

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

\*\*\*\*\*

<b>In Re:</b>	*	
	*	<b>Case No. 11-12415-JMD</b>
<b>ISAACSON STEEL, INC.</b>	*	<b>Case No. 11-12416-JMD</b>
<b>ISAACSON STRUCTURAL STEEL, INC.</b>	*	<b>(Jointly Administered)</b>
	*	
<b>Debtor(s)</b>	*	<b>Hearing Date: 10/28/13</b>
	*	<b>Hearing Time: 9:00 a.m.</b>

\*\*\*\*\*

**LIMITED OBJECTION OF INTERESTED PARTY STEVEN D. GRIFFIN TO PLAN  
AND DISCLOSURE STATEMENT AND MOTION TO AMEND SAME**

NOW COMES Steven D. Griffin (“Griffin”), a creditor and interested party in the Isaacson bankruptcy matter and a Debtor in this Court in Chapter 7 case no. 12-12145-JMD, and files this limited objection to the Debtor’s Plan and Disclosure Statement and Motion to Amend Same on for hearing on October 28, 2013:

1. The Debtor’s plan is not feasible 11 U.S.C §1129(a)(11) and violates 11 U.S.C. §1123(a)(5) because except for Passasumpsic Savings Bank (“the Bank”), none of the other Settling Parties under the Global Settlement Agreement (“GSA”), Debtors, Isaacson Steel, Inc. and Isaacson Structural Steel, Inc. (“the Debtors”), the Unsecured Creditor’s Committee (“the Committee”), New Hampshire Business Finance Authority (“NHBFA”), and Turner Construction, Inc. (“Turner”)(collectively, “the Settling Parties”) nor the Liquidating Trust have relief from stay under 11 U.S.C. §362 in Griffin’s personal bankruptcy case to pursue D&O insurance coverage, and the Debtor refuses to waive its claims against Griffin. The Plan is funded in large part by expected recovery on D&O claims, but there is no ability to bring them, and no adequate means for the plan’s implementation.

2. The Disclosure Statement does not identify this problem with the D&O claims, is therefore inadequate, and should be amended to reflect it. See 11 U.S.C. §1125(a)(1).

2. Similarly, the Plan is not feasible until such time as the Debtors, the Liquidating Trust and the other Settling Parties waive their claims against Griffin in order to pursue his D&O insurance coverage and obtain relief from stay in his individual bankruptcy case. See 11 U.S.C. §1129(a)(11).

3. Griffin also objects to his claims being denied or objected to in order to prevent him from objecting to or voting against the Plan. He has filed Claim Nos. 36, 37 and 38 for legitimate loans made to the Debtors, and Claim No. 39 is an indemnity claim which is not yet matured or liquidated. Griffin should be allowed to vote, or at least maintain his claims against the Debtor, at least for purposes of set-off, until such time as any payment under the GSA or the Plan is funded for unsecured creditors, or until Griffin receives his discharge in bankruptcy, and/or until the Debtor waives its claims against Griffin.

WHEREFORE, Steven Griffin, Interested Party respectfully requests that this Honorable Court:

A. Deny the Amended Disclosure Statement and Chapter 11 Plan until the issues raised herein are addressed;

B. Grant such other and further relief as is just and necessary.

Respectfully Submitted,  
Steven D. Griffin, Interested Party/Ch. 7 Debtor  
By his attorneys:  
Donchess & Notinger, PC

Dated: October 25, 2013

/s/ Deborah A. Notinger  
Deborah A. Notinger (#02013)  
547 Amherst Street, #204  
Nashua, NH 03063

(603) 886-7266  
(603) 886-7922 (fax)  
[nontrustee@donchessnotinger.com](mailto:nontrustee@donchessnotinger.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing Limited Objection on the following parties via the Court's ECF System:

Christopher J. Allwarden on behalf of Creditor Public Service Company of NH  
nhlegal@nu.com

Tawny L. Alvarez on behalf of Defendant Fraser Molloy & Associates  
talvarez@verrilldana.com

William J. Amann on behalf of Defendant Arnold P. Hanson, Jr.  
wamann@cda-law.com, tharlan@cda-law.com

William J. Amann on behalf of Interested Party Arnold P. Hanson, Jr.  
wamann@cda-law.com, tharlan@cda-law.com

David A. Anderson on behalf of Creditor Cate Street Capital, Inc.  
danderson@pierceatwood.com, kdallaire@pierceatwood.com

David P. Azarian on behalf of Creditor American Aerial Services, Inc.  
dazarian@azarianlaw.net

Charles R. Bennett, Jr. on behalf of Creditor Turner Construction Company, Inc.  
bankruptcy@murphyking.com,  
crb@murphyking.com;nbs@murphyking.com;dej@murphyking.com;hbm@murphyking.com;c  
mc@murphyking.com;jce@murphyking.com;ddk@murphyking.com;icm@murphyking.com

Charles R. Bennett, Jr. on behalf of Interested Party Turner Construction Company, Inc.  
bankruptcy@murphyking.com,  
crb@murphyking.com;nbs@murphyking.com;dej@murphyking.com;hbm@murphyking.com;c  
mc@murphyking.com;jce@murphyking.com;ddk@murphyking.com;icm@murphyking.com

Fred W. Bopp, III on behalf of Defendant Irving Oil Corporation  
fbopp@perkinsthompson.com,  
malexander@perkinsthompson.com;rcreswell@perkinsthompson.com;amanhart@perkinsthomp  
son.com

Wanda Borges on behalf of Defendant Bushwick Metals, LLC  
ecfcases@borgeslawllc.com

David R. Chenelle on behalf of Creditor JM Coull, Inc.  
dchenelle@perkinslawpc.com, jlafleche@perkinslawpc.com

Mark P. Cornell on behalf of Creditor Erika Martin  
mark.p.cornell@bankruptcynh.com,  
sdickson@bankruptcynh.com;secretar@LegalServicesNH.com;ecfmailonly@bankruptcynh.com

Mark P. Cornell on behalf of Creditor Ladaisha Martin  
mark.p.cornell@bankruptcynh.com,  
sdickson@bankruptcynh.com;secretar@LegalServicesNH.com;ecfmailonly@bankruptcynh.com

Eleanor Wm Dahar on behalf of Defendant Canam Steel Corporation  
edahar@att.net

Mark S. Derby on behalf of Interested Party Presby Steel, LLC  
derbym@cwbp.com, derbym2@comcast.net;colen@cwbp.com;marchands@cwbp.com

Edward C. Dial, Jr. on behalf of Creditor Ford Motor Credit Company, LLC  
edial@schreiblaw.com, eddial18@comcast.net

Ann Marie Dirsa on behalf of U.S. Trustee Office of the U.S. Trustee  
ann.marie.dirsa@usdoj.gov

Gina A. Fonte on behalf of Creditor The Richmond Group  
gina.fonte@hklaw.com, deborah.griffin@hklaw.com

Edmond J. Ford on behalf of Defendant Duncan Galvanizing Corp.  
eford@fordassociatespa.com

Joseph A. Foster on behalf of Creditor The Eli L. Isaacson Family Trust  
joe.foster@mclane.com, bankruptcy@mclane.com

Joseph A. Foster on behalf of Interested Party Counsel RB Capital, LLC; Myron Bowling Auctioneers, Inc.; Hilco Industrial, LLC  
joe.foster@mclane.com, bankruptcy@mclane.com

Leonard A. Frisoli on behalf of Defendant P.S.E. Consulting, Inc.  
laf@frisolilaw.com

William S. Gannon on behalf of Creditor Committee Official Committee of Unsecured Creditors  
bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

William S. Gannon on behalf of Debtor Isaacson Steel, Inc.

bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

William S. Gannon on behalf of Debtor Isaacson Structural Steel, Inc.  
bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

William S. Gannon on behalf of Plaintiff Isaacson Steel, Inc.  
bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

William S. Gannon on behalf of Plaintiff Isaacson Structural Steel, Inc.  
bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

William S. Gannon on behalf of Plaintiff Isaacson Structural Steel, Inc.  
bgannon@gannonlawfirm.com,  
jarquette@gannonlawfirm.com;mjoyce@gannonlawfirm.com;bvenuti@gannonlawfirm.com

Irvin D. Gordon on behalf of Interested Party Arnold P. Hanson, Jr.  
igordon@sulloway.com, aconroy@sulloway.com

David C. Green on behalf of Creditor RBS Citizens, National Association  
dcgreenpc@aol.com

Jamie N. Hage on behalf of Interested Party Steven Griffin  
jhage@hagehodes.com, cmoore@hagehodes.com;kparadiso@hagehodes.com

John R. Harrington on behalf of Creditor Wells Fargo Equipment Finance, Inc.  
jharrington@sulloway.com, sparkinson@sulloway.com

Kristen S. Harris on behalf of Creditor Infra-Metals Co.  
kharris@starbleharris.com

Kristen S. Harris on behalf of Defendant Infra Metals Corporation  
kharris@starbleharris.com

Kristen S. Harris on behalf of Defendant Yard Metals, Inc.  
[kharris@starbleharris.com](mailto:kharris@starbleharris.com)

Christopher D. Hawkins on behalf of Defendant Triad Metals International  
chawkins@nkmlawyers.com

Honor S. Heath on behalf of Creditor Public Service Company of NH  
heathhs@nu.com

Peter G. Hermes on behalf of Creditor John Moriarty & Associates, Inc.  
phermes@hermesnetburn.com, mgreen@hermesnetburn.com

D. Ethan Jeffrey on behalf of Creditor Turner Construction Company, Inc.  
dej@murphyking.com, pas@murphyking.com

D. Ethan Jeffrey on behalf of Creditor Committee Official Committee of Unsecured Creditors  
dej@murphyking.com, pas@murphyking.com

Matthew R. Johnson on behalf of Interested Party Northway Bank  
mjohanson@devinemillimet.com, dprovencher@devinemillimet.com

Geraldine Karonis on behalf of U.S. Trustee Office of the U.S. Trustee  
USTPRegion01.MR.ECF@usdoj.gov, Geraldine.L.Karonis@usdoj.gov

Holly Kilibarda on behalf of Creditor Committee Official Committee of Unsecured Creditors  
hkilibarda@nixonpeabody.com,  
dsklar@nixonpeabody.com;man.managing.clerk@nixonpeabody.com;cbuonopane@nixonpeabo  
dy.com;bcollier@nixonpeabody.com;cgrijalva@nixonpeabody.com;ccarlin@nixonpeabody.com  
;lgoodno@nixonpeabody.com

Holly Kilibarda on behalf of Creditor Cttee Atty Nixon Peabody LLP  
hkilibarda@nixonpeabody.com,  
dsklar@nixonpeabody.com;man.managing.clerk@nixonpeabody.com;cbuonopane@nixonpeabo  
dy.com;bcollier@nixonpeabody.com;cgrijalva@nixonpeabody.com;ccarlin@nixonpeabody.com  
;lgoodno@nixonpeabody.com

James S. LaMontagne on behalf of Counter-Defendant Isaacson Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

James S. LaMontagne on behalf of Counter-Defendant Isaacson Structural Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

James S. LaMontagne on behalf of Debtor Isaacson Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

James S. LaMontagne on behalf of Debtor Isaacson Structural Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

James S. LaMontagne on behalf of Plaintiff Isaacson Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

James S. LaMontagne on behalf of Plaintiff Isaacson Structural Steel, Inc.  
nhbankruptycourt@sheehan.com, ntoli@sheehan.com;jlamontagne@sheehan.com

Richard L. Levine on behalf of Creditor Colby Company, LLC  
rlevine@nkmlawyers.com, mbramble@nkmlawyers.com

Richard L. Levine on behalf of Creditor John Moriarty & Associates, Inc.  
rlevine@nkmlawyers.com, mbramble@nkmlawyers.com

Richard L. Levine on behalf of Defendant Triad Metals International  
rlevine@nkmlawyers.com, mbramble@nkmlawyers.com

Mickey Long on behalf of Creditor Prime Steel Erecting, Inc.  
mickeylong@outlook.com, maryellen@wagelaw.net;donna@wagelaw.net

Mickey Long on behalf of Creditor Universal Steel Erectors, Inc.  
mickeylong@outlook.com, maryellen@wagelaw.net;donna@wagelaw.net

Mickey Long on behalf of Defendant P.S.E. Consulting, Inc.  
mickeylong@outlook.com, maryellen@wagelaw.net;donna@wagelaw.net

Daniel P. Luker on behalf of Creditor Passumpsic Savings Bank  
nhbankruptcyfilings@preti.com, dluker@preti.com;carsenault@preti.com

Daniel P. Luker on behalf of Creditor Committee Official Committee of Unsecured Creditors  
nhbankruptcyfilings@preti.com, dluker@preti.com;carsenault@preti.com

Lizabeth M. MacDonald on behalf of Creditor City of Berlin  
lmacdonald@dtclawyers.com

George J. Marcus on behalf of Creditor New Hampshire Business Finance Authority  
bankruptcy@mcm-law.com

George J. Marcus on behalf of Creditor Committee Official Committee of Unsecured Creditors  
bankruptcy@mcm-law.com

Joshua E. Menard on behalf of Creditor Passumpsic Savings Bank  
jmenard@preti.com, lsexton@preti.com;nhbankruptcyfilings@preti.com

Joshua E. Menard on behalf of Defendant Passumpsic Savings Bank  
jmenard@preti.com, lsexton@preti.com;nhbankruptcyfilings@preti.com

Nancy Michels on behalf of Defendant Barbara Hanson  
bankruptcy@michelslaw.com

Gregory A. Moffett on behalf of Creditor Passumpsic Savings Bank  
gmoffett@preti.com, sbarrington@preti.com

Gregory A. Moffett on behalf of Creditor Committee Official Committee of Unsecured Creditors  
gmoffett@preti.com, sbarrington@preti.com

Gregory A. Moffett on behalf of Defendant Passumpsic Savings Bank  
gmoffett@preti.com, sbarrington@preti.com

Dennis L. Morgan on behalf of Defendant Caron Building Center  
dmorgan@cooperchargillchant.com, hplourde@cooperchargillchant.com

Deborah A. Notinger on behalf of Defendant Cindy Griffin  
debbie@dntpc.com, nontrustee@dntpc.com;trustee@dntpc.com

Steven M. Notinger on behalf of Interested Party Steven Griffin  
notingers@cwbp.com, mooneyc@cwbp.com;colen@cwbp.com

Office of the U.S. Trustee  
USTPRegion01.MR.ECF@usdoj.gov

Kelly L. Ovitt Puc on behalf of Interested Party Arnold P. Hanson, Jr.  
kovittpuc@sulloway.com, lrunde@sulloway.com

Cori Phillips Palmer on behalf of Creditor Colby Company, LLC  
cpalmer@haslaw.com

William B. Pribis on behalf of Defendant Charles Leonard Construction Company, Inc.  
pribisw@cwbp.com, husen@cwbp.com

Daniel C. Proctor on behalf of Defendant Metals USA  
daniel.proctor@myfairpoint.net

Douglas B. Rosner on behalf of Financial Advisor Tron Group  
drosner@goulstonstorrs.com

Peter C.L. Roth on behalf of Creditor State of New Hampshire Department of Environmental Services  
peter.roth@doj.nh.gov, laura.maynard@doj.nh.gov

Meyer Simon on behalf of Defendant Metals USA  
msimon@lammrubenstone.com

Daniel W. Sklar on behalf of Creditor Committee Official Committee of Unsecured Creditors  
dsklar@nixonpeabody.com,  
hkilibarda@nixonpeabody.com;bcollier@nixonpeabody.com;cbuonopane@nixonpeabody.com;  
man.managing.clerk@nixonpeabody.com;ccarlin@nixonpeabody.com;lgoodno@nixonpeabody.com



Daniel W. Sklar on behalf of Creditor Cttee Atty Nixon Peabody LLP  
dsklar@nixonpeabody.com,  
hkilibarda@nixonpeabody.com;bcollier@nixonpeabody.com;cbuonopane@nixonpeabody.com;  
man.managing.clerk@nixonpeabody.com;ccarlin@nixonpeabody.com;lgoodno@nixonpeabody.  
com

Jonathan M. Starble on behalf of Creditor Infra-Metals Co.  
jstarble@starbleharris.com

Jonathan M. Starble on behalf of Defendant Infra Metals Corporation  
jstarble@starbleharris.com

Rodney L. Stark on behalf of Accountant D.J. Driscoll and Company, PLLC  
rstark@starklaw.com, mstcyr@starklaw.com

Ryan D. Sullivan on behalf of Creditor All Metals Industries, Inc.  
rsullivan@bodofflaw.com, kkerigan@bodofflaw.com

Stephen W. Sutton on behalf of Creditor Turner Construction Company, Inc.  
stevesutton@suttonlawyers.com

Stephen W. Sutton on behalf of Interested Party Liberty Mutual Insurance Company  
stevesutton@suttonlawyers.com

Peter N. Tamposi on behalf of Debtor Isaacson Steel, Inc.  
peter@thetamposilawgroup.com, heather@thetamposilawgroup.com

Peter N. Tamposi on behalf of Debtor Isaacson Structural Steel, Inc.  
peter@thetamposilawgroup.com, heather@thetamposilawgroup.com

Peter N. Tamposi on behalf of Financial Advisor Tron Group  
peter@thetamposilawgroup.com, heather@thetamposilawgroup.com

Lisa Snow Wade on behalf of Debtor Isaacson Structural Steel, Inc.  
lwade@orr-reno.com, ptolman@orr-reno.com;bankruptcy@orr-reno.com

Lisa Snow Wade on behalf of Spec. Counsel Orr and Reno, P.A.  
lwade@orr-reno.com, ptolman@orr-reno.com;bankruptcy@orr-reno.com

Jack S. White on behalf of Defendant Eli Isaacson Family Trust  
bankruptcy@lawyersnh.com

Jack S. White on behalf of Defendant Elizabeth Isaacson  
bankruptcy@lawyersnh.com

Jack S. White on behalf of Defendant Sarah Townsend  
bankruptcy@lawyersnh.com

Jack S. White on behalf of Defendant Timothy Riley  
bankruptcy@lawyersnh.com

<mailto:rtksob1@comcast.net><mailto:soozlou@aol.com>Dated: October 25, 2013  
/s/ Deborah A. Notinger

Deborah A. Notinger (#02013)