UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION

In re: CROWN BOILER CO., LLC Debtor.	Case No. 26-20515-JCM Chapter 11
CROWN BOILER CO., LLC, Movant v. No Respondent.	Related to Docket No: 1 **Hearing Date: August 5, 2026, 10:00 a.m. EST** **Response Deadline: July 29, 2026, 4 p.m. EST**

DEBTOR'S MOTION TO EXTEND EXCLUSIVITY PERIOD

Crown Boiler Co., LLC ("Debtor"), by its undersigned counsel, and pursuant to 11 U.S.C. § 1121 and Rule 9006(b)(1) of the Federal Rules of Bankruptcy Procedure, hereby moves to extend the period during which the Debtor has the exclusive right to file a Chapter 11 plan and solicit acceptances, for a period of 90 days, and in support states:

Background and Jurisdiction

1. On February 25, 2026 (the "Petition Date"), the Debtor filed its voluntary petition for Chapter 11 relief.

2. For brevity and convenience, the Debtor refers the Court and parties in interest to its Affidavit of Nick Ribich in Support of Complex Chapter 11 Designation and First Day Motions (Doc. 50) as well as prior filings for a full recitation of the Debtor's business, the reasons for commencing this Chapter 11 case, and the disputes currently at issue.

3. On June 10, 2026, the Debtor, the Official Committee of Unsecured Creditors (the "Committee"), and Burnham Holdings, Inc. ("BHI"), filed a Joint Motion for Adjournment of Certain Hearing Dates and Deadlines and requested this Court set an August 5, 2026 status conference, during which adjournment the parties intend to discuss a more consensual posture to the course of this case, rather than its prior adversarial nature.

4. This Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and may be determined by the Bankruptcy Court. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

The Exclusive Period

5. Section 1121(b) and (c) of the Bankruptcy Code provide for an initial period of 120 days after the date of the order for relief during which the debtor has the exclusive right to file a plan of reorganization. Section 1121(c) of the Bankruptcy Code also states that if the debtor files a plan of reorganization within the 120-day exclusivity period, competing plans may not be filed before 180 days after the date of the order for relief to allow the debtor to solicit and obtain acceptances. In this case, the Debtor's exclusive period to file a plan expires on June 25, 2026, and the attendant solicitation period expires on August 24, 2026.

6. A motion to extend the exclusive period to file a plan is timely if made prior to the expiration of the existing 120-day exclusive time-period. 11 U.S.C. § 1121(d)(1). This Motion is timely because it has been filed prior to the expiration of the current exclusivity period.

Basis for Relief

7. The exclusive periods provided by Congress were incorporated in the Bankruptcy Code to afford a debtor a full and fair opportunity to propose a consensual plan and solicit acceptances of such plan. Whether "cause" exists to extend a debtor's exclusive periods to file and solicit acceptances of a plan of reorganization is a decision committed to the sound discretion of the bankruptcy court based upon the facts and circumstances of each particular case. *See In re Lehigh Valley Pro. Sports Club, Inc.*, 2000 WL 290187, at *2 (Bankr. E.D. Pa. Mar. 14, 2000).

8. While the term "cause" is not defined by the statute, the legislative history indicates that it is to be viewed flexibly "in order to allow the debtor to reach an agreement." *In re McLean Indus., Inc.*, 87 B.R. 830, 833 (Bankr. S.D.N.Y. 1987) (quoting H.R. Rep. No. 95-595, at 231 (1978)); *see also In re Pub. Serv. Co. of New Hampshire*, 88 B.R. 521, 534 (Bankr. D.N.H. 1988) (finding that Congress intended to give the bankruptcy court "maximum flexibility" to make a cause determination).

9. To determine whether cause exists to extend the exclusivity period, courts examine a variety of factors including: (i) the size and complexity of the case; (ii) the necessity of sufficient time to negotiate and prepare adequate information; (iii) the existence of good faith progress towards reorganization; (iv) whether the debtor is paying its debts as they come due; (v) whether the debtor has demonstrated reasonable prospects for filing a viable plan; (vi) whether the debtor has made progress negotiating with creditors; (vii) the length of time the case has been pending; (viii) whether the debtor is seeking an extension of time to pressure creditors; and (ix) whether unresolved contingencies exist. *In re Friedman's, Inc.* 336 B.R. 884, 888 (Bankr. S.D. Ga. 2005); *see also In re Adelphia Commc'n Corp.*, 352 B.R. 578, 587 (Bankr. S.D.N.Y 2006). Not all factors are relevant to every case, and courts have used a subset of the above factors to determine whether cause exists.

See Bunch v. Hoffinger Indus., Inc. (In re Hoffinger Indus., Inc.), 292 B.R. 639, 644 (B.A.P. 8th Cir. 2003). When determining whether cause exists, courts assess the totality of the circumstances. *See In re McLean,* 87 B.R. at 834.

10. Here, ample cause exists to extend the exclusive period within which the Debtor may file a plan and solicit acceptances.

11. As set forth in the Adjournment Motion, while the Debtor could timely file a plan, doing so may be premature and counterproductive if done so before interested parties have a meaningful opportunity to negotiate the terms of a Chapter 11 plan. Doing so under the current status of the case has been difficult given the adversarial posture the parties have found themselves in regarding first day motions and discovery.

12. Further, the factors set forth above support extending the exclusivity period, including the size and complexity of the case, necessity for sufficient additional time to negotiate and prepare adequate information for the Plan, good faith progress towards a plan, reasonable prospects for filing a viable plan (whether including a Section 524(g) trust or otherwise), and the relatively short time the case has been pending. Moreover, this motion is not filed to pressure creditors, and will not prejudice creditors.

13. For these reasons, the Debtor submits there is good cause to provide it an additional 90 days to each of the deadlines provided by Section 1121.

Support for Requested Relief

14. The Debtor has discussed the relief requested herein with the Office of the U.S. Trustee, the Unsecured Creditors Committee, and BHI, none of whom object to the requested extension.

Notice

15. Notice of this Motion will be given to the following parties, or, in lieu thereof, to their counsel: (i) the Office of the United States Trustee for the Western District of Pennsylvania; (ii) the Debtor's 20 largest unsecured creditors; (iii) any party that requests service pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, the Debtor submits that no other or further notice is necessary.

WHEREFORE, the Debtor respectfully request the Court enter an order (i) granting the Motion; (ii) extending the exclusive periods within which the Debtor may file a plan and obtain confirmation of such plan by 90 days each, through and including September 23, 2026 and November 22, 2026, respectively, without prejudice to seek further extensions; and (iii) providing for all such further relief the Court deems to be necessary and proper.

Respectfully submitted,

SHUMAKER, LOOP & KENDRICK, LLP

By: /s/ *Steven M. Berman*
STEVEN M. BERMAN, ESQ.
Fla. Bar No. 856290
sberman@shumaker.com
101 E. Kennedy Blvd., Suite 2800
Tampa, FL 33602
Phone: 813-229-7600
Lead Counsel for the Debtor

-and-

MAZURKRAEMER Business Law

By: /s/ Salene Kraemer
Salene Kraemer
Pa. Attorney No. 86422
salene@mazurkraemer.com
314 Old Farm Road
Pittsburgh, PA 15228
Phone: 412.427.7075
Local Counsel to the Debtor

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ORDER GRANTING DEBTOR'S MOTION TO EXTEND EXCLUSIVITY PERIOD

THIS CASE came before this Court for a hearing on __________, 2026 at ____ a.m/p.m. ("Hearing Date") on the Debtor's Motion To Extend Exclusivity Period (the "Motion"). This Court reviewed the Motion, which requested an extension of the exclusivity periods provided by 11 U.S.C. § 1121(b) and (c) for 90 days, heard argument of counsel for the Debtor and others, and is otherwise fully advised in the premises. For the reasons stated orally and recorded in open court, which shall constitute the decision of this Court, the Court finds good cause to grant the Motion. Accordingly, it is hereby

ORDERED:

1. The Motion is **GRANTED**.

2. The exclusive period within which the Debtor may file a plan under Section 1121(b) of the Bankruptcy Code is extended by 90 days, to and including September 23, 2026.

3. The exclusive period within which the Debtor may confirm a plan under Section 1121(c) of the Bankruptcy Code is extended by 90 days, to and including November 22, 2026.

4. This Court shall retain jurisdiction over any and all matters arising from the interpretation, implementation, or enforcement of this Order.

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John C. Melaragno, Judge
United States Bankruptcy Court