

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

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In re:

RHODIUM ENCORE LLC, et al.,

Chapter 11

Case No. 24-90448 (ARP)

Debtors.

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Jointly Administered

**JOINDER OF DLT DATA CENTER 1 LLP TO THE OBJECTION FILED BY THE AD
HOC GROUP PARTIES TO THE DEBTORS' APPLICATION FOR AN UPDATED
ORDER AUTHORIZING THE RETENTION AND EMPLOYMENT OF LEHOTSKY
KELLER COHN LLP AS SPECIAL LITIGATION
(Relates to Doc 891 and 835)**

TO THE HONORABLE ALFREDO PEREZ
UNITED STATES BANKRUPTCY JUDGE:

DLT Data Center 1 LLC ("DLT"), an equity claim holder and the second largest shareholder of Rhodium Encore LLC, et al¹, (the "Debtors"), by and through its counsel Olshan Frome Wolosky LLP, respectfully submits this Joinder to the Ad Hoc Parties objection ("Objection") to the Debtors' application for an updated Order authorizing the retention and employment of Lehotsky Keller Cohn LLP as Special Counsel ("LKC Application").

1. DLT seeks to further protect the interests of equity holders in the proceedings that follow the approval of the Whinstone Settlement. Given the recent

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), 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

settlement in the Whinstone litigation, the estate on a macro level appears to hold considerable value for the equity class. We do not need to repeat each and every position that the Objection.

2. Virtually all of our concerns were addressed in the Objection. We do not need to repeat each and every position raised therein.

3. From our vantage point the LKC Application is **not** seeking an updated Order as it appears, rather it is seeking a *de novo* application many months after they performed services to the Debtors. Nowhere in any of the monthly statements did they alert anyone to this contingency. This Court should not condone this type of *de novo* action. The relief sought must be denied as it seeks relief sought would hurt the estate to the sole benefit of a professional law firm, who knew or should have known to disclose all the terms and conditions of their compensation in their original application.

4. DLT reserves its rights to further address the LKC Application and other ancillary issues if and when a further reply is filed by LKC or the Debtors, either by further submission to this Court, at oral argument or testimony to be presented at any hearing.

WHEREFORE, for all the reasons set forth herein, DLT respectfully joins the Objection.

Dated: April 8, 2025
mf New York, New York

OLSHAN FROME WOLOSKY LLP
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