

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

In re:	§	Chapter 11
	§	
RHODIUM ENCORE LLC, <i>et al.</i> , <sup>1</sup>	§	Case No. 24-90448(ARP)
	§	
Debtors.	§	
	§	(Joint Administration Pending)
	§	

**EMERGENCY MOTION OF DEBTORS FOR ENTRY OF AN ORDER (I)  
AUTHORIZING DEBTORS TO (A) FILE A CONSOLIDATED CREDITOR MATRIX  
AND A CONSOLIDATED LIST OF 30 LARGEST UNSECURED CREDITORS AND (B)  
REDACT CERTAIN PERSONAL IDENTIFICATION INFORMATION; AND (II)  
APPROVING FORM AND MANNER OF NOTIFYING CREDITORS OF  
COMMENCEMENT OF CHAPTER 11 CASES AND OTHER INFORMATION**

**Emergency relief has been requested. Relief is requested not later than 10:00 a.m. (Central Prevailing Time) on August 30, 2024.**

**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 paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.**

**A hearing will be conducted on this matter on Friday, August 30, 2024, at 10:00 a.m. (Central Prevailing Time) in Courtroom 400, 4<sup>th</sup> Floor, 515 Rusk Avenue, Houston, Texas 77002.**

**Participation at the hearing will only be permitted by an audio and video connection.**

**Audio communication will be by use of the Court’s dial-in facility. You may access the facility at 832-917-1510. Once connected, you will be asked to enter**

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of their corporate identification numbers are as follows: Rhodium Encore LLC (3974), Jordan HPC LLC (3683), Rhodium JV LLC (5323), Rhodium 2.0 LLC (1013), Rhodium 10MW LLC (4142), Rhodium 30MW LLC (0263), Rhodium Enterprises, Inc. (6290), Rhodium Technologies LLC (3973), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Shared Services LLC (5868), Rhodium Ready Ventures LLC (8618), Rhodium Industries LLC (4771), Rhodium Encore Sub LLC (1064), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), and Rhodium Renewables Sub LLC (9511). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.



**the conference room number. Judge Perez’s conference code number is 282694. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge’s home page. The meeting code is “JudgePerez.” Click the settings icon in the upper right corner and enter your name under the personal information setting.**

**Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the “Electronic Appearance” link on Judge Perez’s home page. Select the case name, complete the required fields and click “Submit” to complete your appearance.**

The above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) state as follows in support of this motion (this “Motion”):

**Relief Requested**

1. In compliance with parts E and F of the Procedures for Complex Cases in the Southern District of Texas (the “Complex Case Procedures”), the Debtors intend to file a consolidated creditor matrix (the “Creditor Matrix”). By this Motion, the Debtors seek the entry of an order (the “Order”) (a) authorizing the Debtors to file a consolidated creditor matrix and a consolidated list of 30 largest unsecured creditors and (b) authorizing the Debtors to redact certain personal identification information; and (c) approving the form and manner of notifying creditors of commencement of chapter 11 cases and other information.

**Jurisdiction and Venue**

2. 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 proceeding pursuant to 28 U.S.C. § 157(b). The Debtors confirm their consent, pursuant to rule 7008 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), to the entry of a final order by the Court.

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

4. The basis for the relief requested herein are sections 105(a), 107(c), and 521 of title 11 of the United States Code (the “Bankruptcy Code”), Bankruptcy Rules 1007, 2002, 6003, and 9007, and rule 9013-1 of the Bankruptcy Local Rules for the Southern District of Texas (the “Local Rules”).

### **Background**

1. The Debtors and their affiliates (collectively, the “Group”) are a technology company. The Group’s main activity involves utilizing proprietary technology to self-mine bitcoin, with the goal of increasing sustainability and cost-efficiency.

2. On the date hereof (the “Petition Date”), the Debtors each commenced with this Court a voluntary case under chapter 11 of title 11 of the Bankruptcy Code. The Debtors continue to operate their businesses and manage their property as debtors and debtors-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in these chapter 11 cases, and no committees have been appointed or designated.

5. Information regarding the circumstances leading to the commencement of these chapter 11 cases and additional information regarding the Debtors’ businesses and capital structure is set forth in the *Declaration of David Dunn in Support of Chapter 11 Petitions and First Day Motions* (the “First Day Declaration”), which has been filed contemporaneously with this Motion and incorporated by reference herein.<sup>2</sup>

### **Basis for Relief**

#### **I. Consolidated Creditor Matrix**

6. Bankruptcy Rule 1007(a)(1) requires a debtor to file “a list containing the name

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<sup>2</sup> Capitalized terms not defined herein shall have the meanings ascribed to such terms in the First Day Declaration.

and address of each entity included or to be included on Schedules D, E/F, G, and H.” Fed. R. Bankr. P. 1007(a)(1). Because the preparation of separate lists of creditors for each Debtor would be expensive, time consuming, and administratively burdensome, the Debtors respectfully request authority to file one Consolidated Creditor Matrix for all Debtors. Such relief is permitted by Rule 14(a) the Procedures for Complex Cases in the Southern District of Texas.

## **II. Consolidated Top 30 Creditors List**

7. Pursuant to Bankruptcy Rule 1007(d), a debtor shall file “a list containing the name, address and claim of the creditors that hold the 20 largest unsecured claims, excluding insiders.” Fed. R. Bankr. P. 1007(d). In complex chapter 11 cases filed in the Southern District of Texas, the lead debtor in a jointly administered complex case must “file a single, consolidated list of unsecured creditors on Official Form 204 consisting of the 30 largest unsecured creditors of all jointly administered debtors.” See Procedures for Complex Cases in the Southern District of Texas, Rule 14(a). Because a significant number of creditors may be shared amongst the Debtors, consistent with Rule 14(a), the Debtors request authority to file the Consolidated Top 30 Creditors List for all Debtors rather than file separate top 30 creditor lists for each Debtor. The Consolidated Top 30 Creditors List will help alleviate administrative burden, costs, and the possibility of duplicative service. For the avoidance of doubt, the Debtors are not requesting authority pursuant to this Motion to (i) file consolidated schedules of assets and liabilities and statements of financial affairs or (ii) substantively consolidate the Debtors.

## **III. Redaction of Certain Confidential Information of Individuals**

8. Section 107(c) of the Bankruptcy Code provides that the Court:

for cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of

such information would create undue risk of identity theft or other unlawful injury to the individual or the individual's property:

(A) Any means of identification ... contained in a paper filed, or to be filed in a case under [the Bankruptcy Code].

(B) Other information contained in a paper described in subparagraph (A).

11 U.S.C. § 107(c)(1).

9. It is appropriate to authorize the Debtors to redact in any paper filed with the Court—including the Creditor Matrix and Schedules and Statements<sup>3</sup>—the home addresses of individual creditors, employees, and equity holders, as applicable, because such information can be used to perpetrate identify theft or locate survivors of domestic violence, harassment, or stalking. This risk is not merely speculative. In at least one recent chapter 11 case, the abusive former partner of a debtor's employee used the publicly accessible creditor and employee information filed in the chapter 11 case to track the employee at her new address that had not been publicly available until then, forcing the employee to change addresses again.<sup>4</sup>

10. The Debtors propose to provide an unredacted version of all filings redacted pursuant to the proposed order to (a) the Court, the United States Trustee for the Southern District of Texas, and counsel to an official committee of unsecured creditors appointed in these chapter 11 cases (if any), and (b) any party-in-interest, upon a request to the Debtors (email being sufficient) or to the Court that is reasonably related to these chapter 11 cases.

11. Courts in this District and in other jurisdictions have granted similar relief to the

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<sup>3</sup> As defined in the *Debtors' Emergency Motion for Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, Statement of Financial Affairs, and Rule 2015.3 Financial Reports and (II) Granting Related Relief*, filed contemporaneously herewith.

<sup>4</sup> The incident, which took place during the first Charming Charlie chapter 11 proceedings in 2017, is described in the "creditor matrix motion" filed in *Charming Charlie Holdings Inc.*, Case No. 19-11534 (CSS) (Bankr. D. Del. Jul. 11, 2019) (ECF No. 4).

relief requested herein. *See, e.g., In re Covergeone Holdings, Inc.*, Case No. 24-90194 (CML) (Bankr. S.D. Tex. April 4, 2024) (ECF No. 74); *In re Sorrento Therapeutics, Inc.*, Case No. 23-90085 (DRJ) (Bankr. S.D. Tex. Feb. 21, 2023) (ECF No. 109); *In re Heritage Power, LLC*, Case No. 23-90032 (CML) (Bankr. S.D. Tex. Jan. 25, 2023 (ECF No. 39); *In re Core Scientific, Inc.*, Case No. 22-90341 (DRJ) (Bankr. S.D. Tex. Dec. 22, 2022) (ECF No. 117); *In re Talen Energy Supply, LLC*, Case No. 22-90054 (MI) (Bankr. S.D. Tex. May 18, 2022) (ECF No. 237); *In re Basic Energy Servs., Inc.*, Case No. 21-90002 (DRJ) (Bankr. S.D. Tex. Aug. 17, 2021) (ECF No. 31); *In re CBL & Assocs. Props., Inc.*, Case No. 20-35226 (DRJ) (Bankr. S.D. Tex. Nov. 2, 2020) (ECF No. 66). The same relief is also appropriate here.

#### **IV. Service of the Notice of Commencement**

12. Bankruptcy Rule 2002(a) provides, in relevant part, that “the clerk, or some other person as the court may direct, shall give the debtor, the trustee, all creditors and indenture trustees at least 21 days’ notice by mail of: the meeting of creditors under § 341 or § 1104(b) of the Code.” Fed. R. Bankr. P. 2002(a). Subsection (f) provides that notice of the order for relief shall be sent by email to all creditors. *See* Fed. R. Bankr. P. 2002(f).

13. The Debtors proposed to serve the notice of commencement, substantially in the form attached as Exhibit A to the Order (the “Notice of Commencement”), on all parties listed on the Creditor Matrix to advise them of the commencement of these chapter 11 cases and the meeting of creditors under section 341 of the Bankruptcy Code. Service of the Notice of Commencement on the Creditor Matrix will not only avoid confusion among creditors, but will prevent the Debtors’ estates from incurring unnecessary costs associated with serving multiple notices to the parties listed on the Debtors’ Creditor Matrix. Accordingly, the Debtors submit that service of the Notice of Commencement is warranted.

**Emergency Consideration**

14. Pursuant to Bankruptcy Rule 6003, which empowers a court to grant relief within the first 21 days after the commencement of a chapter 11 case “to the extent that relief is necessary to avoid immediate and irreparable harm,” the Debtors request emergency consideration of this Motion. The Motion requests relief from procedural rules and requirements that pertain to matters of immediate significance or which involve deadlines sooner than 21 days after the Petition Date. The relief will save costs and avoid undue administrative burden and confusion only if granted before the applicable deadlines. The Debtors have satisfied the “immediate and irreparable harm” standard of Bankruptcy Rule 6003 and request that the Court approve the relief requested in this Motion on an emergency basis.

**Notice**

15. Notice of this Motion has been provided by the Debtors in accordance and compliance with the Bankruptcy Rules, Local Rules, and the Procedures for Complex Cases in the Southern District of Texas, and is sufficient under the circumstances. Without limiting the foregoing, due notice was afforded to parties-in-interest, including (a) the Office of the United States Trustee for the Southern District of Texas, 515 Rusk, 3<sup>rd</sup> Floor, Houston, Texas 77002; (b) the United States Attorney for the Southern District of Texas, 1000 Louisiana, Suite 2300, Houston, Texas 77002; (c) the Department of the Treasury, Internal Revenue Service, Austin, Texas 73301-00002; and (d) any party that has requested notice or on whom the Court has ordered notice pursuant to Bankruptcy Rule 2002 (collectively, the “Notice Parties”). The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

WHEREFORE, the Debtors respectfully request that the Court enter an order and grant the relief requested herein and such other and further relief as is just and proper.

Respectfully submitted this 29th day of August, 2024.

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

/s/ Patricia B. Tomasco

Patricia B. Tomasco (SBN 01797600)

Joanna D. Caytas (SBN 24127230)

Cameron Kelly (SBN 24120936)

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- and -

Eric Winston (*pro hac vice*)

Razmig Izakelian (*pro hac vice*)

865 S. Figueroa Street, 10th Floor

Los Angeles, California 90017

Telephone: 213-443-3000

Facsimile: 213-443-3100

Email: ericwinston@quinnemanuel.com

Email: razmigizakelian@quinnemanuel.com

*Proposed 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/ Patricia B. Tomasco

Patricia B. Tomasco



**Certificate of Service**

I, Patricia B. Tomasco, hereby certify that on the 29th day of August, 2024, a copy of the foregoing Motion was served by the Electronic Case Filing System for the United State Bankruptcy Court for the Southern District of Texas.

*/s/ Patricia B. Tomasco* \_\_\_\_\_

Patricia B. Tomasco

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

In re:  RHODIUM ENCORE LLC, <i>et al.</i> , <sup>1</sup>  Debtors.	§ § § § § § §	Chapter 11  Case No. 24-90448 (ARP)  (Joint Administration Pending)
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**ORDER (I) AUTHORIZING DEBTORS TO (A) FILE A CONSOLIDATED CREDITOR MATRIX AND A CONSOLIDATED LIST OF 30 LARGEST UNSECURED CREDITORS AND (B) REDACT CERTAIN PERSONAL IDENTIFICATION INFORMATION; AND (II) APPROVING FORM AND MANNER OF NOTIFYING CREDITORS OF COMMENCEMENT OF CHAPTER 11 CASES AND OTHER INFORMATION**  
(Relates to ECF No. \_\_\_\_)

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) authorizing the Debtors to file a consolidated creditor matrix and a consolidated list of 30 largest unsecured creditors; (b) authorizing the Debtors to redact certain personal identification information; and (c) approving the form and manner of notifying creditors of commencement of chapter 11 cases and other information, all as more fully set forth in the Motion; and upon the First Day Declaration; 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 that this Court may enter

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of their corporate identification numbers are as follows: Rhodium Encore LLC (3974), Jordan HPC LLC (3683), Rhodium JV LLC (5323), Rhodium 2.0 LLC (1013), Rhodium 10MW LLC (4142), Rhodium 30MW LLC (0263), Rhodium Enterprises, Inc. (6290), Rhodium Technologies LLC (3973), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Shared Services LLC (5868), Rhodium Ready Ventures LLC (8618), Rhodium Industries LLC (4771), Rhodium Encore Sub LLC (1064), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), and Rhodium Renewables Sub LLC (9511). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.

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

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 under the circumstances and no other notice need be provided; 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"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing 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. The Debtors are authorized, pursuant to section 107(c)(1)(A) of the Bankruptcy Code and Bankruptcy Rules 1007(a)(1) and (d) and 2002, and Bankruptcy Local Rule 9013-1(d) to file a Consolidated Creditor Matrix and a Consolidated Top 30 Creditors List.

2. The Debtors are authorized to redact the home addresses of individuals listed on the Creditor Matrix, Schedules and Statements, or any other documents filed with the Court. The Debtors shall provide an unredacted version of the Creditor Matrix, Schedules and Statements, and any other filings redacted pursuant to this Order to (a) the Court, the U.S. Trustee, and counsel to any official committee appointed in these chapter 11 cases, and (b) any party-in-interest, upon a request to the Debtors (email is sufficient) or to the Court that is reasonably related to these chapter 11 cases; provided that any receiving party shall not transfer or otherwise provide such unredacted

document to any person or entity not party to the request. The Debtors shall inform the U.S. Trustee promptly after denying any request for an unredacted document pursuant to this Order.

3. The Debtors are authorized to serve the Notice of Commencement attached hereto as **Exhibit A**, on the Creditor Matrix. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (a) the commencement of these chapter 11 cases; and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

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

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: \_\_\_\_\_, 2024

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ALFREDO R. PEREZ  
UNITED STATES BANKRUPTCY JUDGE

**EXHIBIT A**

**Notice of Commencement**

<b>Information to identify the case:</b>			
Debtor	<u>RHODIUM ENCORE LLC, et al.</u> <small>Name</small>	EIN	<u>8 6 1 3 5 0 5 5 4</u>
United States Bankruptcy Court for the:	<u>Southern</u>	District of	<u>Texas</u> <small>(State)</small>
Case number:	<u>24-90448 (ARP)</u>	[Date case filed for chapter 11	<u>08 / 24 / 2024</u> MM / DD / YYYY OR
		[Date case filed in chapter _____	MM / DD / YYYY
		Date case converted to chapter 11	MM / DD / YYYY

Official Form 309F1 (For Corporations or Partnerships)

**Notice of Chapter 11 Bankruptcy Case**

10/20

For the debtors listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors and debtors, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtors' full names

- A. RHODIUM ENCORE LLC (Case No. 24-90448 (ARP))
- B. JORDAN HPC LLC (Case No. 24-90449 (ARP))
- C. RHODIUM JV LLC (Case No. 24-90450 (ARP))
- D. RHODIUM 2.0 LLC (Case No. 24-90451 (ARP))
- E. RHODIUM 10MW LLC (Case No. 24-90452 (ARP))
- F. RHODIUM 30MW LLC (Case No. 24-90453 (ARP))
- G. RHODIUM ENTERPRISES, Inc (Case No. 24- )
- H. RHODIUM TECHNOLOGIES LLC (Case No. 24- )
- I. RHODIUM RENEWABLES LLC (Case No. 24- )
- J. RHODIUM INDUSTRIES LLC (Case No. 24- )
- K. RHODIUM SHARED SERVICES LLC (Case No. 24- )
- L. RHODIUM 30MW SUB LLC (Case No. 24- )
- M. RHODIUM RENEWABLES SUB LLC (Case No. 24- )

N. RHODIUM ENCORE SUB LLC (Case No. 24- )

O. RHODIUM 10MW SUB LLC (Case No. 24- )

P. RHODIUM 2.0 SUB LLC (Case No. 24- )

Q. JORDAN HPC SUB LLC (Case No. 24- )

R. AIR HPC LLC (Case No. 24- )

2. All other names used in the last 8 years: N/A

3. Addresses

A. RHODIUM ENCORE LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

B. AIR HPC LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

C. JORDAN HPC LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

D. RHODIUM JV LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

E. RHODIUM 2.0 LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

F. RHODIUM 10MW LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

G. RHODIUM 30MW LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

H. RHODIUM ENTERPRISES, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

I. RHODIUM TECHNOLOGIES LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

J. RHODIUM RENEWABLES LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

K. RHODIUM INDUSTRIES LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

L. RHODIUM SHIELD LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

M. RHODIUM 30MW SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

N. RHODIUM RENEWABLES SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

O. RHODIUM ENCORE SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

P. RHODIUM 10MW SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

Q. RHODIUM 2.0 SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

R. JORDAN HPC SUB LLC, 2617 Bissonnet Street, Suite 234, Houston, TX 77005

4. Debtors' attorney

Name and address

Patricia B. Tomasco  
 Quinn Emanuel Urquhart & Sullivan, LLP  
 700 Louisiana Street, Suite 3900  
 Houston, Texas 77002

Contact phone: 713-221-7000

Email: pattytomasco@quinnemanuel.com

5. Bankruptcy clerk's office

Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <https://pacer.uscourts.gov>.

United States Courthouse  
 515 Rusk Avenue, 5<sup>th</sup> Floor  
 Houston, Texas 77002

Hours open: Monday – Friday  
 8:00 a.m. – 5:00 p.m.

Contact phone: 713-250-5500

**6. Meeting of creditors**

The debtors' representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.

TBA at TBA Date Location: TBA

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

**7. Proof of claim deadline**

**Deadline for filing proof of claim:**

Not yet set. If a deadline is set, the court will send you another notice.

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office.

Your claim will be allowed in the amount scheduled unless:

- your claim is designated as *disputed*, *contingent*, or *unliquidated*;
- you file a proof of claim in a different amount; or
- you receive another notice.

If your claim is not scheduled or if your claim is designated as *disputed*, *contingent*, or *unliquidated*, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.

You may review the schedules at the bankruptcy clerk's office or online at <https://pacer.uscourts.gov>.

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**8. Exception to discharge deadline**

The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.

If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.

**Deadline for filing the complaint:**

To be determined

**9. Creditors with a foreign address**

If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**10. Filing a Chapter 11 bankruptcy case**

Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.

**11. Discharge of debts**

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.