

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

In re
WESCO AIRCRAFT HOLDINGS, INC., et al.,
Debtors.¹

Case No. 23-90611 (MI)
Chapter 11
(Jointly Administered)

WESCO AIRCRAFT HOLDINGS, INC., et al.,
Plaintiffs,
v.
SSD INVESTMENTS LTD., et al.,
Defendants.

Adv. Pro. No. 23-03091 (MI)

SSD INVESTMENTS LTD., et al.,
Counterclaim Plaintiffs,
v.
WESCO AIRCRAFT HOLDINGS, INC., et al.,
Counterclaim Defendants.

LANGUR MAIZE, L.L.C.,
Crossclaim Plaintiff,
v.
PLATINUM EQUITY ADVISORS, LLC, et al.,
Crossclaim Defendants.

LANGUR MAIZE, L.L.C.,
Third-Party Plaintiff,
v.
**UNNAMED PLATINUM FUNDS c/o
PLATINUM EQUITY ADVISORS, LLC, et al.,**
Third-Party Defendants.

LANGUR MAIZE, L.L.C.,
Counterclaim Plaintiff,
v.
WESCO AIRCRAFT HOLDINGS, INC., et al.,
Counterclaim Defendants.

¹ The Debtors operate under the trade name Incora and have previously used the trade names Wesco, Pattonair, Haas, and Adams Aviation. A complete list of the Debtors in these chapter 11 cases, with each one's federal tax identification number and the address of its principal office, is available on the website of the Debtors' noticing agent at <http://www.kccllc.net/Incora/>. The service address for each of the Debtors in these cases is 2601 Meacham Blvd., Ste. 400, Fort Worth, TX 76137.



**MOTION FOR ENTRY OF AN ORDER AUTHORIZING LANGUR
MAIZE TO FILE UNDER SEAL THE COLLECTIVE DESIGNATIONS
FOR THE DEPOSITION OF BRYAN CIMALA**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing. Represented parties should act through their attorney.

Langur Maize, L.L.C. ("Langur Maize"), states as follows in support of this Motion:

RELIEF REQUESTED

1. Pursuant to Section 107(b) of the Bankruptcy Code, Rule 9018 of the Federal Rules of Bankruptcy Procedure, Rule 9037-1 of the Local Rules for the Bankruptcy Court for the Southern District of Texas, and the *Stipulated Protective Order* [Main Case ECF 724] (the "Protective Order"), Langur Maize requests that the Court enter an order authorizing Langur Maize to file the collective designations of all parties from the deposition of Bryan Cimala, which are attached to *Langur Maize, L.L.C.'s Notice of Filing of Collective Designations of the Deposition of Bryan Cimala* (the "Designations") under seal. Langur Maize provided unsealed copies of the Designations to the Court and all parties to this adversary proceeding, and will provide unsealed copies to any other party as may be ordered by the Court.

BACKGROUND

2. On September 6, 2023, the Court entered the *Stipulated Protective Order* (the “Protective Order”).² The Protective Order provides that parties may designate Discovery Material as Confidential or Highly Confidential – Professionals’ Eyes Only Information. Discovery Material designated as such may only be disclosed to specific persons as specified in the Protective Order. Protective Order ¶¶ 5.2, 5.3. And anything filed with the Court that contains this type of information must redact the information from the public filing and file the information under seal pursuant to the Court’s rules governing sealed documents. Protective Order ¶ 4.2.

3. The Designations describe and consist of Discovery Material that Langur Maize, other parties in the above-captioned adversary proceeding, and third parties designated as “Confidential” or “Highly Confidential – Professionals’ Eyes Only Information” (the “Sealed Information”) pursuant to the Protective Order. As such, Langur Maize is seeking to file the Documents under seal in compliance with the Protective Order.

4. Contemporaneously with the filing of this Motion, Langur Maize is filing a redacted version of the Designations publicly on the docket redacting the Sealed Information. Langur Maize has provided unredacted versions of the Designations to all parties in this adversary proceeding.

BASIS FOR RELIEF

5. Section 105 of the Bankruptcy Code provides that a bankruptcy court “may 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). Section 107 of the Bankruptcy Code further provides that “[o]n

² Capitalized terms used but not defined have the meaning given to them in the Protective Order [Adv. ECF 724].

request of a party in interest, the bankruptcy court *shall* . . . protect an entity with respect to a trade secret or confidential research, development, or commercial information. . . .” 11 U.S.C. § 107(b)(1) (emphasis added). Rule 9018 of the Bankruptcy Rules provides that a “court may make any order which justice requires [] to protect . . . any entity in respect of a trade secret or other confidential research, development, or commercial information. . . .” Fed. R. Bankr. P. 9018. And Rule 9037-1 of the Local Rules states that a “document may initially be filed under seal if the filing party simultaneously files a motion requesting that the document be maintained under seal.” L.R. 9037-1. “In some instances, it may be practicable to redact relevant confidential information from a document, and to file the redacted document in the public record. In those instances, (i) a redacted document should be filed, not under seal; and (ii) the unredacted document should simultaneously be filed, under seal.” *Id.*

6. Here, Langur Maize will rely on the Designations to support its arguments at the trial that began on Thursday, January 25, 2024 and is continuing. The Sealed Information consists of information that Langur Maize, other parties in the above-captioned adversary proceeding, and third parties have designated as Confidential or Highly Confidential – Professionals’ Eyes Only under the Protective Order. Langur Maize takes no position as to the propriety of the designations by the other parties and third parties, and seeks the sealing of such documents solely in order to comply with the Protective Order. The Sealed Information also contains non-public, sensitive commercial information that could harm Langur Maize if it is publicly disclosed. Langur Maize is therefore entitled to file the information under seal.

CONCLUSION

7. Langur Maize respectfully requests that the Court enter the Proposed Order attached hereto granting the relief requested.

DATED: June 17, 2024

JONES DAY

/s/ Michael C. Schneidereit

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Counsel for Langur Maize, L.L.C.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed on this June 17, 2024, with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to all counsel of record.

/s/ Michael C. Schneidreit
Michael C. Schneidreit (*pro hac vice*)

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¹ The Debtors operate under the trade name Incoira and have previously used the trade names Wesco, Pattonair, Haas, and Adams Aviation. A complete list of the Debtors in these chapter 11 cases, with each one's federal tax identification number and the address of its principal office, is available on the website of the Debtors' noticing agent at <http://www.kccllc.net/Incoira/>. The service address for each of the Debtors in these cases is 2601 Meacham Blvd., Ste. 400, Fort Worth, TX 76137.

**PROPOSED ORDER GRANTING
LANGUR MAIZE’S MOTION TO SEAL**

Upon the *Motion for Entry of an Order Authorizing Langur Maize to File Under Seal the Collective Designations for the Deposition of Bryan Cimala* (the “Motion to Seal”)² filed by Langur Maize, and the Court having jurisdiction over the Motion to Seal pursuant to 28 U.S.C. § 1334; and due and proper notice of the Motion to Seal having been provided; and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion to Seal and any objections to the Motion to Seal; and this Court having determined that the legal and factual bases set forth in the Motion to Seal establish cause for the relief sought; and after due deliberation, it is **HEREBY ORDERED THAT:**

1. The Motion to Seal is **GRANTED**.
2. Langur Maize is authorized to file under seal the Designations pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code, Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 9037-1 of the Local Rules.
3. The Designations shall remain confidential, and shall not be made available to anyone, other than as provided in this Order, the Protective Order, or further order of the Court.
4. Langur Maize is authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.
5. This Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

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

DATED: _____, 2024
Houston, Texas

MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE