

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

IN RE: § Chapter 11
RHODIUM ENCORE, LLC §
§ CASE NO. 24-90448
§
DEBTORS. § (Jointly Administered)

**LIMITED OBJECTION AND RESERVATION OF RIGHTS RELATED TO FIRST
AMENDED JOINT CHAPTER 11 PLAN OF LIQUIDATION FOR RHODIUM ENCORE
LLC AND ITS AFFILIATED DEBTORS PROPOSED BY DEBTORS AND AD HOC
GROUP OF SAFE PARTIES**

[This instrument relates to Docket No. 1821]

Caleb VanZooeren (the "Individual") a party-in-interest in the above-styled and captioned bankruptcy cases, files this *Limited Objection and Reservation of Rights* (the "Reservation of Rights") to the *First Amended Plan of Liquidation for Rhodium Encore, LLC and its Affiliated Debtors Proposed by Debtors and Ad Hoc Group of SAFE Parties* [Docket No. 1821] (the "Plan"), filed by Rhodium Enterprises, Inc. and the other jointly-administered above-referenced debtors ("Debtors") and respectfully states the following:

I. FACTUAL AND PROCEDURAL BACKGROUND

1. On August 29, 2024 (the "Petition Date"), the Debtors filed voluntary petitions for relief in this Court under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code"), commencing the above-styled bankruptcy cases (the "Bankruptcy Cases").

2. The Debtors continue to operate their businesses and manage their property as debtors-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. To date, no trustee or examiner has been appointed in the Bankruptcy Cases.

DRP MARKET HEIGHTS PROPERTY OWNER, LLC'S LIMITED OBJECTION, RESERVATION OF RIGHTS, AND JOINDER



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3. The Individual filed a proof of claim related to amounts due to him under various contracts as further described by Proof of Claim No. 250 and attached hereto as **Exhibit “A”** (the “Claim”). Terms not defined herein have the meanings ascribed to such terms by the Claim and the Plan.

4. The Claim was filed in the amount of at least \$265,000.

5. The Plan provides for certain Severance Benefits to parties, including the Individual.

6. The Plan Supplement provides that the Severance Benefit amount owed to the Individual is \$205,721.64 (the “Plan Supplement Amount”).

II. OBJECTION AND RESERVATION OF RIGHTS

7. The Individual does not agree that the Plan Supplement Amount is correct. As set forth the Claim, the Individual asserts a claim in excess of the Plan Supplement Amount (by \$60,000 or more). To the extent the Plan seeks to bind the Individuals’ Claim to an amount lower than asserted in the Claim, the Individual objects.

III. RESERVATION OF RIGHTS

8. The Individual reserves all rights under the Contract, the Claim, the Bankruptcy Code, and other applicable law. The Individual also reserves the right to amend or supplement this Reservation of Rights at any time prior to any hearing to consider the Plan and to assert further arguments as the evidence may allow.

WHEREFORE, PREMISES CONSIDERED, the Individual respectfully requests that the Court: (i) provide that the Plan and any order confirming the same does not reduce the amount asserted in the Claim; and (ii) grant such other and further relief as is appropriate and just under the circumstances. The Individual also requests general relief.

DATED: November 21, 2025.

Respectfully submitted,

By: /s/ Annmarie Chiarello

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**ATTORNEYS FOR CALEB
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CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2025, notice of this document will be electronically mailed to the parties that are registered or otherwise entitled to receive electronic notices in this proceeding pursuant to the Electronic Filing Procedures in this District.

/s/ Annmarie Chiarello

One of Counsel

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