

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

\_\_\_\_\_)  
In re: ) Chapter 11  
)  
IEH AUTO PARTS HOLDING LLC, *et al.*,<sup>1</sup> ) Case No. 23-90054 (CML)  
)  
Debtors. ) (Jointly Administered)  
\_\_\_\_\_)

**DEBTORS’ EMERGENCY MOTION FOR ENTRY  
OF AN ORDER (I) RESETTING THE COMBINED HEARING DATE  
AND (II) EXTENDING CERTAIN DEADLINES RELATED THERETO**

**Emergency relief has been requested. Relief is requested not later than May 24, 2023. If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding sentence. Otherwise, the Court (as defined herein) may treat the pleading as unopposed and grant the relief requested.**

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) state the following in support of this motion (this “Motion”):<sup>2</sup>

**Relief Requested**

1. The Debtors seek entry of an order, substantially in the form attached hereto (the “Order”), (a) resetting the Combined Hearing Date and (b) extending certain deadlines related thereto as follows:

<sup>1</sup> The Debtor entities in these chapter 11 cases, along with the last four digits of each Debtor entity’s federal tax identification number, are: IEH Auto Parts Holding LLC (6529); AP Acquisition Company Clark LLC (4531); AP Acquisition Company Gordon LLC (5666); AP Acquisition Company Massachusetts LLC (7581); AP Acquisition Company Missouri LLC (7840); AP Acquisition Company New York LLC (7361); AP Acquisition Company North Carolina LLC (N/A); AP Acquisition Company Washington LLC (2773); Auto Plus Auto Sales LLC (6921); IEH AIM LLC (2233); IEH Auto Parts LLC (2066); IEH Auto Parts Puerto Rico, Inc. (4539); and IEH BA LLC (1428). The Debtors’ service address is: 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144.

<sup>2</sup> On January 31, 2023 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. A detailed description surrounding the facts and circumstances of these chapter 11 cases is set forth in the *Declaration of Michael Neyrey in Support of Debtors’ Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”) [Docket No. 24], incorporated herein by reference.



Event	Original Date	New Date
Voting Record Date	May 1, 2023	N/A
Hearing on Conditional Approval of the Disclosure Statement	Tuesday, May 2, 2023, at 10:00 a.m. (prevailing Central Time)	N/A
Deadline for Plan Solicitation and Mailing and Publication of Confirmation Hearing Notice	Four (4) Business Days after entry of the Order conditionally approving the Disclosure Statement	N/A
Deadline for Filing Plan Supplement	Wednesday, May 24, 2023	Friday, June 9, 2023
Voting Deadline	Friday, May 26, 2023, at 4:00 p.m. (prevailing Central Time)	N/A
Deadline for Objecting to Disclosure Statement and Confirmation of the Plan	Friday, May 26, 2023, at 5:00 p.m. (prevailing Central Time)	N/A
Deadline for Filing Voting Report	Tuesday, May 30, 2023	Tuesday, June 13, 2023
Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation	Wednesday, May 31, 2023, at 1:00 p.m. (prevailing Central Time)	Friday, June 16, 2023 at 3:00 p.m. (prevailing Central Time)

2. The relief requested herein—which will allow the Debtors to continue working with all parties in interest to finalize the Plan, Plan Supplement, and the definitive documents contemplated therein—is supported by the DIP Lender<sup>3</sup> and the Committee. The Debtors are not aware of any objections to this Motion.

### **Jurisdiction and Venue**

3. The United States Bankruptcy Court for the Southern District of Texas (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core

---

<sup>3</sup> Terms not defined herein have the same meaning ascribed to those terms in the *Emergency Motion for Entry of an Order (I) Conditionally Approving the Disclosure Statement; (II) Approving the Solicitation and Notice Procedures; (III) Approving the Forms of Ballots and Notices in Connection Therewith; (IV) Approving the Combined Hearing Timeline; and (V) Granting Related Relief* [Docket No. 466].

proceeding pursuant to 28 U.S.C. § 157(b). The Debtors confirm their consent to the entry of a final order by the Court.

4. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

5. The bases for the relief requested herein are section 105 of title 11 of the United States Code (the “Bankruptcy Code”), rule 9006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rules 2002-1 and 9013-1 of the Bankruptcy Local Rules for the Southern District of Texas (the “Bankruptcy Local Rules”).

### **Preliminary Statement**

6. On January 31, 2023 (the “Petition Date”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. A detailed description of the Debtors, their businesses, and the facts and circumstances supporting the Debtors’ chapter 11 cases are set forth in greater detail in the First Day Declaration.

7. On May 2, 2023, the Debtors filed the *Emergency Motion for Entry of an Order (I) Conditionally Approving the Disclosure Statement; (II) Approving the Solicitation and Notice Procedures; (III) Approving the Forms of Ballots and Notices in Connection Therewith; (IV) Approving the Combined Hearing Timeline; and (V) Granting Related Relief* [Docket No. 466] (the “Disclosure Statement Motion”).

8. On May 2, 2023, the Court entered the *Corrected Order (I) Conditionally Approving the Disclosure Statement; (II) Approving the Solicitation and Notice Procedures; (III) Approving the Forms of Ballots and Notices in Connection Therewith; (IV) Approving the Combined Hearing Timeline; and (V) Granting Related Relief* [Docket No. 474] (the “Disclosure Statement Order”).

9. The Disclosure Statement Order establishes (a) May 24, 2023 as the deadline to file the Plan Supplement, (b) May 30, 2023 as the deadline to file the Voting Report, and (c) June 1, 2023, at 1:00 p.m. (prevailing Central Time), as the Combined Hearing to consider final approval of the Chapter 11 Plan.

10. The Debtors are working closely with the buyers of the Debtors' assets to finalize certain documents related to the sales that must be included in the Plan Supplement. Additionally, other documents required to be included in the Plan Supplement are still being discussed and finalized. The Debtors are seeking a modest extension of time to file the Plan Supplement, and thus the Voting Report, and the Combined Hearing to allow for the conclusion of these discussions and the finalization of the schedules to the Plan Supplement. This extension is supported by the key constituencies: the DIP Lender and the Committee.

**Basis for Relief**

11. Section 105(a) of the Bankruptcy Code authorizes a court to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.” 11 U.S.C. § 105(a). Bankruptcy Rule 9006(b) authorizes courts to extend deadlines that were scheduled by a previous court order, and states, in pertinent part, that:

when an act is required or allowed to be done at or within a specified period by these rules or by a notice given thereunder or by order of court, the court for cause shown may at any time in its discretion . . . with or without motion or notice order the period enlarged if the request therefor is made before the expiration of the period originally prescribed or as extended by a previous order[.]

Bankruptcy Rule 9006(b).

12. The Court has ample authority to modify the dates as requested herein. The relief requested is not substantive in nature, but rather procedural. No party will be prejudiced by the proposed extensions outlined above. In fact, it will provide additional time to creditors and

interested parties to prepare for a hearing, as may be necessary. As mentioned above, the Debtors' key stakeholders support the relief requested herein.

13. The Debtors request that the Court grant the relief requested herein.

**Emergency Consideration**

14. The Debtors request emergency consideration of this Motion in accordance with Bankruptcy Local Rule 9013-1. This Motion solely requests procedural relief, which is ultimately for the benefit of the Debtors, their estates, and all parties in interest. Moreover, emergency relief is appropriate in light of the current deadline to file the Plan Supplement on May 24, 2023. The Debtors request that the Court approve the relief requested in this Motion on an emergency basis.

**Notice**

15. The Debtors will provide notice of this Motion to the following parties or their respective counsel: (a) the U.S. Trustee; (b) counsel to the DIP Lender; (c) counsel to the Committee; (d) parties receiving notice via CM/ECF, and (e) any party that has requested notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, no other or further notice need be given.

The Debtors request that the Court enter the Order granting the relief requested herein and such other relief as the Court deems appropriate under the circumstances.

Houston, Texas  
Dated: May 24, 2023

*/s/ Veronica A. Polnick*

---

**JACKSON WALKER LLP**

Matthew D. Cavanaugh (TX Bar No. 24062656)

Veronica A. Polnick (TX Bar No. 24079148)

Vienna Anaya (TX Bar No. 24091225)

Emily Meraia (TX Bar No. 24129307)

1401 McKinney Street, Suite 1900

Houston, TX 77010

Telephone: (713) 752-4200

Facsimile: (713) 752-4221

Email: [mcavanaugh@jw.com](mailto:mcavanaugh@jw.com)

[vpolnick@jw.com](mailto:vpolnick@jw.com)

[vanaya@jw.com](mailto:vanaya@jw.com)

[emeraia@jw.com](mailto:emeraia@jw.com)

*Counsel to the Debtors  
and Debtors in Possession*

**Certificate of Accuracy**

I certify that the foregoing statements are true and accurate to the best of my knowledge. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

*/s/ Veronica A. Polnick*

\_\_\_\_\_  
Veronica A. Polnick

**Certificate of Service**

I certify that, on May 24, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

*/s/ Veronica A. Polnick*

\_\_\_\_\_  
Veronica A. Polnick

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<p>In re:</p> <p>IEH AUTO PARTS HOLDING LLC, <i>et al.</i>,<sup>1</sup></p> <p style="text-align: center;">Debtors.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Chapter 11</p> <p>Case No. 23-90054 (CML)</p> <p>(Jointly Administered)</p> <p><b>Re: Docket No. _____</b></p>
---	--	---

**ORDER (I) RESETTING THE COMBINED HEARING DATE  
AND (II) EXTENDING CERTAIN DEADLINES RELATED THERETO**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”) (a) resetting the Combined Hearing Date and (b) extending certain deadlines with respect thereto, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having found that the Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate and no other notice need be provided;

<sup>1</sup> The Debtor entities in these chapter 11 cases, along with the last four digits of each Debtor entity’s federal tax identification number, are: IEH Auto Parts Holding LLC (6529); AP Acquisition Company Clark LLC (4531); AP Acquisition Company Gordon LLC (5666); AP Acquisition Company Massachusetts LLC (7581); AP Acquisition Company Missouri LLC (7840); AP Acquisition Company New York LLC (7361); AP Acquisition Company North Carolina LLC (N/A); AP Acquisition Company Washington LLC (2773); Auto Plus Auto Sales LLC (6921); IEH AIM LLC (2233); IEH Auto Parts LLC (2066); IEH Auto Parts Puerto Rico, Inc. (4539); and IEH BA LLC (1428). The Debtors’ service address is: 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.



and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the “Hearing”), if any; and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing, if any, establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. Cause exists to extend certain deadlines set forth in the Disclosure Statement Order.

The following dates are hereby established:

<b>Event</b>	<b>Original Date</b>	<b>New Date<sup>3</sup></b>
Voting Record Date	May 1, 2023	N/A
Hearing on Conditional Approval of the Disclosure Statement	Tuesday, May 2, 2023, at 10:00 a.m. (prevailing Central Time)	N/A
Deadline for Plan Solicitation and Mailing and Publication of Confirmation Hearing Notice	Four (4) Business Days after entry of the Order conditionally approving the Disclosure Statement	N/A
Deadline for Filing Plan Supplement	Wednesday, May 24, 2023	Friday, June 9, 2023
Voting Deadline	Friday, May 26, 2023, at 4:00 p.m. (prevailing Central Time)	N/A
Deadline for Objecting to Disclosure Statement and Confirmation of the Plan	Friday, May 26, 2023, at 5:00 p.m. (prevailing Central Time)	N/A
Deadline for Filing Voting Report	Tuesday, May 30, 2023	Tuesday, June 13, 2023
Combined Hearing on Final Approval of the Disclosure Statement and Plan Confirmation	Wednesday, May 31, 2023, at 1:00 p.m. (prevailing Central Time)	Friday, June 16, 2023 at 3:00 p.m. (prevailing Central Time)

---

<sup>3</sup> N/A indicates no change from the Original Date.

2. Except as modified by this Order, the Disclosure Statement Order, including the deadlines set forth therein, remains in full force and effect in all respects.

3. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion, and the requirements of Bankruptcy Rule 6004(a) and the Bankruptcy Local Rules are satisfied by such notice.

4. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: \_\_\_\_\_, 2023

---

CHRISTOPHER M. LOPEZ  
UNITED STATES BANKRUPTCY JUDGE