Wash. July 2, 2013).
52. Voluntary Petition, Dkt. No. 1, In re Yarway Corporation, No. 13-11025-BLS (Bankr. D. Del. Apr. 22, 2013).
53. Affidavit of Kevin Coen in Support of First Day Pleadings, Dkt. No. 3, In re Yarway Corporation, No. 13-11025-BLS (Bankr. D. Del. Apr. 22, 2013), at ¶¶ 1-2, 7.
54. *Id.* at ¶ 5.
55. *Id.* at ¶ 8.
56. *Id.* at ¶ 9.
57. *Id.* at ¶ 10.
58. Notice of Appointment of Committee of Asbestos Personal Injury Claimants, Dkt. No. 43, In re

- Yarway Corporation, No. 13-11025-BLS (Bankr. D. Del. May 6, 2013).
59. Order Appointing James L. Patton, Jr., Esq. as Legal Representative for Future Asbestos Personal Injury Claimants Nunc Pro Tunc to the Petition Date, Dkt. No. 88, In re Yarway Corporation, No. 13-11025-BLS (Bankr. D. Del. May 28, 2013).
60. Order Pursuant to 11 U.S.C. § 1121 Further Extending the Exclusive Periods Within Which the Debtor May File a Plan of Reorganization and Solicit Acceptances Thereof, Dkt. No. 434, In re Yarway Corporation, No. 13-11025 (BLS) (Bankr. D. Del. April 7, 2014).
61. *Id.*
62. See Joint Chapter 11 Plan, Dkt. No. 421, In re CFB Liquidating Corporation, No. 01-45483 (Bankr. N.D. Cal. June 1, 2012), p. 2.
63. *Id.*
64. *Id.* at 11.
65. Order Confirming the Joint Chapter 11 Plan, Dkt. No. 460, In re CFB Liquidating Corporation, No. 01-45483 (Bankr. N.D. Cal. Sept. 7, 2012).
66. Motion to Dismiss and Motion to Convert Case from 11 to 7, Dkt. No. 141, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. Aug. 29, 2012).
67. *Id.* at ¶¶ 1, 4-6.
68. Debtor's Response to Shipley's Motion to Dismiss or Convert, Dkt. No. 159, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. Sept. 28, 2012).
69. Order Granting Motion to Convert Case from Chapter 11 to 7, Dkt. No. 180, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. Oct. 22, 2012).
70. Trustee's Motion for Approval of Proposed Settlement Agreement and Release, Dkt. No. 220, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. Feb. 14, 2014).
71. Great American Insurance Company's Objection to Trustee's Motion for Approval of Proposed Settlement Agreement and Release, Dkt. No. 226, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. March 6, 2014), at 2-4.
72. *Id.* at 4.
73. Columbia Casualty Company's Objection to Trustee's Motion for Approval of Proposed Settlement Agreement, Dkt. No. 230, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. March 11, 2014), at 3.
74. *Id.*
75. Trustee's Response to Objection of Great American Insurance Company to Trustee's Proposed Settlement and Release Agreement, Dkt. No. 228, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. March 10, 2014), at 1-2.
76. *Id.* at 2.
77. See Trustee's Response to Objection of Columbia Casualty Company to Trustee's Proposed Settlement and Release Agreement, Dkt. No. 254, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. June 10, 2014).
78. Order, Dkt. No. 266, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. June 30, 2014).
79. Memorandum Opinion at 4, Dkt. No. 273, In re The C.P. Hall Co., No. 11-26443 (Bankr. N.D. Ill. July 15, 2014).
80. *In re C.P. Hall Co.*, — F.3d —, 2014 WL 1628119 (2014).
81. *Id.* at *1.
82. *Id.* at *2.
83. See Findings of Fact and Conclusions of Law Confirming Second Amended Joint Chapter 11 Plan of Reorganization for Durabla Manufacturing Company and Durabla Canada, Ltd., as Modified, Dkt. No. 889, In re Durabla Mfg. Co., No. 09-14415-MFW (Bankr. D. Del. June 27, 2012).

84. *See* Order Affirming the Bankruptcy Court's Order Confirming the Second Amended Joint Chapter 11 Plan of Reorganization for Durabla Manufacturing Company and Durabla Canada, Ltd., as Modified, Dkt. No. 3, In re Durabla Manufacturing Company and Durabla Canada, Ltd., No. 1:12-mc-00144-SLR (D. Del. Aug. 2, 2012).
85. *See* (1) Findings of Fact, (2) Conclusions of Law, (3) Order and Notice of Certain Bar Dates, and (4) Order Regarding Confirmation of the Amended Joint Plan of Reorganization in Respect of the Flintkote Company and Flintkote Mines Limited (As Modified November 16, 2011), Dkt. No. 7254, In re The Flintkote Company and Flintkote Mines Limited, No. 04-11300 (JKF) (Bankr. D. Del. Dec. 21, 2012).
86. *See* Notice of Appeal, Dkt. No. 7286, In re The Flintkote Company and Flintkote Mines Limited, No. 04-11300 (JKF) (Bankr. D. Del. Jan. 4, 2013).
87. *See* Imperial Tobacco Canada Limited's and Certain Wholly Owned Subsidiaries' Statement of Issues to be Presented and Designation of Items to be Included on Appeal, Dkt. No. 2, In re The Flintkote Company and Flintkote Mines Limited, No. 13-cv-00227 (D. Del. Feb. 12, 2013).
88. *See* Order Affirming Confirmation of Amended Joint Plan of Reorganization in Respect of The Flintkote Company and Flintkote Mines Limited (As Modified November 16, 2011), Issuing Channeling Injunction Under 11 U.S.C. § 524(g), Issuing the Mines Liquidating Injunction Under 11 U.S.C. § 105(a), and Adopting Findings of Fact, Conclusions of Law and the Memorandum Opinion Overruling Objections to the Amended Joint Plan of Reorganization, Dkt. No. 48, In re The Flintkote Company and Flintkote Mines Limited, No. 13-cv-00227 (D. Del. July 10, 2014).
89. *See* Memorandum Opinion, Dkt. No. 47, In re The Flintkote Company and Flintkote Mines Limited, No. 13-cv-00227 (D. Del. July 10, 2014) at 7.
90. *See id.* at 12-14.
91. *See* Debtors' Trial Brief and Summary of Evidence to be Presented at Trial, Dkt. No. 3002, In re Garlock Sealing Technologies LLC, No. 10-31607 (Bankr. W.D.N.C. July 8, 2013).
92. *See* Trial Brief of the Official Committee of Asbestos Personal Injury Claimants For Estimation of Pending and Future Mesothelioma Claims, Dkt. No. 3024, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 10, 2013).
93. *See* Motion of Debtors to Remove Confidentiality Designations From Certain Evidence For Purposes of Trial, Dkt. No. 2979, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 3, 2013).
94. *Id.* at 5, 7.
95. *See* Certain Law Firms' Objection to Debtors' Motion to Remove Confidentiality Designations From Certain Evidence for Purposes of Trial, Dkt. No. 3045, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 17, 2013).
96. *See* Opposition of the Official Committee of Asbestos Personal Injury Claimants to Motion of Debtors to Remove Confidentiality Designations from Certain Evidence for Purposes of Trial, Dkt. No. 3046, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 17, 2013).
97. *See* Order Regarding Use of Confidential Material at the Estimation Hearing, Dkt. No. 3060, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 23, 2013).
98. *See* Motion by Legal Newline to Open Proceedings to the Public, Dkt. No. 3065, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 30, 2013).
99. *See* Opposition of the Official Committee of Asbestos Personal Injury Claimants to Motion by Legal Newline to Open Proceedings to the Public, Dkt. No. 3068, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 30, 2013) at 4-5.

100. Order Denying Motion of Legal Newswire to Open Proceedings to the Public, Dkt. No. 3069, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 31, 2013).
101. See Notice of Appeal by Legal Newswire, Dkt. No. 3080, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Aug. 13, 2013).
102. See *In re* Garlock Sealing Technologies, Inc., 504 B.R. 71 (Bankr. W.D.N.C. 2014).
103. *Id.* at 73.
104. *Id.* at 85, 87.
105. See Motion for Access to Rule 2019 Statements and Exhibits, Dkt. No. 3350, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Feb. 19, 2014).
106. See Ford Motor Company's Motion for Access to Rule 2019 Filings and to Unseal the Evidence of "Demonstrable Misrepresentation," Dkt. No. 3377, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. March 14 2014).
107. See Joinders of Honeywell International Inc., Volkswagen Group of America, Crane Co., Resolute Management, Inc., and the AIG Member Companies in Ford Motor Company's Motion for Access to Rule 2019 Filings and to Unseal the Evidence of "Demonstrable Misrepresentation," Dkt. Nos. 3409, 3413, 3424, and 3377, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. March 24, 25, and 27, 2014).
108. See Motion of Specialty Products Holding Corp. and Bondex International, Inc. for Access to Rule 2019 Statements, Ballot Materials, and Certain Sealed Evidence, Dkt. No. 3478, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Apr. 1, 2014).
109. See Opposition of the Official Committee of Asbestos Personal Injury Claimants to Motion for Access to Rule 2019 Statements and Exhibits, Dkt. No. 3395, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. March 14, 2014). See also joinders at Dkt. Nos. 3396, 3397, 3398, 3399, 3408; Opposition of the Official Committee of Asbestos Personal Injury Claimants to Motion of Specialty Products Holding Corp. and Bondex International, Inc. for Access to Rule 2019 Statements, Ballot Materials and Certain Sealed Evidence, Dkt. No. 3546, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Apr. 15, 2014).
110. See Order Granting Motion for Access to Rule 2019 Statements and Exhibits, Dkt. No. 3539, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Apr. 14, 2014); Order Granting Ford Motor Company's Motion for Access to Rule 2019 Filings, Dkt. No. 3618, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 6, 2014).
111. See Order, Dkt. No. 3525, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Apr. 11, 2014).
112. See Notice of Appeal filed by Ford Motor Company, Dkt. No. 3572, Notice of Appeal filed by Legal Newswire, Dkt. No. 3573, Notice of Appeal filed by Garlock Sealing Technologies LLC, Dkt. No. 3577, Notice of Appeal filed by Honeywell International, Inc., Dkt. No. 3578, Notice of Appeal filed by AIG Member Companies, Dkt. No. 3579, Notice of Appeal by Volkswagen Group of America, Dkt. No. 3581, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. Apr. 24-25, 2014).
113. See Order Granting Motion for Stay of Order Granting Ford Motor Company's Motion for Access to Rule 2019 Filings, Dkt. No. 3622, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 7, 2014).
114. See Notice of Appeal by Ford Motor Company, Dkt. No. 3623, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 7, 2014).
115. See Motion for Reconsideration of This Court's May 6 Order Granting Ford Motor Company's Motion for Access to Rule 2019 Filings and All

- Joinders to That Motion, Dkt. No. 3670, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 16, 2014).
116. See Joint Objection to Motion for Reconsideration of This Court's May 6 Order Granting Ford Motor Company's Motion for Access to Rule 2019 Filings and All Joinders to That Motion, Dkt. No. 3720, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. June 2, 2014).
117. See Amended Order Granting Ford Motor Company's Motion for Access to Rule 2019 Filings, Dkt. No. 3855, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 9, 2014).
118. See Debtors' First Amended Plan of Reorganization, Dkt. No. 3708, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 29, 2014); Disclosure Statement for Debtors' First Amended Plan of Reorganization, Dkt. No. 3710, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. May 29, 2014).
119. See Motion of the Official Committee of Asbestos Personal Injury Claimants to Reopen the Record of the Estimation Proceeding, Dkt. No. 3725, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. June 4, 2014).
120. *Id.* at 2-3.
121. *Id.* at 3-4.
122. Debtor's Opposition To The Motion Of The Official Committee Of Asbestos Personal Injury Claimants To Reopen The Record Of The Estimation Proceeding, Dkt. No. 3838, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. July 3, 2014).
123. *Id.* at 3-4.
124. See Coltec Industries Inc.'s Response to the Motion of the Official Committee of Asbestos Personal Injury Claimants to Reopen the Record of the Estimation Proceeding, Dkt. No. 3817, In re Garlock Sealing Technologies, LLC, No. 10-31607 (Bankr. W.D.N.C. June 27, 2014), at 1.
125. *Id.* at 12-19.
126. Hartford Acc. & Indem. Co. v. Global Industrial Technologies, Inc. (In re Global Indus. Techs., Inc.), 645 F.3d 201 (3d Cir. 2011), *cert. denied*, 132 S. Ct. 551 (2011).
127. See August 29, 2012 Technical Amendments to Third Amended Plan of Reorganization of Global Industrial Technologies, Inc. *et al.*, Dated December 28, 2005, Dkt. No. 10698, In re Global Industrial Technologies, Inc., No. 02-21626 (Bankr. W.D. Pa. Aug. 29, 2012).
128. See Findings of Fact, Conclusions of Law and Recommendation to District Court to Affirm Confirmation of Third Amended Plan of Reorganization as Amended through September 21, 2012, and as Supplemented by Supplements through October 12, 2012, Dkt. No. 11022, In re Global Industrial Technologies, Inc., No. 02-21626 (Bankr. W.D. Pa. Feb. 13, 2013), and Revised Order Confirming Third Amended Plan of Reorganization of Global Industrial Technologies, Inc. *et al.*, Dated December 28, 2005, as Supplemented, Dkt. No. 11037, In re Global Industrial Technologies, Inc., No. 02-21626 (Bankr. W.D. Pa. Feb. 15, 2013).
129. See Order Affirming the Bankruptcy Court's Order Confirming the Third Amended Plan of Reorganization of Global Industrial Technologies, Inc. *et al.*, Dkt. No. 44, In re Global Industrial Technologies, Inc., No. 07-1749 (W.D. Pa. March 11, 2013).
130. Joint Consent Motion for Limited Relief from the Automatic Stay, Dkt. No. 1071, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Oct. 20, 2010).
131. See Opposition of the Law Offices of Peter T. Nicholl to Joint Consent Motion for Limited Relief from Stay and Motion to Compel Production of Documents, Dkt. No. 1092, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Nov. 9, 2010).

132. *See* Memorandum Order Granting Limited Relief with Respect to Joint Consent Motion for Limited Relief from the Automatic Stay, Dkt. No. 1135, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Sept. 30, 2011).
133. *See* Joint Consent Motion for Relief from the Automatic Stay to Permit the Joint Movants to Perform Their Obligations Under and to Implement Their Settlement Agreement, Dkt. No. 1172, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Sept. 5, 2012).
134. *Id.* at ¶¶ 9-13.
135. *Id.* at ¶¶ 16-24.
136. *See* Opposition by the Nicholl Claimants to Joint Consent Motion for Relief from the Automatic Stay, Dkt. No. 1189, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Sept. 28, 2012).
137. *See* Memorandum Order Granting Joint Consent Motion for Relief from the Automatic Stay to Permit the Joint Movants to Perform Obligations Under and to Implement Settlement Agreement, Dkt. No. 1200, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Nov. 29, 2012).
138. *See* Memorandum Order Denying Motion for Reconsideration of the Order Granting Joint Consent Motion for Relief from the Automatic Stay to Permit the Joint Movants to Perform Obligations Under and to Implement Settlement Agreement, Dkt. No. 1216, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. March 29, 2013).
139. *See* Notice of Appeal, Dkt. No. 1218, In re Lloyd E. Mitchell, Inc., No. 06-13250 (Bankr. D. Md. Apr. 11, 2013).
140. *See* Order, Dkt. No. 28, Nicholl Claimants v. Maryland Casualty Co., No. WDQ-13-1418 (D. Md. March 26, 2014).
141. *See* Notice of Appeal to the United States Court of Appeals for the Fourth Circuit, Dkt. No. 29, Nicholl Claimants v. Maryland Casualty Co., No. WDQ-13-1418 (D. Md. Apr. 7, 2014).
142. *See* Voluntary Petition, Dkt. No. 1, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Nov. 9, 2012).
143. *Id.* at ¶¶ 7-9.
144. *Id.* at ¶ 14.
145. *Id.* at ¶¶ 11, 15.
146. *Id.* at ¶¶ 17-27.
147. *Id.* at ¶ 27.
148. *See* Appointment of Official Committee of Unsecured Creditors, Dkt. No. 60, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Nov. 28, 2012); Order Appointing Lawrence Fitzpatrick, Esq., as Legal Representative for Future Claimants, Dkt. No. 93, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Jan. 16, 2013).
149. *See* Plan of Reorganization of Metex Mfg. Corporation under Chapter 11 of the Bankruptcy Code, Dkt. No. 364, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Dec. 23, 2013); Disclosure Statement with Respect to Plan of Reorganization of Metex Mfg. Corporation under Chapter 11 of the Bankruptcy Code, Dkt. No. 364, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Dec. 23, 2013); Debtors' Motion for an Order (I) Approving Disclosure Statement Regarding Plan of Reorganization; (II) Establishing Procedures for Solicitation and Tabulation of Votes on the Plan; (III) Approving the Form of Ballots; (IV) Scheduling a Hearing to Consider Confirmation of the Plan and Approval of Nine Related Insurance Settlement Agreements; (V) Approving Procedures for Notice of Hearing to Consider Confirmation of the Plan and Approval of the Insurance Settlement Agreements and for Filing Objections Thereto; and (VI) Granting Related Relief, Dkt. No. 365, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. Dec. 23, 2013).

150. *See* Orders Authorizing and Approving Assumption of Settlement Agreements and Mutual Releases, Dkt. Nos. 554, 555, 560-566, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. June 23, 2014).
151. *See* Findings of Fact, Conclusions of Law, and Order Confirming Plan of Reorganization of Metex Mfg. Corporation Under Chapter 11 of the Bankruptcy Code, Dkt. No. 567, In re Metex Manufacturing Corp., Case No. 12-14554 (Bankr. S.D.N.Y. June 23, 2014).
152. *See* Debtor's Motion for an Order Affirming the Bankruptcy Court's Order Confirming the Plan of Reorganization of Metex Mfg. Corporation Under Chapter 11 of the Bankruptcy Code, Dkt. No. 1, In re Metex Mfg. Corp., No. 14MISC00213 (S.D.N.Y. Jul. 9, 2014).
153. *See* Order, Dkt. No. 003110238118, No. 08-3651, In re North American Refractories Co. (3d Cir. Aug. 3, 2010).
154. *See* Notice of Effective Date of Third Amended Plan of Reorganization of North American Refractories Company *et al.*, Dated December 28, 2005, Dkt. No. 7918, In re North American Refractories Co., No. 02-20198 (Bankr. W.D. Pa. May 1, 2013).
155. *See* In re Plant Insulation Co., 469 B.R. 843 (Bankr. N.D. Cal. 2012), *aff'd*, 485 B.R. 203 (N.D. Cal. 2012), *rev'd*, 734 F.3d 900 (9th Cir. 2013), *cert. denied*, 134 S.Ct. 1901 (2014).
156. *See* Order Confirming Amended and Restated Second Amended Plan of Reorganization of Plant Insulation Company, Dkt. No. 2074, In re Plant Insulation Company, Case No. 09-31347 (Bankr. N.D. Cal. Apr. 4, 2012).
157. *See* Fireman's Fund Ins. Co. v. Plant Insulation Co. (In re Plant Insulation Co.), 485 B.R. 203 (N.D. Cal. 2012), *rev'd*, 734 F.3d 900 (9th Cir. 2013), *cert. denied*, 134 S.Ct. 1901 (2014).
158. *See* Notice Regarding Occurrence of Effective Date, Establishment of the Trust, Issuance of the Injunctions, Effectiveness of the Discharge, and Effectiveness of Releases and Exculpations, Dkt. No. 2463, In re Plant Insulation Company, Case No. 09-31347 (Bankr. N.D. Cal. Nov. 19, 2012).
159. *See* In re Plant Insulation Co., 734 F.3d 900 (9th Cir. 2013), *cert. denied*, 134 S.Ct. 1901 (2014).
160. *See* Interim Order granting Motion to Preserve the Status Quo pending Entry of a Final Confirmation Order consistent with the Court of Appeals' Decision, Dkt. No. 2645, In re Plant Insulation Company, Case No. 09-31347 (Bankr. N.D. Cal. Nov. 26, 2013).
161. *See* Modifications to Amended and Restated Second Amended Plan of Reorganization of Plant Insulation Company, Dkt. No. 2636, In re Plant Insulation Company, Case No. 09-31347 (Bankr. N.D. Cal. Nov. 20, 2013).
162. *See* Order Confirming Amended and Restated Second Amended Plan of Reorganization of Plant Insulation Company, as Modified, Dkt. No. 2722, In re Plant Insulation Company, Case No. 09-31347 (Bankr. N.D. Cal. March 3, 2014).
163. *See* Order Setting Hearing And Granting Administrative Motions To File Under Seal, Dkt. No. 71, OneBeacon Ins. Co. v. Plant Insulation Co., Case No. 14-01200 (N.D. Cal. June 23, 2014).
164. *See* In re Quigley Co., 449 B.R. 196 (S.D.N.Y. 2011).
165. *See* In re Quigley Co., 676 F.3d 45, 60-62 (2d Cir. 2012), *cert. denied*, 2013 WL 3155260 (U.S. June 24, 2013).
166. *See* Fifth Amended and Restated Quigley Company, Inc. Plan of Reorganization, Dkt. No. 2405, In re Quigley Co., No. 04-15739 (SMB) (Bankr. S.D.N.Y. June 29, 2012); Sixth Amended and Restated Disclosure Statement with Respect to Fifth Amended and Restated Quigley Company, Inc. Plan of Reorganization, Dkt. No. 2407, In re Quigley Co., No. 04-15739 (SMB) (Bankr. S.D.N.Y. June 29, 2012).

167. See Sixth Amended and Restated Disclosure Statement with Respect to Fifth Amended and Restated Quigley Company, Inc. Plan of Reorganization, Dkt. No. 2407, In re Quigley Co., No. 04-15739 (SMB) (Bankr. S.D.N.Y. June 29, 2012), at 1-2.
168. *Id.* at 2.
169. See Findings of Fact, Conclusions of Law, and Order (i) Confirming Quigley Company Inc.'s Chapter 11 Plan of Reorganization Under 11 U.S.C. § 1129(a) and (ii) Recommending Affirmance by the U.S. District Court, Dkt. No. 2670, In re Quigley Co., No. 04-15739 (SMB) (Bankr. S.D.N.Y. July 2, 2013).
170. See Notice of Entry of Order Under 11 U.S.C. § 524(g)(3)(A) Affirming Bankruptcy Court's Confirmation of Chapter 11 Reorganization Plan, Dkt. No. 2681, In re Quigley Co., No. 04-15739 (SMB) (Bankr. S.D.N.Y. Aug. 2, 2013) at Exh. A.
171. See Memorandum Opinion, Dkt. No. 3852, In re Specialty Prods. Holding Corp., Case No. 10-11780-JKF (Bankr. D. Del. May 20, 2013).
172. See Memorandum, In re Specialty Prods. Holding Corp., Dkt. No. 25, Case No. 13-1244 (D. Del. Feb. 7, 2014).
173. See Order, Dkt. No. 27, In re Specialty Prods. Holding Corp., Dkt. No. 25, Case No. 13-1244 (D. Del. Feb. 19, 2014).
174. See Petition for Permission to Appeal Under 28 U.S.C. § 158(d), Dkt. No. 003111557557, In re Specialty Prods. Holding Corp., No. 14-8020 (3d Cir. Mar. 10, 2014).
175. See Response of the Future Claimants' Representative In Opposition to (1) Debtors' Petition for Permission to Appeal Under 28 U.S.C. § 158 and (2) Petition of RPM International Inc. for Direct Appeal of the Bankruptcy Court's Estimation Order Pursuant to 28 U.S.C. § 158(d)(2), Dkt. No. 003111565568, In re Specialty Prods. Holding Corp., No. 14-8020 (3d Cir. Mar. 20, 2014); Opposition of the Official Committee of Asbestos Personal Injury Claimants to (1) Debtors' Petition for Permission to Appeal Under 28 U.S.C. § 158 and (2) Petition of RPM International Inc. for Direct Appeal of the Bankruptcy Court's Estimation Order Pursuant to 28 U.S.C. § 158(d)(2), Dkt. No. 003111565598, In re Specialty Prods. Holding Corp., No. 14-8020 (3d Cir. Mar. 20, 2014).
176. See Order, Dkt. No. 003111579227, In re Specialty Prods. Holding Corp., No. 14-8020 (3d Cir. Apr. 4, 2014).
177. See Second Amended Plan Proposed by the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative for Specialty Products Holding Corp., Dkt. No. 4032, In re Specialty Prods. Holding Corp., Case No. 10-11780-PJW (Bankr. D. Del. Aug. 2, 2013); First Amended Joint Plan of Reorganization of Specialty Products Holding Corp. and Bondex International, Inc., Dkt. No. 4271, In re Specialty Prods. Holding Corp., No. 10-11780-PJW (Bankr. D. Del. Nov. 1, 2013).
178. See Debtors' (I) Objection to Joint Emergency Bar Date Motion of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative and (II) Cross Motion for Additional Bar Dates and Related Relief, Dkt. No. 4196, In re Specialty Prods. Holding Corp., Case No. 10-11780-PJW (Bankr. D. Del. Oct. 15, 2013).
179. See *id.*, citing *Jeld-Wen, Inc. v. Van Brunt (In re Grossman's, Inc.)*, 607 F.3d 114 (3d Cir. 2010).
180. Transcript of Nov. 5, 2013 Electronic Recording Before The Hon. Peter J. Walsh, Dkt. No. 4286, In re Specialty Prods. Holding Corp., No. 10-11780-PJW (Bankr. D. Del. Nov. 7, 2013) at 40:8-10.
181. See Modified Third Amended Plan of Reorganization for Pittsburgh Corning Corporation Dated January 29, 2009 Jointly Proposed by Pittsburgh Corning Corporation, the Official Committee of Asbestos Creditors and the Future Claimants' Representative, Dkt. No. 8928, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. Aug. 17, 2012).

182. *See* Revised Memorandum Opinion Setting Forth Findings of Fact and Conclusions of Law regarding Confirmation of the Modified Third Amended Plan of Reorganization as Modified through May 15, 2013, and the Asbestos Permanent Channeling Injunction, Dkt. No. 9443-2 and Final Order Confirming Modified Third Amended Plan of Reorganization as Modified through May 15, 2013, and, Pursuant to 11 U.S.C. § 524(g), Issuing Asbestos Permanent Channeling Injunction, Dkt. No. 9443-3, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. Aug. 24, 2013).
183. *See* Mt. McKinley Insurance Company's and Everest Reinsurance Company's Motion to Reconsider, Dkt. No. 9471, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. June 6, 2013).
184. *See* Amended Notice of Appeal, Dkt. No. 9475, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. June 7, 2013).
185. *See* Memorandum Opinion, Dkt. No. 9693, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. November 12, 2013), In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. Nov. 25, 2013).
186. *See* Mt. McKinley Insurance Company's and Everest Reinsurance Company's Notice of Appeal, Dkt. No. 9721.
187. *See* Notice of Appeal, Dkt. No. 9724, In re Pittsburgh Corning Corp., No. 00-22876 (Bankr. W.D. Pa. Nov. 25, 2013).
188. *See* Order of Court Resolving Appeals, Dkt. No. 33, In re Pittsburgh Corning Corp., No. 11-1406, In re Mid-Valley, Inc., No. 11-1439, and In re North American Refractories Co., No. 11-1452, (W.D. Pa. Mar. 19, 2013).
189. *See* In re American Capital Equipment LLC and Skinner Engine Co., 688 F.3d 145 (3d Cir. 2012).
190. *See* Order Granting Motion of Chapter 7 Trustee to Dismiss Chapter 7 Cases, Dkt. No. 1416, In re Skinner Engine Company, Inc., No. 01-23987 (Bankr. W.D. Pa. Sept. 11, 2013).
191. *See* Copy of District Court Order Authorizing Confirmation of the Second Amended Chapter 11 Plan of Reorganization for State Insulation Corporation, Dkt. No. 404, In re State Insulation Corp., No. 11-15110 (Bankr. D.N.J. Mar. 14, 2012).
192. *See* Notice of (I) Entry of Confirmation Order, (II) Occurrence of the Effective Date of the Plan, and (III) Deadline to File Administrative Expense Claims, Dkt. No. 351, In re State Insulation Corp., No. 11-15110 (Bankr. D.N.J. June 25, 2012).
193. *See* The AIG Member Companies' Motion to Reopen Chapter 11 Case Pursuant to Section 350(b) of Title 11 of the United States Code, Federal Rule of Bankruptcy 5010, and Local Bankruptcy Rule for the Southern District of New York 5010-1, Dkt. No. 614, In re T H Agriculture & Nutrition, L.L.C., No. 08-14692 (Bankr. S.D.N.Y. Mar. 3, 2014).
194. *See* Response of the TH Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust in Opposition to the AIG Member Companies' Motion to Reopen Chapter 11 Case Pursuant to Section 350(b) of the Bankruptcy Code, Dkt. No. 617, In re T H Agriculture & Nutrition, L.L.C., No. 08-14692 (Bankr. S.D.N.Y. Mar. 12, 2014), at 7-11.
195. *Id.* at 12-21.
196. *See* Objection of T H Agriculture & Nutrition, L.L.C. and Philips Electronics North America Corporation to AIG Member Companies' Motion to Reopen Chapter 11 Case, Dkt. No. 619, In re T H Agriculture & Nutrition, L.L.C., No. 08-14692 (Bankr. S.D.N.Y. Mar. 12, 2014).
197. *See* Order Denying Motion of AIG Member Companies to Reopen Chapter 11 Case, Dkt. No. 653, In re T H Agriculture & Nutrition, L.L.C., No. 08-14692 (Bankr. S.D.N.Y. June 11, 2014).
198. *See* Complaint, AIU Insurance Company et al. v. Philips Electronics North America et al., Transaction ID 55665855, No. 9852 (Del. Ch. July 2, 2014).

199. *Id.* at ¶¶ 74-82.
200. *See* Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (In re Thorpe Insulation Co.), 677 F.3d 869 (9th Cir. 2012).
201. On April 3, 2012, the Ninth Circuit denied the plan proponents' motion for rehearing *en banc* and remanding the case to the district court with instructions to return the case to the bankruptcy court for further confirmation proceedings. *See* Notice of Issuance of District Court Remand from Appeals of Order Confirming Plan, Dkt. No. 3199, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. Apr. 17, 2012).
202. *See* Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand), Dkt. No. 3397, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. March 20, 2013).
203. *See* Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand), Dkt. No. 3397, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. March 20, 2013).
204. *See* Findings of Fact and Conclusions of Law in Support of Confirmation of Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand), Dkt. No. 3428, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. May 8, 2013); Order Confirming Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand), Dkt. No. 3429, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. May 8, 2013).
205. *See* Notice of Entry of District Court Order Affirming Bankruptcy Court's Order Confirming Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand), Dkt. No. 3436, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. June 6, 2013).
206. *See* Notice of (1) Effective Date and Confirmation Remand Effective Date under Sixth Amended Joint Plan of Reorganization of Thorpe Insulation Company and Pacific Insulation Company (Following Remand); and (2) Issuance of Injunctions, Dkt. No. 3439, In re Thorpe Insulation Co., Case No. 2:07-bk-19271-BB (Bankr. C.D. Cal. July 9, 2013).
207. Plan of Reorganization, Dkt. No. 847, In re United Gilsonite Laboratories, No. 5:11-bk-02032 (Bankr. M.D. Pa. Sept. 21, 2012).
208. *Id.* at ¶¶ 9.1, 11.5.
209. Joint Motion of the Official Committee of Unsecured Creditors and the Future Claimants Representative for Entry of an Order Granting Leave, Standing, and Authority to Prosecute Claims on Behalf of the Debtor's Estate, Dkt. No. 1303, In re United Gilsonite Laboratories, No. 5:11-bk-02032 (Bankr. M.D. Pa. June 24, 2013).
210. *Id.* at ¶ 2.
211. Debtor's Objection to Joint Motion of the Official Committee of Unsecured Creditors and the Future Claimants Representative for Entry of an Order Granting Leave, Standing, and Authority to Prosecute Claims on Behalf of the Debtor's Estate, Dkt. No. 1328, In re United Gilsonite Laboratories, No. 5:11-bk-02032 (Bankr. M.D. Pa. July 18, 2013), ¶ 2.
212. *See* Limited Objection to Joint Motion of the Official Committee of Unsecured Creditors and the Future Claimants Representative for Entry of an Order Granting Leave, Standing, and Authority to Prosecute Claims on Behalf of the Debtor's Estate, Dkt. No. 1329, In re United Gilsonite Laboratories, No. 5:11-bk-02032 (Bankr. M.D. Pa. July 18, 2013).
213. *See* Letter regarding February 19, 2014 Hearing, Dkt. No. 1656, In re United Gilsonite Laboratories, No. 5:11-bk-02032 (Bankr. M.D. Pa. Feb. 18, 2014).

214. See Amended Memorandum Opinion, Dkt. No. 217, In re W.R. Grace & Co., No. 1:11-cv-199-RLB (D. Del. June 11, 2012).
215. *Id.*
216. See Notices of Appeal, Dkt. Nos. 223, 231-233, 235-238, In re W.R. Grace & Co., No. 1:11-cv-199-RLB (D. Del. July 11, 2012).
217. See In re W.R. Grace & Co., 532 Fed. Appx. 264 (3d Cir. 2013).
218. *Id.* at 267.
219. See In re W.R. Grace & Co., 729 F.3d 332 (3d Cir. 2013).
220. See In re W.R. Grace & Co., 729 F.3d 311 (3d Cir. 2013).
221. See 11 USC § 727(a)(1), 11 USC § 1141(d)(3).
222. See, e.g., Mich. Comp. Laws Ann. § 450.1842a (claims barred unless brought within 1 year after receiving dissolution notice); Conn. Gen. Stat. § 33-387 (claims barred unless brought within 3 years after receiving dissolution notice); Ky. Stat. 271B.14-070 (claims barred unless brought within 2 years after publication notice of dissolution); Miss. Rev. Stat. §§ 351.1174, 351.1207 (creditor claims after dissolution “forever barred” unless brought within 2 years after notice of dissolution). *But see* Mass. G.L. c. 156D § 14.09(a) (claims not barred by statute of limitations may be enforced against the dissolved corporation to the extent of any undistributed assets, including proceeds available under an insurance policy); Cal. Corp. Code § 2011(a) (causes of action against dissolved corporation may be enforced against the dissolved corporation to the extent of any undistributed assets, including any insurance assets); N.Y. BSC. Law § 1007 (claims may be allowed against dissolved corporation against “any remaining assets of the corporation in the case of a creditor who shows a satisfactory reasons for his failure to file his claim”).
223. See Plevin, *et al.*, *Where Are They Now, Part Six: An Update on Developments In Asbestos-Related Bankruptcy Cases*, Mealey’s Asbestos Bankruptcy Report, Vol. 11, No. 7 (Feb. 2012) at 12-13.
224. See Memorandum Opinion at 7, Dkt. No. 47, In re The Flintkote Company and Flintkote Mines Limited, No. 13-cv-00227 (D. Del. July 10, 2014).
225. *Id.* at 12-13.
226. In re Combustion Eng’g, Inc., 391 F.3d 191, 248 (3d Cir. 2004).
227. See Government Accountability Office, “Asbestos Injury Compensation: The Role and Administration of Asbestos Trusts,” Report to the Chairman, Committee on the Judiciary, House of Representatives, Publication No. GAO-11-819 (Sept. 2011), at 3.
228. See Scarcella *et al.*, *Asbestos Bankruptcy Trusts: A 2013 Overview of Trust Assets, Compensation & Governance*, Mealey’s Asbestos Bankruptcy Report, Vol. 12, No. 11 (June 2013) at 35.
229. See Shelley *et al.*, *The Need for Further Transparency Between the Tort System and Section 524(g) Asbestos Trusts, 2014 Update – Judicial and Legislative Developments and Other Changes in the Landscape Since 2008*, 23 *Widener L.J.* 675, 676-77 (2014).
230. *Id.* at 679, 681-93.
231. Plevin, *The Garlock Estimation Decision: Why Allowing Debtors and Defendants Broad Access to Claimant Materials Could Help Promote the Integrity of the Civil Justice System*, 23 *Norton J. of Bankr. Law & Prac.* (Aug. 2014) (the “Garlock Article”).
232. In re Garlock Sealing Technologies, LLC, 504 B.R. 71, 82 (Bankr. W.D. N.C. 2014).
233. *Id.* at 84.
234. Plevin, Garlock Article at § IV.
235. *Id.* at § V.

- 236. Motor Vehicle Cas. Co. v. Thorpe Insulation Co. (*In re Thorpe Insulation Co.*), 671 F.3d 980 (9th Cir. 2012).
- 237. *In re Federal-Mogul Global Inc.*, 684 F.3d 355 (3d Cir. 2012).
- 238. *In re Global Indus. Techs. Inc.*, 645 F.3d 201 (3d Cir. 2011) (*en banc*).
- 239. See Davis & Plevin, *The Rest of the Story: Lessons from Leslie Controls*, 30 Am. Bankr. L.J. No. 5 (June 2011). ■

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