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S.C. SUPREME COURT

Exhibit 1

May 13, 2025 Affidavit of Service

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re	)	Chapter 15
Asbestos Corporation Limited, ¹	)	Case No. 25-10934 (MG)
Debtor in Foreign Proceeding.	)	

AFFIDAVIT OF SERVICE

I, Asir Ashraf, depose and say that I am employed by Kroll Restructuring Administration LLC ("**Kroll**"), the proposed claims, noticing and solicitation agent for the Debtor in the above-captioned chapter 15 case.

On May 8, 2025, at my direction and under my supervision, employees of Kroll caused the following documents to be served by (i) the method and on the parties set forth on the Master Service List attached hereto as **Exhibit A**, (ii) overnight mail on the Litigation Service List attached hereto as **Exhibit B**, and (iii) overnight mail on the Counsel Service List attached hereto as **Exhibit C**:

- Notice of Filing and Hearing on Verified Petition for Recognition of Foreign Proceeding and Request for Related Relief
- Chapter 15 Petition for Recognition of Foreign Proceeding [Docket No. 1]
- Declaration of Ayman Chaaban Pursuant to 28 U.S.C. § 1746 [Docket No. 2]
- Declaration of Alain N. Tardif as Canadian Counsel in Support of the Debtor's Chapter 15 Petition and First Day Pleadings [Docket No. 3]
- Verified Petition and Motion of Foreign Representative for (A) Recognition of the CCAA Proceeding as a Foreign Main Proceeding or, Alternatively, as a Foreign Nonmain Proceeding, and (B) Certain Related Relief [Docket No. 4]
- Application of Foreign Representative for Order (I) Scheduling a Hearing on the Verified Petition of Asbestos Corporation Limited and Motion for Recognition and (II) Specifying Form and Manner of Service and Notice [Docket No. 6]
- Temporary Restraining Order [Docket No. 8]

¹ The Debtor in this chapter 15 case, along with its unique identifier, is Asbestos Corporation Limited (Canadian Federal Business Number: 104903273RC0001). The Debtor has a registered and business address in Canada of 840 Boul. Ouellet, Thetford Mines, QC G6G 7A5, Canada.

- Motion for (I) *Ex Parte* Emergency Relief and (II) Provisional Relief Pursuant to 11 U.S.C. Section 1519 and 105(a) [Docket No. 9]

In addition to the documents listed above, the parties on the Counsel Service List were also served, via overnight mail, with a customized slip sheet listing the known plaintiffs represented by each firm on the Counsel Service List.

Dated: May 13, 2025

/s/ Asir Ashraf
Asir Ashraf

State of New York
County of New York

Subscribed and sworn (or affirmed) to me on May 13, 2025, by Asir Ashraf, proved to me on the basis of satisfactory evidence to be the person who executed this affidavit.

/s/ HERBERT BAER
Notary Public, State of New York
No BA6205563
Qualified in Westchester County
Commission Expires May 11, 2029

Exhibit A

DESCRIPTION	NAME	ADDRESS	EMAIL	METHOD OF SERVICE
Charles Forman, Chapter 7 Trustee for the Estate of National Services Industries, Inc.	Charles Forman, Chapter 7 Trustee for the Estate of National Services Industries, Inc.	Attn: Forman Holt 365 West Passaic Street Rochelle Park NJ 07662		Overnight Mail
General Dynamics Corporation	General Dynamics Corporation	Attn: Donald Bernstein c/o Davis Polk & Wardwell LLP 450 Lexington Ave New York NY 10017	donald.bernstein@davispolk.com	Overnight Mail and Email
General Dynamics Corporation	General Dynamics Corporation	Attn: President or General Counsel 11011 Sunset Hills Road Reston VA 20190		Overnight Mail
Counsel to the Debtor	Orrick, Herrington & Sutcliffe LLP	Attn: Michael Trentin Evan C. Hollander, Daniel A. Rubens, Jenna MacDonald Busche 51 West 52nd Street New York NY 10019	mtrentin@orrick.com echollander@orrick.com drubens@orrick.com jmacdonaldbusche@orrick.com	Email
Counsel to the Receiver	Peter Protopapas	c/o Pierce Sloan Kennedy & Early 321 E Bay St Charleston SC 29401		Overnight Mail
The Receiver	Rikard & Protopapas, LLC	Attn: Peter Protopapas 2110 N Beltline Blvd Columbia SC 29204		Overnight Mail
Simpson Thacher & Bartlett LLP	Simpson Thacher & Bartlett LLP	Attn: David Zylberberg 425 Lexington Avenue New York NY 10017	david.zylberberg@stblaw.com	Overnight Mail and Email
Stikeman Elliott LLP	Stikeman Elliott LLP	Attn: Nathalie Nouvet 1155 René-Lévesque Blvd West 41st Floor Montréal QC H3B 3V2 Canada	nnouvet@stikeman.com	Overnight Mail and Email
Office of the United States Trustee for Region 2	Office of the United States Trustee	Attn: Andrew D. Velez-Rivera Alexander Hamilton U.S. Custom House One Bowling Green, Room 534 New York NY 10004	andy.velez-rivera@usdoj.gov	Overnight Mail and Email

Exhibit B

Exhibit B

Litigation Service List
Served via Overnight Mail

AddressID	Name	Address	City	State	Postal Code
30392879	Watts, Jhonny A	Address on File			
30392876	Aufrecht, Kay R	Address on File			
30393024	Brunet, Edward P	Address on File			
30393040	Doiron, Robert	Address on File			
30393038	Faciane, Thomas	Address on File			
30392880	Facundus, Donald	Address on File			
30393026	Henderson, Warren S	Address on File			
30393042	Honeycutt, John L	Address on File			
30392875	Lucas, Leila	Address on File			
30393041	McMorris, Joe	Address on File			
30393025	Miano, Joseph C	Address on File			
30392877	Nunez, Elaine	Address on File			
30392878	Oestrieher , Paul P	Address on File			
30393027	Stalling Jr, Marvin Jeffrey	Address on File			
30393028	Stalling, MJ	Address on File			
30393039	Trosclair, J.D.	Address on File			
30392882	Turner, Jeannette J	Address on File			
30393035	Vigne Jr, Arthur	Address on File			

Exhibit C

Exhibit C

Counsel Service List

Served via Overnight Mail

AddressID	Name	Address	City	State	Postal Code
30388913	Amato & Creely	901 Derbigny St	Gretna	LA	70053
30389688	Ardoyn Law Firm PC	12621 Featherwood Dr Ste 322	Houston	TX	77034
30392433	Baggett Mccall & Burgess	C/O William B. Baggett, Jr. PO Drawer 7820	Lake Charles	LA	70606-7820
30390317	Baron & Budd, PC	909 Poydras St Ste 2100	New Orleans	LA	70112
30392832	Belluck Law, LLP	546 5th Ave 5th Floor	New York	NY	10036
30390086	Bevan & Associates LPA, Inc	6555 Dean Memorial Pkwy	Hudson	OH	44236
30389654	Blackwell & Bullman, LLC	8322 One Calais Ave	Baton Rouge	LA	70809
30386629	Boechler PC	PO Box 325	Fargo	ND	58106
30392763	Boling Law Firm	541 Julia St Ste 300	New Orleans	LA	70130
30389934	Brayton Purcell, LLP	222 Rush Landing Rd	Novato	CA	94945
30387974	Brent Coon & Associates	215 Orleans St.	Beaumont	TX	77701
30389987	Brent Coon & Associates	300 Fannin St Ste 20	Houston	TX	77002
30389820	Brookman, Rosenberg, Brown & Sandler	24 N Bryn Mawr Ave Ste 309	Bryn Mawr	PA	19010
30390057	Bruce Ahnfeldt Esq	PO Box 6078	Napa	CA	94581
30391407	C Jerome D'Aquila	308 East Main St PO Box 866	New Roads	LA	70760
30389988	Clapper, Patti Schweizer and Mason	2330 Marinship Way Ste 140	Sausalito	CA	94965
30389926	Cleveland & Conley LLC	Cagle, Joshua Drew 300 West Coleman Blvd. Suite 200	Mount Pleasant	SC	29464
30392872	Climaco Lefkowitz Peca Wilcox & Garofoli	1228 Euclid Avenue	Cleveland	OH	44115
30392815	Cohen, Placitella & Roth	127 Maple Ave	Red Bank	NJ	07701
30389743	Connell Foley	Harborside 5 185 Hudson St Ste 2510	Jersey City	NJ	07311
30390096	Cooney & Conway	120 N LaSalle St Ste 3000	Chicago	IL	60602
30392833	David C Thompson, PC	321 Kittson Ave	Grand Forks	ND	58201
30389874	Dean Omar Branham Shirley, LLP	1801 N Lamar St Ste 300	Dallas	TX	75202
30386649	Dean Omar Branham Shirley, LLP	445 Fort Pitt Blvd Ste 50	Pittsburgh	PA	15219
30390019	Dean Omar Branham Shirley, LLP	951 N Delaware St	Indianapolis	IN	46202
30393046	Dean Omar Branham Shirley, LLP	Ben D Braly 1801 North Lamar Street Suite 300	Dallas	TX	75202
30386741	Dean Omar Branham Shirley, LLP	Branham, Charles William III 1801 N Lamar St Ste 300	Dallas	TX	75202

Exhibit C

Counsel Service List

Served via Overnight Mail

AddressID	Name	Address	City	State	Postal Code
30386745	Dean Omar Branham Shirley, LLP	Branham, Charles William III Holder, Jonathan Marshall 1801 N Lamar St Ste 300	Dallas	TX	75202
30389900	Dean Omar Branham Shirley, LLP	Chapman, Aaron Daniel 1801 N Lamar St Ste 300	Dallas	TX	75202
30393049	Dean Omar Branham Shirley, LLP	Laurel Halbany 1801 N Lamar St, Suite 300	Dallas	TX	75202
30390091	Early, Lucarelli, Sweeney & Meisenkothen	One Century Tower 265 Church St	New Haven	CT	06510
30390444	F Gerald Maples, PA	365 Canal St Ste 2650	New Orleans	LA	70130
30392758	Fint Cooper Cohn Thompson & Miracle	222 E Park St Ste 500	Edwardsville	IL	62025
30389658	Galante & Bivalacqua, LLC	650 Poydras St Ste 2615	New Orleans	LA	70130
30389932	Gallivan White Boyd	Laffitte, Jessica Waller 1201 Main St., Ste. 1200	Columbia	SC	29201
30386748	Gallivan White Boyd	Laffitte, Jessica Waller; Lay, John Thomas Jr. 1201 Main St., Ste. 1200	Columbia	SC	29201
30389930	Gallivan White Boyd	Lay, John Thomas Jr. 1201 Main St., Ste. 1200	Columbia	SC	29201
30386749	Gallivan White Boyd	Maurides, William Peter PO Box 10589	Greenville	SC	29603
30386750	Gallivan White Boyd	Ott, Curtis Lyman PO Box 7368	Columbia	SC	29202
30390004	Gold Law Firm	591 Redwood Hwy Bldg 4000	Mill Valley	CA	94941
30389765	Gori Law Firm	122 E 42nd St Ste 4700	New York	NY	10168
30390014	Gori Law Firm	156 N Main St	Edwardsville	IL	62026
30389821	Halpern Law Firm	610 Old Lancaster Rd Ste 100	Bryn Mawr	PA	19010
30389993	Harowitz & Tigerman, LLP	450 Sansome St, 3rd Floor	San Francisco	CA	94111
30392755	Heard Robins Cloud LLP	9191 Siegen Lane #7	Baton Rouge	LA	70810
30390092	Jacobs & Crumplar PA	10 Corporate Circle Ste 301	New Castle	DE	19720
30388051	John F Dillon	81174 Jim Loyd Rd	Folsom	LA	70437
30392811	Karst & von Oiste LLP	505 Main St	Port Jefferson	NY	11777
30389871	Kassel McVey	1330 Laurel St	Columbia	SC	29201
30386703	Kassel McVey	Attn: Theile B. McVey, Jamie Rae Rutkoski, John D. Kassel 1330 Laurel St PO Box 1476	Columbia	SC	29201-1476
30386746	Kassel McVey	Kassel, John D.; Rutkoski, Jamie Rae McVey, Theile Branham 1330 Laurel St	Columbia	SC	29201

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Exhibit C

Counsel Service List
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AddressID	Name	Address	City	State	Postal Code
30393045	Kassel Mcvey	Kassel, John D; McVey, Theile Branham; Rutkoski, Jamie Rae 1330 Laurel Street	Columbia	SC	29201
30390011	Keller, Fishback & Jackson LLP	28720 Canwood St Ste 200	Agoura Hills	CA	91301
30392765	Landry & Swarr	1100 Poydras St, Energy Centre Ste 2000	New Orleans	LA	70163
30392530	Law Offices of Glenn E Diaz	2200 Jackson Blvd	Chalmette	LA	70043
30391631	Law Offices of Howard & Reed	839 Saint Charles Ave Ste 306	New Orleans	LA	70130
30389929	Law Offices of Sharita Lynn Cannon	Cannon, Sharita Lynn 113 Trickle Drive	Charleston	SC	29483
30392595	Leblanc & Waddell, LLP	6955 Perkins Road	Baton Rouge	LA	70808
30389173	Leo J D'Aubin	10641 Hillary Ct Ste 2	Baton Rouge	LA	70810
30389752	Levy, Konigsberg LLP	101 Grovers Mill Rd, Ste 105	Lawrence Township	NJ	08648
30389768	Levy, Konigsberg LLP	605 3rd Ave, 33rd Floor	New York	NY	10158
30389973	Lewis & Scholnick	660 S Figueroa St Ste 1720	Los Angeles	CA	90017
30392831	Lipsitz, Ponterio & Comerford LLC	424 Main St Ste 1500	Buffalo	NY	14202
30390095	Lowe Law Group	1 West Old State Capitol Plaza Ste 710	Springfield	IL	62701
30386835	Martzell, Bickford, & Centola, APC	338 Lafayette St	New Orleans	LA	70130
30386632	Maune Raichle Hartley French & Mudd, LLC	101 SW Main St Ste 1820	Portland	OR	97204
30389855	Maune Raichle Hartley French & Mudd, LLC	300 W Coleman Blvd Ste 200	Mount Pleasant	SC	29464
30389751	Maune Raichle Hartley French & Mudd, LLC	659 Eagle Rock Ave Ste 28	West Orange	NJ	07052
30389814	Meirowitz & Wasserberg	1040 6th Ave, 10th Floor	New York	NY	10018
30389508	Motley Rice	800 Third Ave Ste 2401	New York	NY	10022
30388900	Murray Law Firm	701 Poydras St Ste 4250	New Orleans	LA	70139
30392822	Napoli Shkolnik	400 Broadhollow Rd Ste 305	Melville	NY	11747
30386650	Nass Cancelliere Brenner	500 JFK Blvd (Two Penn Center) Ste 404	Philadelphia	PA	19102
30387972	Nix, Patterson & Roach, LLP	205 Linda Drive	Daingerfield	TX	75638
30386751	Peake, Shanon N.; Robinson, Jonathan M.	Smith Robinson 3200 Devine Street	Columbia	SC	29205
30386648	Peter Angelos Law	100 North Charles St, 21st Floor	Baltimore	MD	21201
30386697	Peter Protopapas	c/o Pierce Sloan Kennedy & Early 321 E Bay St	Charleston	SC	29401
30386698	Peter Protopapas	Rikard & Protopapas, LLC 2110 N Beltline Blvd	Columbia	SC	29204
30386753	Pierce Sloan Kennedy & Early	Early, William Peele 321 East Bay Street PO Box 22437	Charleston	SC	29413

Exhibit C

Counsel Service List

Served via Overnight Mail

AddressID	Name	Address	City	State	Postal Code
30392761	Pourciau Law Firm	8550 United Plaza Blvd Ste 702	Baton Rouge	LA	70809
30389923	Richardson Thomas	Hill, Amy L.B.; Lewis, William Camden 1513 Hampton Street	Columbia	SC	29201
30389924	Richardson Thomas	Richardson, Terry E. Jr. 1730 Jackson Street	Barnwell	SC	29812
30389933	Rikard & Protopapas, LLC	Bonds, Robert Turner; Chandler, John Kenneth Larrabee, Richard Brandon 2110 N. Beltline Blvd.	Columbia	SC	29204
30386752	Rikard & Protopapas, LLC	Protopapas, Peter Demos PO Box 5640	Columbia	SC	29250
30389364	Robein, Urann, Spencer, Picard & Cangemi	2540 Severn Ave Ste 400	Metairie	LA	70002
30389676	Robichaux Law Firm	6001 Stars and Stripes Blvd Ste 230	New Orleans	LA	70126
30392760	Ron Austin Law	400 Manhattan Blvd	Harvey	LA	70058
30388861	Roussel & Clement, Attorneys at Law	1714 Cannes Dr	La Place	LA	70068
30389818	Saltz Mongeluzzi & Bendesky PC	One Liberty Pl 1650 Market St, 52nd Floor	Philadelphia	PA	19103
30392810	Serling & Abramson, PC	280 N Old Woodward Ave Ste 406	Birmingham	MI	48009
30389994	Shingler Law	1255 Treat Blvd Ste 300	Walnut Creek	CA	94597
30389691	Simmons Hanly Conroy LLP	112 Madison Ave, 7th Floor	New York	NY	10016
30390013	Simmons Hanly Conroy LLP	One Court St	Alton	IL	62002
30389300	Sims & Re, PLLC	C/O Stacey Lea Sims 48 Liberty Place Suite 1	Hattiesburg	MS	39402
30389931	Smith Robinson	Smith, G. Murrell Jr. PO Box 580	Sumpter	SC	29151
30390015	SWMW Law	701 Market St Ste 1000	St Louis	MO	63101
30392826	The Law Offices of Michael P Joyce, PC	One International Pl Ste 840	Boston	MA	02110
30389992	The Paul Law Firm	50 California St Ste 1500	San Francisco	CA	94111
30386621	The Wartnick Law Firm	650 California St	San Francisco	CA	94111
30386834	Venezia and Associates APLC	757 St Charles Ave Ste 301	New Orleans	LA	70130
30392556	Waddell Anderman Law Firm	4460 Bluebonnet Dr Ste B	Baton Rouge	LA	70809
30389825	Weinstein Caggiano PLLC	600 University St Ste 1620	Seattle	WA	98101
30392813	Weitz & Luxenberg	220 Lake Dr East Ste 210	Cherry Hill	NJ	08002
30389817	Weitz & Luxenberg	700 Broadway	New York	NY	10003
30389763	Wilentz, Goldman & Spitzer, PA	14 Wall St Ste 6B	New York	NY	10050
30389750	Wilentz, Goldman & Spitzer, PA	90 Woodbridge Center Dr Ste 900 Box 10	Woodbridge	NJ	07095

Exhibit C

Counsel Service List

Served via Overnight Mail

AddressID	Name	Address	City	State	Postal Code
30389925	Wyche, P.A.	Richardson, Matthew Terry 807 Gervais St., Ste 301	Columbia	SC	29201
30392808	Zamler, Shiffman & Karfis, PC	30150 Telegraph Rd Ste 100	Bingham Farms	MI	48025
30393048	Zelbst, Holmes & Butler	John P Zelbst 411 SW 6th Street	Lawton	OK	73501
30393047	Zelbst, Holmes & Butler	John P Zelbst PO Box 365	Lawton	OK	73502

Exhibit 2

April 29, 2026 Order Restating and Enforcing the Bankruptcy Stay

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

	)	
In re:	)	Chapter 15
	)	
Asbestos Corporation Limited,	)	Case No. 25-10934 (MG)
	)	
Debtor in a Foreign Proceeding. ¹	)	
	)	

ORDER RESTATING AND ENFORCING THE BANKRUPTCY STAY

Upon the *Joint Motion of the Foreign Representative and CLMI for an Order Restating and Enforcing the Stay Provisions of This Court's October 30, 2025 Recognition Order* (the "Motion")² filed on behalf of Raymond Chabot Inc. in its capacity as the monitor (the "Monitor") and duly appointed foreign representative ("Foreign Representative") of Asbestos Corporation Limited ("ACL" or the "Debtor"), and Certain Underwriters at Lloyd's, London and certain London market insurance companies ("CLMI," and together with the Foreign Representative, the "Movants");³ and it appearing that this Court has jurisdiction to consider the Motion pursuant to sections 157 and 1334 of title 28 of the United States Code, and the *Amended Standing Order of Reference* dated January 31, 2012, Reference M-431, *In re Standing Order of Reference Re: Title 11, 12 Misc. 00032* (S.D.N.Y. Jan. 31, 2012) (Preska, C.J.); and upon consideration of the Motion,

¹ The Debtor in this chapter 15 case, along with its unique identifier, is Asbestos Corporation Limited (Canadian Federal Business Number: 104903273RC0001). The Debtor has a registered and business address in Canada of 840 Boul. Ouellet, Thetford Mines, QC G6G 7A5, Canada.

² Capitalized terms not otherwise defined herein shall carry the meanings ascribed to them in the Motion.

³ Certain London market insurance companies consist of: The Scottish Lion Insurance Company Ltd.; Tenecom Ltd. (as successor to Winterthur Swiss Insurance Company formerly known as Accident & Casualty Insurance Company of Winterthur, Switzerland), Yasuda Fire and Marine Insurance Company (UK) Limited and now known as Tenecom Ltd; The Ocean Marine Insurance Company Limited (as successor to liabilities of Commercial Union Assurance Company Limited, The Edinburgh Assurance Company, The Indemnity Marine Assurance Company Limited, The Northern Assurance Company Limited, The Road Transport & General Insurance Company Limited, United Scottish Insurance Company Limited, and The Victoria Insurance Company Limited); and NRG Victory Reinsurance Limited as successor to liabilities of New London Reinsurance Company Limited.

the King Declaration and the statements of counsel at a hearing before this Court on April 27, 2025 (the “Hearing”); and appropriate notice of the Motion and the Hearing having been given, and no other or further notice being necessary or required; and the Court having found good cause for the relief requested in the Motion; it is **HEREBY ORDERED FOUND AND DETERMINED THAT:**

A. The findings and conclusions set forth herein constitute this Court’s findings of fact and conclusions of law pursuant to Rule 7052 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), made applicable to this proceeding pursuant to Bankruptcy Rule 9014. To the extent any of the following findings of fact constitute conclusions of law, they are adopted as such. To the extent any of the following conclusions of law constitute findings of fact, they are adopted as such.

B. The Bankruptcy Stay bars the continuation of any proceedings against the Debtor or any of the Stay Parties (as defined in the Recognition Order), including CLMI and Resolute.

C. Any further activity in the *Berley* or *Jenkins* proceedings, including the issuance or enforcement of any order directing any payment to claimants in connection with those proceedings, or the making of any such payment, is a violation of the Bankruptcy Stay; provided that this Court makes no ruling at this time regarding the *Berley* Settlement Funds currently held in trust by Maune Raichle, and that, only upon and with the written consent of CLMI and the Monitor, or as ordered by this Court following further briefing and argument, if necessary, the Motion Notice Parties may take further action to obtain approval to disburse the *Berley* Settlement Funds.

D. The insurance assets of the Debtor, to the extent located within the territorial jurisdiction of the United States are subject to the jurisdiction of this Court, and the exclusive

control and administration of the Foreign Representative, on behalf of the Debtor. Any action by any person or court to obtain possession of, or to exercise control over such assets, is a violation of the Bankruptcy Stay.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. Movants are hereby authorized and empowered to take any action or perform any act necessary to implement and effectuate the terms of this Order.
3. This Order shall be effective and enforceable immediately upon entry and its provisions shall be self-executing.
4. Copies of this order shall be served upon the Motion Notice Parties. After such service, any act by any of the Motion Notice Parties that violates or contravenes this Order shall be deemed to be a willful violation of the Bankruptcy Stay.
5. The rights of all parties-in-interest to move this Court for relief from the Bankruptcy Stay, in accordance with the Bankruptcy Code, the Bankruptcy Rules and the Local Rules, are preserved.
6. The Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

IT IS SO ORDERED.

Dated: April 29, 2026
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge

Exhibit 3

May 11, 2026 Order Enforcing the Bankruptcy Stay

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Asbestos Corporation Limited,

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 25-10934 (MG)

ORDER ENFORCING THE BANKRUPTCY STAY

Pending before the Court is the motion (the “Motion,” ECF Doc. # 180) of Certain Underwriters at Lloyd’s, London and certain London market insurance companies (“CLMI”)¹ seeking an order from this Court to enforce the stay provisions (the “Bankruptcy Stay”) in this Court’s October 30, 2025 Order *(I) Recognizing the CCAA Proceeding of Asbestos Corporation Limited as a Foreign Main Proceeding and (II) Granting Related Relief* (the “Recognition Order”) (ECF Doc. # 142) and in this Court’s April 29, 2026 Order *Restating and Enforcing the Bankruptcy Stay* (the “Stay Order”) (ECF Doc. # 176) against further proceedings in the South Carolina Court of Common Pleas in the Fifth Judicial Circuit (the “South Carolina Court”) in the *Berley* and *Jenkins* proceedings² other than approval of the Berley settlement and disbursement of the *Berley* Settlement Funds.

¹ Certain London market insurance companies consist of: The Scottish Lion Insurance Company Ltd.; Tenecom Ltd. (as successor to Winterthur Swiss Insurance Company formerly known as Accident & Casualty Insurance Company of Winterthur, Switzerland), Yasuda Fire and Marine Insurance Company (UK) Limited and now known as Tenecom Ltd; The Ocean Marine Insurance Company Limited (as successor to liabilities of Commercial Union Assurance Company Limited, The Edinburgh Assurance Company, The Indemnity Marine Assurance Company Limited, The Northern Assurance Company Limited, The Road Transport & General Insurance Company Limited, United Scottish Insurance Company Limited, and The Victoria Insurance Company Limited); and NRG Victory Reinsurance Limited as successor to liabilities of New London Reinsurance Company Limited.

² The “*Berley* proceeding” means the case captioned *Peggy B. Berley, Individually and as Personal Representative of the Estate of Billy G. Berley, Deceased v. Aecom Energy & Construction, Inc., et al.*, CA No. 2023-CP-40-02840, pending in the South Carolina Court of Common Pleas in the Fifth Judicial Circuit. The “*Jenkins* proceeding” means the case captioned *Shirley A. Jenkins, Individually and as Personal Representative of the Estate of Sam Jenkins, Jr., Deceased v. Asbestos Corporation Ltd., et al.*, CA No. 2024-CP-40-04703, pending in the South Carolina Court of Common Pleas in the Fifth Judicial Circuit.

The South Carolina Court has ordered evidentiary hearings in both the *Berley* and *Jenkins* proceedings for May 12, 2026 at 9:30 a.m. (Motion ¶ 11; Exs. B, C (together, the “State Court Orders.”)) Per the South Carolina Court’s correspondence with CLMI, the South Carolina Court intends to use the hearing to “examine the circumstances surrounding the obtaining of releases from Mrs. Jenkins and from Mrs. Berley pursuant to mediation agreements in their cases” to “make a record of what occurred with respect to these matters,” in addition to hearing argument on the effect of the Stay Order. (*Id.* Ex. G.)

Bankruptcy stays prohibit courts from commencing or continuing proceedings against a stayed party. 11 U.S.C. § 362(a)(1). In a proceeding where the judicial function is completed, such as when a decision has already been made or a settlement reached prior to the application of the stay, a court can conduct “ministerial actions . . . taken in obedience to the judge’s peremptory instructions or otherwise precisely defined and nondiscretionary” and not violate the bankruptcy stay. *In re Soares*, 107 F.3d 969, 974 (1st Cir. 1997). Ministerial actions are acts that are “essentially clerical in nature.” *Id.* However, “acts undertaken in the course of carrying out the core judicial function are not ministerial and, if essayed after bankruptcy filing, will be deemed to violate the automatic stay.” *Id.* Any action taken by a court in violation of the automatic stay is not merely voidable but void per Second Circuit precedent. *Rexnord Holdings, Inc. v. Bidermann*, 21 F.3d 522 (2d Cir.1994) (“Any proceedings or actions described in section 362(a)(1) are void and without vitality if they occur after the automatic stay takes effect.”); *see also In re Best Payphones*, 279 B.R. 92, 97 (Bankr. S.D.N.Y. 2002).

The Stay Order issued by this Court stated the following with respect to the *Berley* and *Jenkins* proceedings:

The Bankruptcy Stay bars the continuation of any proceedings against the Debtor or any of the Stay Parties (as defined in the Recognition Order), including CLMI and Resolute.

Any further activity in the *Berley* or *Jenkins* proceedings, including the issuance or enforcement of any order directing any payment to claimants in connection with those proceedings, or the making of any such payment, *is a violation of the Bankruptcy Stay*; provided that this Court makes no ruling at this time regarding the *Berley* Settlement Funds currently held in trust by Maune Raichle, and that, only upon and with the written consent of CLMI and the Monitor, or as ordered by this Court following further briefing and argument, if necessary, the Motion Notice Parties may take further action to obtain approval to disburse the *Berley* Settlement Funds.

(Stay Order ¶¶ B-C) (emphasis added). The Stay Order prohibits any further activity by the South Carolina Court in both the *Berley* and *Jenkins* proceedings except as to the Settlement Funds that have already been transferred in the *Berley* action. The Stay Order applies to prevent any inquiry by the South Carolina Court into the terms of the settlements reached in both proceedings.

The State Court Orders, by scheduling hearings in the *Berley* and *Jenkins* proceedings with the intent to examine the terms of the settlements reached, are actions taken by the South Carolina Court that are not ministerial and thereby violate the Bankruptcy Stay and Stay Order entered by this Court. The State Court Orders are therefore **VOID**. To the extent that any of CLMI or the Stay Parties comply with the void State Court Orders and ignore the Stay Order, they will be acting in contempt of this Court's orders.

IT IS SO ORDERED.

Dated: May 11, 2026
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge