

**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)
	§	

**SPECIAL COMMITTEE'S MOTION TO SEAL ITS EMERGENCY MOTION
FOR AN EXTENSION TO RESPOND TO LEHOTSKY KELLER COHN LLP'S
FINAL APPLICATION FOR PAYMENT OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES
(Relates to ECF No. 1626)**

If you object to the relief requested, you must respond in writing. Unless otherwise directed by the court, you must file your response electronically at <https://ecf.txsb.uscourts.gov/> within twenty-one days from the date this motion was filed. If you do not have electronic filing privileges, you must file a written objection that is actually received by the clerk within twenty-one days from the date this motion was filed. Otherwise, the court may treat the pleading as unopposed and grant the relief requested.

The Special Committee of the Board of Directors of Debtor Rhodium Enterprises, Inc. (the "Special Committee") respectfully submits this Motion (the "Motion") for an entry of an order authorizing the sealing of its Motion for an

¹ 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 Debtors in these Chapter 11 Cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.



Extension to Respond to Lehotsky Keller Cohn LLP (“LKC”)’s Final Fee Application for Payment of Compensation and Reimbursement of Expenses for the Period August 28, 2024, Through June 30, 2025 (the “Fee Application”) [ECF Nos. 1560-1561].

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Motion under 28 U.S.C. § 1334; this matter is a core proceeding under 28 U.S.C. § 157(b).

2. Pursuant to 28 U.S.C. §§ 1408 and 1409, venue in this district is proper.

3. The bases for the relief are Section 105(a) of the Bankruptcy Code, Rules 9018 and 9037 of the Federal Rules of Bankruptcy Procedure, Rule 9037-1 of the Bankruptcy Local Rules for the Southern District of Texas and the Procedures for Complex Cases in the Southern District of Texas.

BACKGROUND

4. On September 8, 2025, the Court requested that the Special Committee file an emergency motion for extension in responding to LKC’s Fee Application without further delay. [See ECF Nos. 1620-1621.]

5. On September 9, 2025, the Special Committee conferred with counsel for LKC on this Motion. LKC’s counsel requested the Motion be filed under seal.

BASIS FOR RELIEF

6. While the Special Committee does not agree that the Motion for Extension must be filed under seal, it does so to further good faith cooperation with LKC and allow LKC the opportunity to supplement this Motion to explain the reasoning for it being filed under seal. Similarly, it does so in order to ensure

compliance with the Court's request that the Motion for Extension be filed without delay.

7. A redacted version of the Motion for an Extension to Respond to the Fee Application will be filed on the docket for public viewing. The Special Committee will furnish an unredacted copy to the Court.

RESERVATION OF RIGHTS

8. The Special Committee submits this Motion without prejudice to, and with a full reservation of the Special Committee's rights, claims, defenses and remedies, including the right to amend, modify or supplement this Motion to raise additional objections and to object to and introduce evidence at any hearing relating to the Motion, and without in any way limiting any other rights of the Special Committee, as may be appropriate.

CONCLUSION

9. For the foregoing reasons, the Special Committee respectfully requests that the Court grant this Motion, and grant such other relief as may be just and proper.

Dated this 10th day of September, 2025.

BARNES & THORNBURG LLP

/s/ Trace Schmeltz

Vincent P. (Trace) Schmeltz III (*pro hac vice*)

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*Counsel for the Special Committee of the
Board of Directors of Rhodium Enterprises,
Inc.*

Certificate of Service

I, Vincent P. (Trace) Schmeltz III, hereby certify that on the 10th day of September, 2025, a copy of the foregoing was served via the Clerk of the Court through the ECF system to the parties registered to receive such service.

/s/ Trace Schmeltz
Vincent P. (Trace) Schmeltz III

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RHODIUM ENCORE LLC, <i>et al.</i> , ¹	§	Case No. 24-90448 (ARP)
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**ORDER GRANTING THE SPECIAL COMMITTEE’S MOTION TO SEAL ITS
EMERGENCY MOTION FOR AN EXTENSION TO RESPOND TO
LEHOTSKY KELLER COHN LLP’S FINAL APPLICATION FOR PAYMENT
OF COMPENSATION AND REIMBURSEMENT OF EXPENSES**

(Relates to ECF No. _____)

Upon consideration of the Motion to Seal (the “Motion”) the *Special Committee’s Emergency Motion for an extension to file a response to Lehotsky Keller Cohn LLP’s Final Application for Payment of Compensation and Reimbursement of Expenses for the Period of August 28, 2024 through June 30, 2025*, the Court having jurisdiction to consider this matter and the relief requested therein pursuant to 28 U.S.C. § 1334; consideration of this Motion being a core proceeding pursuant to 28 U.S.C. § 157; notice of the Motion having been adequate and appropriate under the circumstances; and after due deliberation and sufficient cause appearing; it is hereby:

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1. ORDERED that the Special Committee is authorized to file under seal an unredacted version of the *Special Committee's Emergency Motion for an extension to file a response to Lehotsky Keller Cohn LLP's Final Application for Payment of Compensation and Reimbursement of Expenses for the Period of August 28, 2024 through June 30, 2025*; it is further

2. ORDERED that the Special Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion; it is further

3. ORDERED that the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this order.

Dated: _____, 2025

THE HONORABLE ALFREDO R. PEREZ
UNITED STATES BANKRUPTCY JUDGE