

**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.	§	
	§	(Jointly Administered)
	§	

**SPECIAL COMMITTEE'S MOTION FOR ENTRY OF AN ORDER  
AUTHORIZING THE SEALING OF ITS REPLY BRIEF IN FURTHER  
SUPPORT OF ITS MOTION FOR AN EXTENSION TO RESPOND TO  
LEHOTSKY KELLER COHN LLP'S FINAL FEE APPLICATION AND  
AUTHORIZING THE FILING OF A REDACTED VERSION OF THE  
MOTION FOR AN EXTENSION**

**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 to Seal") for an entry of an order authorizing the sealing of its Reply Brief

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<sup>1</sup> 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.



(the “Reply”) in Further Support of its Emergency Motion for an Extension (“Motion for 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] and authorizing the filing of a redacted version of the Motion for Extension.

### **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 10, 2025, the Special Committee filed the Motion for Extension, along with a motion to seal the Motion for Extension and file a redacted version, at the request of LKC, and a redacted Motion for Extension. [See ECF Nos. 1626-1628.]

5. On September 11, 2025, LKC filed its response to the Motion for Extension along with a motion to seal the response and a redacted version of the response. [See ECF Nos. 1632-1634.]

### **BASIS FOR RELIEF**

6. The Reply contains citations to and quotes from a deposition transcript that has been designated “Confidential.” Accordingly, those sections and the corresponding exhibit have been redacted. A redacted version of the Reply is filed on the docket for public viewing. The Special Committee will furnish an unredacted copy to the Court.

7. While the Special Committee does not agree that the remaining redacted portions of the Reply 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 Seal to explain the reasoning for it being filed under seal.

### **RESERVATION OF RIGHTS**

8. The Special Committee submits this Motion to Seal 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 Seal to raise additional objections and to object to and introduce evidence at any hearing relating to the Motion to Seal, 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 to Seal and grant such other relief as may be just and proper.

Dated this 19th 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 19th 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

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

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Debtors.	§	(Jointly Administered)
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**ORDER GRANTING THE SPECIAL COMMITTEE’S MOTION FOR ENTRY  
OF AN ORDER AUTHORIZING THE SEALING OF ITS REPLY BRIEF IN  
FURTHER SUPPORT OF ITS EMERGENCY MOTION FOR AN  
EXTENSION TO RESPOND TO LEHOTSKY KELLER COHN LLP’S FINAL  
FEE APPLICATION AND AUTHORIZING THE FILING OF  
A REDACTED VERSION OF THE MOTION FOR AN EXTENSION**

Upon consideration of the Motion to Seal (the “Motion”) the *Special Committee’s Reply in Further Support of Emergency Motion of the Special Committee 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 “Reply”), 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;

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notice of the Motion having been adequate and appropriate under the circumstances;  
and after due deliberation and sufficient cause appearing; it is HEREBY ORDERED  
THAT:

1. The Special Committee is authorized to file under seal an unredacted version of the Reply;
2. The Special Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion;
3. The Motion is **GRANTED**.

SO ORDERED.

Dated: \_\_\_\_\_, 2025  
Houston, Texas

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THE HONORABLE ALFREDO R. PEREZ  
UNITED STATES BANKRUPTCY JUDGE