

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

In re:

EPIC! CREATIONS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11161 (JTD)

(Jointly Administered)

Claudia Z. Springer, Chapter 11 Trustee,

Plaintiff,

vs.

Google LLC,
Voizzit Technology Private Ltd.,
Voizzit Information Technology LLC,
Vinay Ravindra,
Rajendran Vellapalath,

Defendants.

Adv. Pro. No. 24-50233 (JTD)

(Jointly Administered)

Re: Adv. D.I. 66

**VOIZZIT INFORMATION TECHNOLOGY LLC, VOIZZIT TECHNOLOGY PRIVATE
LIMITED AND RAJENDRAN VELLAPALATH'S OBJECTION TO GLAS TRUST
COMPANY LLC'S MOTION TO SHORTEN NOTICE OF MOTION TO INTERVENE**

Voizzit Information Technology, LLC, Voizzit Technology Private Limited, and Rajendran Vellapalath (collectively, the "Voizzit Defendants"), through the undersigned counsel, file this Objection to GLAS Trust Company LLC's ("GLAS") Motion to Shorten Notice of Motion to Intervene ("Objection") and respectfully request that the Court deny GLAS' Motion to Shorten Time.

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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BACKGROUND

1. On January 23, 2025, at 5:19 PM EST, Voizzit Defendants' counsel received an email from GLAS's counsel indicating their intent to file a motion to intervene in adversary proceeding 24-50233, along with a motion to shorten time.

2. On January 24, 2025, GLAS filed its motion to shorten notice, requesting a hearing on January 29, 2025, at 1:00 p.m. (ET), leaving Voizzit Defendants only two (2) business days to file objections to the Motion to Intervene, substantially prejudicing Voizzit Defendants.

I. GLAS Should Comply with Time Limits Set Forth in Bankruptcy Rules and Should Not Seek Expedited Hearings as a Matter of Course

3. The Federal Rules of Bankruptcy Procedure and this Court's Local Rules set forth time limits for motions, hearings, and responses, reflecting years of careful consideration by experienced practitioners and judges.

4. While the Court may accommodate exigent circumstances, “deviation from the time frames set forth in these rules *should be done sparingly*.” *In re A.H. Coombs, LLC*, 2016 WL 7985367, at *3 (Bankr. D. Utah Dec. 22, 2016) (emphasis added).

5. GLAS's emphasis on the commonality of shortened notice motions contradicts the intent of these rules. Furthermore, “when a bankruptcy case involves business debtors and creditors, the time limits in the law and procedural rules are there for good reason, to protect both entities, and as a result, shortening of time must be scrutinized a bit more.” *Id.* at 4.

II. GLAS's Motion is Solely of its Own Making and Granting the Motion Would Significantly Prejudice Voizzit Defendants

6. In determining whether to significantly shorten notice, the Court should look to the factors outlined in *In re Villareal*:

Firstly, if an expedited hearing is sought, it must appear clearly from the pleadings not only that there is an emergency but also that it is not an emergency of the *movant's own making*. Secondly, there must be a separate motion to expedite to accompany the underlying motion sought to be expedited. Thirdly, the motion to expedite should address the question of prejudice to other parties otherwise entitled to notice. The principle victim whenever the court grants an expedited hearing is the due process rights of affected creditors and parties in interest. And fourthly, motions to expedite *should be used sparingly, rather than as a matter of course*.

In re A.H. Coombs, LLC, 2016 WL 7985367, at *3 (Bankr. D. Utah Dec. 22, 2016) (citing *In re Villareal*, 160 B.R. 786, 787–88 (Bankr. W.D. Tex. 1993)(emphasis added).

7. The purported urgency – which GLAS does not even describe - stems from GLAS's own delay in seeking intervention; this self-created emergency cannot justify shortened notice. GLAS simply provides no justification for its request for shortened notice.

8. Additionally, a “motion to expedite should address the question of prejudice to other parties otherwise entitled to notice.” *Id.*

9. Unlike the example given in *In re A.H. Coombs, LLC*, where the court indicated that shortening time would be appropriate for matters like an individual debtor's car financing - a simple, discrete transaction - this case involves complex business relationships, substantial financial interests, and impacts multiple sophisticated parties' rights in ongoing bankruptcy proceedings.

10. The requested intervention could significantly affect both the Debtors' estates and the Voizzit Defendants' interests, making it precisely the type of motion that requires full notice and opportunity to respond as contemplated by the Bankruptcy Rules and Local Rules.

11. The severely abbreviated notice period of just two business days prejudices the Voizzit Defendants' ability to prepare an adequate response.

12. Furthermore, the expedited timeline interferes with preparations for the already-scheduled show cause hearing.

13. GLAS's motion notably fails to address the prejudicial impacts on the Voizzit Defendants. Instead, it focuses solely on its own interests without considering the burden placed on other parties.

14. The claimed urgency regarding potential recovery of funds, which is really not the urgency that GLAS claims as the Trustee is tasked with protecting the interests of all creditors, does not outweigh the fundamental right to adequate notice and preparation time.

RESERVATION OF RIGHTS

15. Nothing contained herein shall be deemed an admission or waiver by the Voizzit Defendants with respect to any argument or defense in connection with any further proceedings before this Honorable Court.

CONCLUSION

WHEREFORE, for the foregoing reasons, Voizzit Defendants respectfully request that this Court deny GLAS's Motion to Shorten Notice and require compliance with standard notice periods under the Bankruptcy Rules and Local Rules, and grant such other and further relief as is appropriate under the circumstances.

Dated: January 27, 2025

CROSS & SIMON, LLC

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