Docket #0712 Date Filed: 10/30/2026
United States Bankruptcy Court
Southern District of Texas
ENTERED
October 14, 2026
Nathan Ochsner, Clerk

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

In re:	)	Chapter 11
	)	
ASCEND ELEMENTS, INC., *et al.*,[1]	)	Case No. 26-90440 (CML)
	)	
Debtors.	)	(Jointly Administered)
	)	Re: Claim No. 21

STIPULATION AND AGREED ORDER EXTENDING THE GUC TRUSTEE'S DEADLINE TO OBJECT TO CLAIM NO. 21 FILED BY ADG FLANDERS ROAD WESTBOROUGH LLC

Olympus Guardians LLC, solely in its capacity as trustee of the Ascend Elements GUC Trust (the "GUC Trustee"), and ADG Flanders Road Westborough LLC (the "Landlord" and, together with the GUC Trustee, the "Parties"), by and through their respective undersigned counsel, stipulate and agree as follows:

RECITALS

A. On April 9, 2026, the Debtors filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code in this Court.

B. On August 17, 2026, the Court entered an order [Docket No. 659] confirming the *Combined Disclosure Statement and Plan of Liquidation of Ascend Elements, Inc., et al.* [Docket No. 550] (as amended, the "Plan").[2] The Plan became effective on September 8, 2026. *See* Docket No. 674. Since the Effective Date, the GUC Trustee has had the exclusive authority to object to Claims. Plan Art. VIII.B.2.

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Ascend Elements, Inc. (2893) and Ascend Elements US, LLC (8309). The location of the Debtors' service address is: 133 Flanders Road, Westborough, MA 01581.
[2] Capitalized terms used but not defined in this Stipulation and Agreed Order have the meanings given to them in the Plan.

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C. On September 21, 2026, the Landlord filed and served its *Request for Allowance and Payment of Administrative Expense Claim* (Claim No. 21) (the "Request"). The Request seeks allowance and payment of an administrative expense claim of not less than $1,154,298.95.

D. Under Article IV.A of the Plan, an objection to a request for payment of an Administrative Claim must be filed and served no later than 21 days after service of the request. The twenty-first day after service of the Request, October 12, 2026, is a legal holiday, so the current deadline to object to the Request is October 13, 2026 (the "Objection Deadline"). *See* Plan Art. I.D; Fed. R. Bankr. P. 9006(a).

E. The Parties have agreed to extend the Objection Deadline to allow them to exchange information and discuss whether the Request can be resolved without litigation. The Parties agree that cause exists for the extension under Bankruptcy Rule 9006(b)(1).

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, and upon approval by the Court, **IT IS HEREBY ORDERED**, that:

1. The Objection Deadline is extended through and including **November 12, 2026** (the "Extended Deadline"). The GUC Trustee may object to the Request, in whole or in part and on any ground, on or before the Extended Deadline.

2. An objection to the Request filed and served on or before the Extended Deadline is timely under Article IV.A of the Plan. The Request shall not be deemed Allowed by reason of the passage of the Objection Deadline.

3. The Extended Deadline may be further extended by written stipulation of the Parties filed with the Court, without further order, or by further order of the Court.

4. Except as expressly provided in this Stipulation and Agreed Order, all rights, claims, defenses and objections of each Party are reserved, including the GUC Trustee's right to contest

the amount, priority, classification and allowance of the Request and the Landlord's position that the Request is entitled to administrative priority. Nothing in this Stipulation and Agreed Order is an admission by either Party or affects any other deadline under the Plan.

5. This Stipulation and Agreed Order binds the Parties upon its execution by counsel for both Parties, pending its entry by the Court. If the Court has not entered this Stipulation and Agreed Order by the Objection Deadline, the Landlord will not contend that an objection filed on or before the Extended Deadline is untimely. Each undersigned counsel represents that he is authorized to execute this Stipulation and Agreed Order on behalf of the Party he represents. This Stipulation and Agreed Order may be executed in counterparts and by electronic signature.

6. The Court retains jurisdiction over all matters arising from or related to the interpretation, implementation and enforcement of this Stipulation and Agreed Order.

Signed: October 14, 2026

Christopher Lopez
United States Bankruptcy Judge

AGREED AS TO FORM AND SUBSTANCE:

Dated: October 12, 2026

BRINKMAN LAW GROUP, PC

By: */s/ Daren Brinkman*
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Counsel to Olympus Guardians LLC, solely in its capacity as GUC Trustee of the Ascend Elements GUC Trust

THOMAS H. CURRAN ASSOCIATES, LLC

By: */s/ Thomas Curran* (signed with permission)
Thomas H. Curran (BBO #550759)
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Counsel to ADG Flanders Road Westborough LLC

CERTIFICATE OF SERVICE

I certify that on October 13, 2026, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on all parties registered to receive electronic notice in these chapter 11 cases, including counsel to the Landlord.

/s/ Daren Brinkman
Daren R. Brinkman

United States Bankruptcy Court
Southern District of Texas

In re:
Ascend Elements, Inc.
Ascend Elements US, LLC
Debtors

Case No. 26-90440-cml
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser
Date Rcvd: Oct 29, 2026 Form ID: pdf002 Total Noticed: 16

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 30, 2026:

Recip ID		Recipient Name and Address
db	+	Ascend Elements US, LLC, 3120 Southwest Freeway, Suite 213, Houston, TX 77098-4510
db	+	Ascend Elements, Inc., 133 Flanders Road, Westborough, MA 01581-1031
aty		c/o Jay Bender American Battery Technology Company, Bradley Arant Boult Cummings LLP, 214 North Tyron Street, Suite 3700, Charlotte, NC 28202 UNITED STATES
cr	+	ADG Flanders Road Westborough LLC, c/o Thomas H. Curran Associates, LLC, 15 Broad Street, Suite 610, Boston, MA 02109 UNITED STATES OF AMERICA 02109-3806
cr		Interco Trading, Inc., 7 Gateway Commerce Center Dr. W., Edwardsville, IL 62025-2814
cr	+	McCormick Equipment Company, Inc., c/o Robbins Kelly Patterson & Tucker LPA, 312 Elm Street, Suite 2200, Cincinnati, OH 45202-2748
intp	+	PNE NuMaterials LLC, 11 Deer Park Dr. Ste 120, 11 Deer Park Dr. Ste 120, Monmouth Junction, NJ 08852, UNITED STATES 08852-1923
cr	+	PowerTech Water, Inc. dba Electramet, Mitby Pacholder Johnson PLLC, 1001 McKinney St., Suite 925, Houston, TX 77002, UNITED STATES 77002-6400
cr	+	The Laibe Electric Co., Thompson Hine LLP, 3560 Lenox Road Suite 1600, Attn: Sean Gordon, Esq., Atlanta, GA 30004 UNITED STATES 30326-4274
op		Verita Global dba Kurtzman Carson Consultants, LLC, 222 N PCH, Suite 300, El Segundo, CA 90245, US

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID		Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	^	MEBN	Oct 29 2026 12:20:44	AMCON Industrial, Zach McKay, Jackson Walker LLP, 1401 McKinney Street, Suite 1900, Houston, TX 77010-1900
cr		Email/Text: dougjd@foundationsteel.net	Oct 29 2026 12:22:00	Foundation Steel, LLC, 12525 Airport Hwy, P.O. Box 210, Swanton, OH 43558, UNITED STATE OF AMERICA
op	+	Email/Text: kccnoticing@kccllc.com	Oct 29 2026 12:22:00	Kurtzman Carson Consultants, LLC d/b/a Verita Glob, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245-5614
cr	+	Email/Text: schristianson@buchalter.com	Oct 29 2026 12:22:00	Oracle America, Inc., Buchalter LLP, c/o Shawn M. Christianson, Esq., 425 Market St., Suite 2900, San Francisco, CA 94105-2491
cr	+	Email/Text: AGBankRevenue@ag.tn.gov	Oct 29 2026 12:22:00	TN Dept of Revenue, c/o TN Attorney General's Office, Bankruptcy Division, P.O. Box 20207, Nashville, TN 37202-4015
cr	+	Email/Text: mheld@jw.com	Oct 29 2026 12:22:00	United Electric Company, Inc., Michael S Held, Jackson Walker LLP, 2323 Ross Avenue, Suite 600, Dallas, TX 75201-2725

TOTAL: 6

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty		McDermott Will & Schulte LLP
aty		R. Michael Sullivan
tr		Olympus Guardians LLC
intp		A123 Systems LLC
cr		AM Construction Inc. d/b/a AMCON Industrial
intp		BlackRock Financial Management, Inc.
intp		Certain CLN Holders
intp		City of Hopkinsville, Kentucky
intp		Covington Industrial LLC
cr		Doral Energy - Tech Ventures, Limited Partnership
cr		Doral Tech SI, Limited Partnership
cr		F.E. Moran, Inc. Fire Protection
cr		Fifth Wall Accelerate (Late Stage), L.P.
cr		Fifth Wall Early Stage Climate Technology Fund, L.
cr		Fifth Wall Ventures SPV XXXIX, L.P.
cr		Georgia Department of Natural Resources, Environme
cr		H2O Innovation USA, Inc.
cr		Hopkinsville Industrial Foundation, Inc.
op		Jefferies LLC
intp		Just Climate
intp		Kinterra Capital Corp. and Its Affiliates
cr		Miner, Ltd., d/b/a Great Lakes Dock & Door
intp		Murphy Company Mechanical Contractors and Engineer
crcm		Official Committee of Unsecured Creditors of Ascen
cr		Planters Bank, Inc.
intp		R3 Lithium, Inc.
intp		RMF Nooter, LLC
cr		SKS Private Equity Co., Ltd.
intp		Senior CLN Investors
cr		Steel Fab, Inc.
cr		Sunbelt Rentals, Inc.
cr		TEC-Protective Coatings Inc.
cr		Total Quality Logistics LLC
cr		Turner-Kokosing Joint Venture
intp		UNITED STATES OF AMERICA
cr		URT Umwelt- und Recyclingtechnik GmbH
cr		United States Fire Insurance Company
intp		United States of America
intp		United states
cr		Victory Equipment & Services, LLC
intp		Worcester Polytechnic Institute

TOTAL: 41 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 30, 2026 Signature: /s/Gustava Winters