

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: EPIC! CREATIONS, INC., <i>et al.</i> , ¹ Debtors.	Chapter 11 Case No. 24-11161 (BLS) (Jointly Administered)
Claudia Z. Springer, Chapter 11 Trustee, Plaintiff vs. Stripe, Inc. Wells Fargo Bank, National Association Whitehat Education Technology LLC John Does 1-100 Defendants	Adv. Pro. No. _____ (BLS) (Jointly Administered)

**TRUSTEE’S MOTION FOR
ENTRY OF TEMPORARY RESTRAINING ORDER**

Plaintiff Claudia Z. Springer, Esq., in her capacity as Chapter 11 Trustee (the “**Trustee**”) of Epic! Creations, Inc. (“**Epic**”), Neuron Fuel, Inc. (“**Neuron Fuel**”), and Tangible Play, Inc. (“**Tangible Play**,” together with Epic and Neuron Fuel, collectively the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”) brings this motion (the “**Motion**”) for entry of a temporary restraining order (the “**TRO Order**”) pursuant to 11 U.S.C. § 105(a) and Rule 7065 of the Federal Rules of Bankruptcy Procedure, which relief shall remain in effect until the

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Epic! Creations, Inc. (9113); Neuron Fuel, Inc. (8758); and Tangible Play, Inc. (9331).



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Court can hold a hearing to consider the entry of a preliminary injunction in connection with the Motion.

1. The Motion is intended to maintain the status quo by:

(a) temporarily enjoining Defendant Stripe, and all persons acting in concert with Stripe, (i) from accepting, authorizing, or implementing any changes to the Debtor's Stripe's accounts by any entity or person other than the Chapter 11 Trustee; and (ii) from transferring any funds Stripe is holding related to the Debtors including in the Stripe accounts to any entity or person other than the Chapter 11 Trustee;

(b) temporarily enjoining Defendant Whitehat, and all persons acting in concert with Whitehat, including but not limited to John Does 1-100, (i) from seeking to access funds in any of the Debtors' accounts, wherever held, including accounts held by Stripe; and (ii) from transferring any of the Unauthorized Postpetition Transfers in Whitehat's Wells Fargo account or any other funds that Whitehat is holding, to any other account or person or entity;

(c) temporarily enjoining Defendant Wells Fargo, and all persons acting in concert with Wells Fargo, from transferring any funds out of Whitehat's Wells Fargo account, and Wells Fargo is ordered to freeze all activity in Whitehat's Wells Fargo account; and

(d) directing Stripe to provide the Chapter 11 Trustee with complete account access and records of the Debtors' Stripe accounts.

2. This Motion is based on *Trustee's Memorandum of Law in Support of Motion for Temporary Restraining Order*, filed concurrently herewith, all evidence to be presented at the

hearing(s) on the Motion, and all matters of record in the above-captioned adversary proceeding and the above captioned bankruptcy case.

3. Pursuant to 11 U.S.C. § 105(a) and/or Bankruptcy Rule 7065, the Court should enter the Proposed Order enclosed as **Exhibit A** to this Motion, and granting such further relief as the Court deems just and appropriate.

Dated: October 8, 2024
Wilmington, DE

/s/ Henry J. Jaffe

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Claudia Z. Springer, Chapter 11 Trustee, Plaintiff vs. Stripe, Inc. Wells Fargo Bank, National Association Whitehat Education Technology LLC John Does 1-100 Defendants	Adv. Pro. No. _____ (BLS) (Jointly Administered)

**ORDER GRANTING CHAPTER 11 TRUSTEE’S MOTION
FOR A TEMPORARY INJUNCTION**

Upon consideration of the *Chapter 11 Trustee’s Motion for Temporary Restraining Order* (the “**Motion**”) ² filed by Claudia Z. Springer, not individually but solely as the chapter 11 trustee (the “**Chapter 11 Trustee**”) of the above-captioned debtors (the “**Debtors**”), the plaintiff in the above-captioned adversary proceeding (the “**Adversary Proceeding**”); and the Court having reviewed the Motion, and its supporting papers; and the Court having held a hearing on October

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² Capitalized terms used herein and not defined shall have the meaning given to them in the Motion.

8, 2024 (the “**Hearing**”); and the Court having considered all evidence and argument presented at the Hearing; the Court finds and concludes as follows:

A. The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334(b). This is a core proceeding within the meaning of 28 U.S.C. § 157(b)(A), (E), and (O).

B. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409(a).

C. Notice of the Motion was sufficient under the circumstances.

D. The legal and factual bases set forth in the Motion and the Memorandum, the evidence in support of the Motion, and at the Hearing establish just cause for the relief granted herein.

E. The Court finds that the Trustee has a reasonable probability of success in the Adversary Proceeding, that the Debtors’ estates will be irreparably harmed if the relief sought in the Motion is not granted, that any harm to the Defendants is outweighed by the harm to the Trustee and the Debtors’ estates if the relief sought in the Motion is not granted, and that the balance of the equities and the public interest support granting the Motion.

For the reasons stated on the record at the Hearing, it is hereby **ORDERD THAT**:

1. Until further order from this Court, and pursuant to Federal Rule of Civil Procedure 65(b), as made applicable herein by Bankruptcy Rule 7065, Defendant Stripe, and all persons acting in concert with Stripe, are immediately enjoined, upon entry of this Order, (i) from accepting, authorizing, or implementing any changes to the Debtor’s Stripe’s accounts by any entity or person other than the Chapter 11 Trustee; and (ii) from transferring any funds Stripe is holding related to the Debtors including in the Stripe accounts to any entity or person other than the Chapter 11 Trustee. Stripe is ordered to provide the Chapter 11 Trustee with complete account access and records of the Debtors’ Stripe accounts.

2. Until further order from this Court, and pursuant to Federal Rule of Civil Procedure 65(b), as made applicable herein by Bankruptcy Rule 7065, Defendant Whitehat, and all persons acting in concert with Whitehat, including but not limited to John Does 1-100, are immediately enjoined, upon entry of this Order, (i) from seeking to access funds in any of the Debtors' accounts, wherever held, including accounts held by Stripe; and (ii) from transferring any of the Unauthorized Postpetition Transfers in Whitehat's Wells Fargo account or any other funds that Whitehat is holding, to any other account or person or entity.

3. Until further order from this Court, and pursuant to Federal Rule of Civil Procedure 65(b), as made applicable herein by Bankruptcy Rule 7065, Defendant Wells Fargo, and all persons acting in concert with Wells Fargo, are immediately enjoined, upon entry of this Order from transferring any funds out of Whitehat's Wells Fargo account, and Wells Fargo is ordered to freeze all activity in Whitehat's Wells Fargo account.

4. The Court shall hold a hearing on _____, 2024, at __:__.m. (Eastern time) to consider the entry of a preliminary injunction in connection with the Motion (the "**PI Hearing**"). Objections to the Motion shall be filed and served no later than three (3) business days prior to the PI Hearing. Replies may be filed by __:__.m. (Eastern time) one (1) business day prior to the PI Hearing.

5. This Order shall be promptly filed in the Clerk's office and entered in the record. The terms and conditions of this Order shall be effective immediately and enforceable upon its entry. The Chapter 11 Trustee is directed to serve a copy of this Order upon the Defendants.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this Order.