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**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:24-mc-00018-LPS**

Cimontubo - Tubagens E Soldadura, LDA v. Petroleos de Venezuela, S.A. et al

Assigned to: Judge Leonard P. Stark

Related Cases: [1:17-mc-00151-LPS](#)

[1:19-mc-00290-LPS](#)

[1:20-mc-00257-LPS](#)

[1:21-mc-00018-LPS](#)

[1:21-mc-00340-UNA](#)

[1:21-mc-00481-LPS](#)

[1:22-mc-00131-LPS](#)

[1:22-mc-00156-LPS](#)

[1:22-mc-00263-LPS](#)

[1:22-mc-00347-LPS](#)

[1:22-cv-01315-LPS](#)

[1:23-mc-00298-LPS](#)

[1:23-mc-00340-LPS](#)

[1:23-mc-00360-LPS](#)

[1:23-mc-00361-LPS](#)

[1:23-mc-00378-LPS](#)

[1:23-mc-00379-LPS](#)

Date Filed: 01/11/2024

Date Terminated: 01/11/2024

Jury Demand: None

Nature of Suit: 890 Other Statutory Actions

Jurisdiction: Federal Question

Case in other court: USDC/SDNY, 20-cv-05382-GBD-GWG

Cause: Registration of Foreign Judgment

**Plaintiff**

**Cimontubo - Tubagens E Soldadura,  
LDA**

represented by **Melissa N. Brochwicz Donimirski**

Stevens & Lee PC

919 N Market Street

Suite 1300

Wilmington, DE 19801

302-425-2608

Email:

Melissa.donimirski@stevenslee.com

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

**Alexis R. Gambale**

Pashman Stein Walder Hayden, P.C.  
1007 North Orange Street  
4th Floor  
Ste 183

Wilmington, DE 19801

856-316-6597

Email: agambale@pashmanstein.com

*ATTORNEY TO BE NOTICED*

**Stuart M. Riback**

Email: sriback@wilkauslander.com

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Petroleos De Venezuela, S.A.**

represented by **Brendan McDonnell**

Heyman Enerio Gattuso & Hirzel

300 Delaware Avenue

Ste 200

Wilmington, DE 19801

302-472-7308

Email: bmcdonnell@hegh.law

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Samuel Taylor Hirzel , II**

Heyman Enerio Gattuso & Hirzel LLP

300 Delaware Avenue, Suite 200

Wilmington, DE 19801

(302)472-7300

Email: shirzel@hegh.law

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Alec M. Albright**

Email: alec.albright@whitecase.com

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Claire A. DeLelle**

Email: claire.delelle@whitecase.com

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Defendant**

**PDVSA Petroleo, S.A.**

represented by **Brendan McDonnell**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Samuel Taylor Hirzel , II**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alec M. Albright**  
 (See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Claire A. DeLelle**  
 (See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/11/2024	<a href="#">1</a>	REGISTRATION of Foreign Judgment in Favor of Cimontubo - Tubagens E Soldadura, LDA and Against Petroleos De Venezuela, S.A., and PDVSA Petroleo, S.A. in the Amount of \$2,149,483.82 (Filing fee \$ 52, receipt number ADEDC-4312540) - filed by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> AO 451 Clerk's Certification, # <a href="#">2</a> Exhibit A - 2d Circuit Affirmation Decision, # <a href="#">3</a> Letter regarding related cases and registration of foreign judgement) (mkr) (Entered: 01/12/2024)
01/11/2024	<a href="#">2</a>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed - filed by Cimontubo - Tubagens E Soldadura, LDA. (mkr) (Entered: 01/12/2024)
01/11/2024		CASE CLOSED (mkr) (Entered: 01/12/2024)
01/12/2024	<a href="#">3</a>	STATEMENT <i>Attached Judgment Statement</i> by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Exhibit A - Judgment, # <a href="#">2</a> Exhibit B - 2d. Cir. Affirmation, # <a href="#">3</a> Exhibit C - Declaration)(Donimirski, Melissa) (Entered: 01/12/2024)
01/12/2024	<a href="#">4</a>	MOTION for Writ re: Writ Of Fieri Facias - filed by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Declaration, # <a href="#">3</a> Declaration Exhibit A, # <a href="#">4</a> Declaration Exhibit B)(Donimirski, Melissa) (Entered: 01/12/2024)
01/12/2024	<a href="#">5</a>	MEMORANDUM in Support re <a href="#">4</a> MOTION for Writ re: Writ Of Fieri Facias filed by Cimontubo - Tubagens E Soldadura, LDA. Answering Brief/Response due date per Local Rules is 1/26/2024. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Donimirski, Melissa) (Entered: 01/12/2024)

01/12/2024	<a href="#">6</a>	STATEMENT <i>Additional Judgment Creditor Statement</i> by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D)(Donimirski, Melissa) (Entered: 01/12/2024)
01/16/2024		Remark: Case submitted for routine judicial assignment. (smg) (Entered: 01/16/2024)
01/16/2024		Case Assigned to Judge Leonard P. Stark of the United States Court of Appeals for the Federal Circuit (due to related cases). Please include the initials of the Judge (LPS) after the case number on all documents filed. (rjb) (Entered: 01/16/2024)
01/25/2024	7	ORAL ORDER: IT IS HEREBY ORDERED that Cimontubo - Tubagens E Soldadura, LDA's omnibus motion (Misc. No. 17-151 D.I. 859; Misc. No. 24-18 D.I. <a href="#">4</a> ) is DENIED WITHOUT PREJUDICE. IT IS FURTHER ORDERED that the parties to Misc. No. 24-18 shall meet and confer and, by no later than February 1, submit a joint status report providing their position(s) on how that action should proceed. The Court recognizing that the defendants to that action have not appeared, the plaintiff shall use reasonable efforts to obtain the defendants' position(s). In formulating their position(s), the parties shall take into consideration the Courts rulings on January 24 in actions brought by other creditors (see Misc. Nos. 23-608 and 23-609), the reasoning of which, including that "a judgment creditor seeking to be added to the Sale Process must have filed a motion for a writ of attachment meaningfully in advance of the Step 5 deadline", will be reproduced in a memorandum order copying the transcript ruling to be docketed in the other creditors' actions (Misc. Nos. 23-608 and 23-609) and the Crystllex action (Misc. No. 17-151). Signed by Judge Leonard P. Stark on 1/25/2024. (apk) (Entered: 01/25/2024) (Entered: 01/25/2024)
01/31/2024	<a href="#">8</a>	MOTION for Pro Hac Vice Appearance of Attorney STUART M. RIBACK - filed by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Donimirski, Melissa) (Entered: 01/31/2024)
01/31/2024	9	Pro Hac Vice Fee - Credit Card Payment received for STUART M. RIBACK. ( re <a href="#">8</a> MOTION for Pro Hac Vice Appearance of Attorney STUART M. RIBACK )( Payment of \$ 50, receipt number ADEDC-4327148).(Donimirski, Melissa) (Entered: 01/31/2024)
02/01/2024	10	SO ORDERED, regarding D.I. <a href="#">8</a> MOTION for Pro Hac Vice Appearance of Attorney Stuart M. Riback. Signed by Judge Leonard P. Stark on 2/1/2024. (mpb) (Entered: 02/01/2024)
02/01/2024	<a href="#">11</a>	NOTICE of Appearance by Brendan McDonnell on behalf of PDVSA Petroleo, S.A., Petroleos De Venezuela, S.A. (McDonnell, Brendan) (Entered: 02/01/2024)
02/01/2024	<a href="#">12</a>	NOTICE of Appearance by Samuel Taylor Hirzel, II on behalf of PDVSA Petroleo, S.A., Petroleos De Venezuela, S.A. (Hirzel, Samuel) (Entered: 02/01/2024)
02/01/2024	<a href="#">13</a>	MOTION for Pro Hac Vice Appearance of Attorney Claire A. DeLelle and Alec M. Albright of White & Case LLP - filed by PDVSA Petroleo, S.A., Petroleos De Venezuela, S.A.. (Hirzel, Samuel) (Entered: 02/01/2024)
02/01/2024	14	Pro Hac Vice Fee - Credit Card Payment received for Claire A. DeLelle of White & Case LLP and Alec M. Albright of White & Case LLP. ( re <a href="#">13</a> MOTION for Pro Hac

		Vice Appearance of Attorney Claire A. DeLelle and Alec M. Albright of White & Case LLP )( Payment of \$ 100, receipt number ADEDC-4328304).(Hirzel, Samuel) (Entered: 02/01/2024)
02/01/2024	<a href="#">15</a>	Letter to Honorable Leonard P. Stark from Melissa Donimirski regarding Status Report - re 7 Order,,,,, Terminate Motions,,,,. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Donimirski, Melissa) (Entered: 02/01/2024)
02/02/2024	16	SO ORDERED, regarding D.I. <a href="#">13</a> MOTION for Pro Hac Vice Appearance of Attorney Claire A. DeLelle and Alec M. Albright. Signed by Judge Leonard P. Stark on 2/2/2024. (apk) (Entered: 02/02/2024)
02/02/2024		Pro Hac Vice Attorney Stuart M. Riback for Cimontubo - Tubagens E Soldadura, LDA added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 02/02/2024)
02/02/2024	17	ORAL ORDER: Having reviewed the joint status report (Misc. No. 17-151 D.I. 920; Misc. No. 24-18 D.I. <a href="#">15</a> ), IT IS HEREBY ORDERED that the briefing schedule proposed therein is approved, provided that the renewed motion for a writ of attachment is filed as a stand-alone motion and a separate motion is filed if any relief other than a writ of attachment is being sought. Signed by Judge Leonard P. Stark on 2/2/2024. (apk) (Entered: 02/02/2024)
02/02/2024		Pro Hac Vice Attorneys Alec M. Albright and Claire A. DeLelle for PDVSA Petroleo, S.A. and Petroleos De Venezuela, S.A. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 02/02/2024)
02/05/2024	<a href="#">18</a>	MOTION for Extension of Time to <i>Extend Deadlines Set Forth in the Sale Procedures Order</i> - filed by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Donimirski, Melissa) (Entered: 02/05/2024)
02/05/2024	<a href="#">19</a>	OPENING BRIEF in Support re <a href="#">18</a> MOTION for Extension of Time to <i>Extend Deadlines Set Forth in the Sale Procedures Order and Word Count Certification</i> filed by Cimontubo - Tubagens E Soldadura, LDA. Answering Brief/Response due date per Local Rules is 2/20/2024. (Attachments: # <a href="#">1</a> Declaration of Paulo Amaral, # <a href="#">2</a> Exhibit 1 - Judgment (Entered), # <a href="#">3</a> Exhibit 2 - Summary Order, # <a href="#">4</a> Exhibit 3 - Article) (Donimirski, Melissa) (Entered: 02/05/2024)
02/05/2024	<a href="#">20</a>	MOTION for Writ re: To serve writ of attachment fieri facias on PDV Holdings Inc. to attach all shares of stock and any other assets or rights incident to that stock ownership belonging or owing to Petroleos de Venezuela, S.A. - filed by Cimontubo - Tubagens E Soldadura, LDA. (Attachments: # <a href="#">1</a> Text of Proposed Order, # <a href="#">2</a> Proposed Praeipce, # <a href="#">3</a> [Proposed] Writ of Fieri Facias)(Donimirski, Melissa) (Entered: 02/05/2024)
02/06/2024	21	ORAL ORDER: Having reviewed the renewed motion for extension of time and related materials (Misc. No. 17-151 D.I. 925, 926; Misc. No. 24-18 D.I. 18, 19) filed by Cimontubo - Tubagens E Soldadura LDA, IT IS HEREBY ORDERED that the motion (Misc. No. 17-151 D.I. 925; Misc. No. 24-18 D.I. 18) is DENIED. As the Court has previously ruled, for reasons given in (and hereby adopted in full) Misc. No. 17-151

		<p>D.I. 902 at 10, "a judgment creditor seeking to be added to the sale process must have filed a motion for a writ of attachment meaningfully in advance of the Step 5 deadline." Cimontubo filed its original motion for a writ of attachment on January 12, 2024 (see Misc. No. 17-151 D.I. 859; Misc. No. 24-18 D.I. 4), a date that was on and, therefore, not meaningfully in advance of the Step 5 deadline. Additionally, Cimontubo has failed to show good cause or reasonable diligence to justify its requested extension. Having obtained its judgment in November 2021, and affirmance of such judgment in June 2022, Cimontubo made no effort to meet this Court's deadlines for participation in the sale process, deadlines that numerous similarly-situated creditors were able to meet. Cimontubo explains it "did not ask its US counsel to try to track down and collect PDVSA assets in the US" (Misc. No. 17-151 D.I. 926 at 6), and contends it did not become aware of this Court's sale process until former counsel read a news report last month (see id. at 7). Under the circumstances, these explanations do not warrant further delaying the deadlines established long ago. Ordered by Judge Leonard P. Stark on 02/06/2024. Associated Cases: 1:17-mc-00151-LPS, 1:24-mc-00018-LPS(sm) (Entered: 02/06/2024)</p>
02/09/2024	<a href="#">22</a>	<p>NOTICE of Withdrawal of Cimontubo - Tubagens E Soldadura, LDA's Motion For An Order Authorizing The Issuance of a Writ of Fieri Facias by Cimontubo - Tubagens E Soldadura, LDA re <a href="#">20</a> MOTION for Writ re: To serve writ of attachment fieri facias on PDV Holdings Inc. to attach all shares of stock and any other assets or rights incident to that stock ownership belonging or owing to Petroleos de Venezuela, S.A. (Donimirski, Melissa) (Entered: 02/09/2024)</p>
02/09/2024		<p>Remark: D.I. 20 in 1:24-mc-00018-LPS and D.I. 927 in 1:17-mc-00151-LPS - MOTION for Writ has been terminated per Notice of Withdrawal of Motion, filed at 17-mc-151 D.I. 947; 24-mc-18 D.I. 22. Associated Cases: 1:24-mc-00018-LPS, 1:17-mc-00151-LPS(sm) (Entered: 02/14/2024)</p>

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