

**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)  (Jointly Administered)
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**NOTICE OF THE COMPARATIVE  
SCHEDULING PROPOSED ORDER FOR CONTESTED MATTER**

PLEASE TAKE NOTICE that attached hereto is a Comparative Proposed Scheduling Order for Contested Matter listing the deadlines proposed by the Debtors and the deadlines proposed by Whinstone.

<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.



Respectfully submitted this 4<sup>th</sup> day of September, 2024.

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**IN THE UNITED STATES BANKRUPTCY COURT  
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In re:	§	Chapter 11
	§	
RHODIUM ENCORE LLC, <i>et al.</i> , <sup>1</sup>	§	Case No. 24-90448 (ARP)
	§	
Debtors.	§	(Jointly Administered)
	§	
	§	

**COMPARATIVE [PROPOSED] SCHEDULING ORDER FOR CONTESTED MATTER**  
(Relates to ECF Nos. 7, 32)

The Parties submit this Comparative [Proposed] Scheduling Order regarding the Debtors’ Motion to Assume and Supplemental Motion to Assume certain executory contracts with Whinstone US, Inc. (“Whinstone”). See ECF Nos. 7, 32 for the Court’s consideration. It is hereby ORDERED that the following deadlines and settings shall apply to this contested matter:

EVENT	DEBTOR DATE	WHINSTONE DATE
<b><u>Discovery</u></b>		
Deadline for substantial completion of document productions.	<b>Thurs., Oct. 3, 2024</b>	<b>Fri., September 20, 2024</b>
Deadline to complete all discovery other than depositions, including of any third parties (with written discovery requests having been served at least 21 days prior to	<b>Thurs., Oct. 3, 2024</b>	<b>Thurs., Oct. 3, 2024</b>

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EVENT	DEBTOR DATE	WHINSTONE DATE
this deadline). <sup>2</sup>		
Deadline to disclose all trial witnesses other than experts	<b>Mon., Oct. 7, 2024</b>	<b>Mon., Oct. 7, 2024</b>
Deadline to disclose expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)	<b>Mon., Oct. 14, 2024</b>	<b>Mon., Oct. 14, 2024</b>
Deadline to disclose rebuttal expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)	<b>Mon., Oct. 21, 2024</b>	<b>Mon., Oct. 21, 2024</b>
Deadline to complete all depositions	<b>Thurs., 10/31/2024</b>	<b>Thurs., 10/31/2024</b>
<b><u>Pretrial and Trial</u></b>		
Parties to file dispositive and pre-trial motions, if any, other than <i>Daubert</i> motions.	<b>Wed., Oct. 16, 2024</b>	<b>Wed., Oct. 16, 2024</b>
Parties to file responses to dispositive motions and pre-trial motions, if any.	<b>14 days from filing of motion, if any.</b>	<b>14 days from filing of motion, if any.</b>
Parties to file replies to responses to dispositive motions and pre-trial motions, if any.	<b>7 days from filing of response, if any.</b>	<b>7 days from filing of response, if any.</b>
Parties to file <i>Daubert</i> motions, if any.	<b>Wed., Oct. 30, 2024</b>	<b>Mon., Nov. 4, 2024</b>
Deadline to exchange final Witness Lists and Exhibit Lists and deposition designations.	<b>Fri., Nov. 1, 2024</b>	<b>Not applicable. LBR 9013-2(m) controls exchange of witness and exhibit lists in contested matters.</b>
The Parties shall confer and file the Standard Joint Pretrial Statement and related attachments in accordance with Appendix C to the Local Rules no later than this date.	<b>Mon., Nov. 4, 2024</b>	<b>Not applicable (Appendix C applies to adversary proceedings per LBR 7016)</b>
Each side may file individual Hearing Briefs, with a 25-page limit (double spaced)	Debtors do not object to Hearing Briefs if the Court would find them helpful.	<b>Fri., Nov. 8, 2024 @ 5</b>

<sup>2</sup> The responding party must serve its responses and objections to any written discovery within 21 days after being served. Documents previously produced in the arbitration will be deemed to have been produced in this matter and any further productions will be numbered continuously to documents previously produced.

<b>EVENT</b>	<b>DEBTOR DATE</b>	<b>WHINSTONE DATE</b>
		<b>PM</b>
Deadline to file Witness Lists, Exhibit Lists, and Exhibits.	<b>Mon., Nov. 4, 2024 at 12:00 p.m. (Central)</b>	<b>Thurs., Nov. 14, 2024 at 12:00 p.m. (Central) (per LBR 9013-2(m))</b>
Deadline to file responses to <i>Daubert</i> motions, if any.	<b>Mon., Nov. 4, 2024</b>	<b>Mon., Nov. 11, 2024</b>
Final pre-trial conference and hearing on dispositive and <i>Daubert</i> motions, if any.	<b>Thurs., Nov. 7, 2024</b>	<b>Thurs., Nov. 14, 2024 @ 1 PM</b>
Trial	<b>Tues., Nov. 12, 2024 at 9:00 a.m. (Central) and continuing Weds., Nov. 13, 2024 and Thurs.. Nov. 14, 2024.</b>	<b>Mon., November 18, 2024 @ 9 AM, continuing through Nov. 22, 2024, possibly Nov. 25-26, 2024.</b>

It is further ORDERED that Federal Rule of Civil Procedure 8 shall apply to this matter.

It is further ORDERED that the Court's approval and entry of this Scheduling Order shall constitute authority for the Parties to file documents, in connection with the deadlines and settings set forth in this Scheduling Order, designated as confidential under seal without the necessity of filing a separate motion under 9037-1 of the Bankruptcy Local Rules for the Southern District of Texas. Parties filing such documents under seal shall, to the extent feasible, also file redacted documents simultaneously.

It is further ORDERED that changes to the deadlines in this Scheduling Order may only be made by further order of this Court.

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

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ALFREDO R. PEREZ  
UNITED STATES BANKRUPTCY JUDGE