

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:)	
)	
ACR MANAGEMENT, L.L.C., <i>et al.</i> , ¹)	Case No. 04-27848-MBM
)	Chapter 11
Debtors.)	(Jointly Administered)
)	
FIRST AMERICAN BULK CARRIER)	Docket No.: _____
CORPORATION,)	
)	Related Docket No.: #964
Movant,)	
)	Objection Deadline: 1/18/2005
v.)	Hearing Date: 1/25/2005 @ 3:00 p.m. (EST)
)	
ACR MANAGEMENT, L.L.C., <i>et al.</i> ,)	
)	
Respondents.)	

**RESPONSE OF THE DEBTORS TO [CM/ECF#964]
MOTION OF FIRST AMERICAN BULK CARRIER CORPORATION TO
EXTEND TIME FOR FILING PROOF OF CLAIM**

The above-captioned Debtors-in-Possession (collectively, the “Debtors”²) by and through their undersigned attorneys, hereby submit this response (the “Response”) to the motion (filed on December 13, 2004, CM/ECF #964, the “Motion”) filed by First American Bulk Carrier Corporation (the “Movant” or “FABC”) on its own behalf and on behalf of its subrogated underwriter, Steamship Mutual Underwriting Association (Bermuda) Limited, and/or Steamship Insurance Management Services, Limited (“Steamship”), to extend the time for filing a proof of claim. In support of this Response, the Debtors respectfully represent as follows:

¹ The Debtors are the following entities: ACR Management, L.L.C., Anthony Crane Rental Holdings, L.P., ACR/Dunn Acquisition, Inc., Anthony Crane Capital Corporation, Anthony Crane Holdings Capital Corporation, Anthony Crane International, L.P., Anthony Crane Sales & Leasing, L.P., Anthony International Equipment Services Corporation, Anthony Sales & Leasing Corporation, Carlisle Equipment Group, L.P., Carlisle GP, L.L.C., Husky Crane, Inc., Anthony Crane Rental, L.P., d/b/a Maxim Crane Works, Maxim Crane Works, LLC, Sacramento Valley Crane Service, Inc., The Crane & Rigging Company, LLC, Thompson & Rich Crane Service, Inc.

² All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.

BACKGROUND

1. On June 14, 2004 (the “Petition Date”), Anthony Crane Rental, L.P. d/b/a Maxim Crane Works, ACR Management, L.L.C. and Anthony Crane Rental, Inc. (the “Debtors”) filed a voluntary petition for relief pursuant to Chapter 11 of Title 11 U.S.C (the “Bankruptcy Code”) with the United States Bankruptcy Court for the Western District of Pennsylvania.
2. FABC is an entity in the business of chartering and leasing shipping vessels.
3. On or about December 10, 1999, a seaman on one of FABC’s vessels was injured allegedly as a result of the negligence of one of the Debtors.
4. FABC now seeks to extend the time to file a proof of claim against the Debtors for reimbursement of attorneys’ fees and “maintenance and cure” fees (monies paid to injured seamen) incurred as a result of this accident.
5. Admittedly, the Debtors do not have the Movant or Steamship listed on any Schedules or any services lists that have been utilized in these Chapter 11 Cases.
6. The Bankruptcy Court set November 17, 2004, as the bar date (the “Bar Date”) for creditors to file a proof of claim in these cases.
7. On or about November 7, 2004, the Court approved a disclosure statement for the Debtors’ proposed Joint Plan of Reorganization (the “Plan”), and thereafter, the Debtors timely served upon its creditors a Notice of (A) Hearing to Confirm Debtors’ Joint Plan of Reorganization; (B) Objection and Voting Deadline; and (C) Solicitation and Voting Procedures, together with the Plan, Disclosure Statement and all other Court- approved, Plan-related documents.
8. Because a claim of neither the Movant nor Steamship was scheduled and no proof

of claim was filed, the Movant did not serve the requisite notices upon the Movant.

9. On December 30, 2004, this Court entered an Order confirming the Debtors' Plan.

Response to Movant's Relief Requested

10. The Debtors consent to the Movant's request for this Court to extend the time to file a proof of claim.

11. The Debtors, however, preserve their right to object to any claim filed by the Movant or Steamship on any basis (except, of course, on the basis that the claim was late-filed).

12. The Debtors respectfully request that this Court enter their proposed form of order attached hereto.

WHEREFORE, the Debtors respectfully request that the Motion be granted on the terms as set forth in the order attached hereto, or that the Debtors be granted such other relief as is appropriate.

Dated: Pittsburgh, Pennsylvania
January 18, 2005

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-and-

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