

ENTERED

September 05, 2024

Nathan Ochsner, Clerk

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

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

SCHEDULING ORDER FOR CONTESTED MATTER
 (Relates to Dkt. Nos. 7, 32)

The Court enters this Scheduling Order regarding the Debtors’ *Motion to Assume Certain Executory Contracts with Whinstone US, Inc.* [Dkt. No. 7] and *Supplemental Motion to Assume Certain Executory Contracts with Whinstone US, Inc.* [Dkt. No. 32] (together, the “Motion”). It is hereby ORDERED that the following deadlines and settings shall apply to this contested matter:

EVENT	DATE
<u>Discovery</u>	
Deadline for substantial completion of document productions.	September 26, 2024
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 this deadline). ²	October 3, 2024

¹ 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), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), Rhodium Encore Sub LLC (1064), Rhodium Enterprises, Inc. (6290), Rhodium Industries LLC (4771), Rhodium Ready Ventures LLC (8618), Rhodium Renewables LLC (0748), Rhodium Renewables Sub LLC (9511), Rhodium Shared Services LLC (5868), and Rhodium Technologies LLC (3973).

² 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.



EVENT	DATE
Deadline to disclose all trial witnesses other than experts	October 7, 2024
Deadline to disclose expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)	October 14, 2024
Deadline to disclose rebuttal expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2)	October 21, 2024
Deadline to complete all depositions	October 31, 2024
<u>Pretrial and Trial</u>	
Parties to file dispositive and pre-trial motions, if any, other than <i>Daubert</i> motions.	October 16, 2024
Parties to file responses to dispositive motions and pre-trial motions, if any.	October 30, 2024
Parties to file replies to responses to dispositive motions and pre-trial motions, if any.	November 6, 2024
Parties to file <i>Daubert</i> motions, if any.	November 1, 2024
Each side may file individual Hearing Briefs, with a 25-page limit (double spaced)	November 7, 2024 at 5:00 p.m.
Deadline to file Witness Lists, Exhibit Lists, and Exhibits.	November 7, 2024 at 12:00 p.m.
Deadline to file responses to <i>Daubert</i> motions, if any.	November 7, 2024
Final pre-trial conference and hearing on dispositive and <i>Daubert</i> motions, if any.	November 8, 2024 at 1:00 p.m.
Trial	November 12, 2024 at 9:00 a.m., November 13, 2024 at 1:00 p.m., PM only November 14, 2024 at 9:00 a.m., November 15, 2024 at 9:00 a.m., November 18, 2024 at 9:00 a.m., November 19, 2024 at 9:00 a.m., AM only


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.

Signed: September 05, 2024


Alfredo R Pérez
United States Bankruptcy Judge