Docket #0714 Date Filed: 11/12/2026

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 and Docket No. 698

SECOND STIPULATION AND AGREED ORDER FURTHER 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 *Second Amended Combined Disclosure Statement and Joint Plan of Liquidation for Ascend Elements, Inc., et al.*, which is attached to that order as Exhibit A (as confirmed, the "Plan").[2] The Plan became effective on September 8, 2026. Docket No. 674. Since then, 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 Second 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. On October 14, 2026, the Court entered the *Stipulation and Agreed Order Extending the GUC Trustee's Deadline to Object to Claim No. 21 Filed by ADG Flanders Road Westborough LLC* [Docket No. 698] (the "First Agreed Order"). The First Agreed Order extended the GUC Trustee's deadline to object to the Request under Article IV.A of the Plan through and including November 12, 2026 (the "Extended Deadline"). It also provides that 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." First Agreed Order ¶ 3.

E. On November 11, 2026, the GUC Trustee provided the Landlord with the *Laboratory Decontamination Summary* for the leased premises at 133 Flanders Road, Westborough, Massachusetts, prepared by Triumvirate Environmental LLC and dated August 31, 2026 (the "Report"). The Parties have agreed to further extend the Extended Deadline so that they can review the Report and discuss whether the Request can be resolved or narrowed without litigation.

F. The Parties agree that cause exists for the further extension under Bankruptcy Rule 9006(b)(1). They are filing this Second Stipulation and Agreed Order before the Extended Deadline expires.

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 Extended Deadline is further extended through and including **December 14, 2026** (the "Second Extended Deadline"). The GUC Trustee may object to the Request, in whole or in part and on any ground, on or before the Second Extended Deadline.

2. An objection to the Request filed and served on or before the Second 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 Extended Deadline or of any earlier deadline to object to it.

3. The Second 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 Second 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 Second Stipulation and Agreed Order is an admission by either Party or affects any other deadline under the Plan. The GUC Trustee's provision of the Report is not an admission of the validity, amount or priority of the Request.

5. This Second Stipulation and Agreed Order binds the Parties upon its execution by counsel for both Parties. Under paragraph 3 of the First Agreed Order, the extension in paragraph 1 takes effect when this Second Stipulation and Agreed Order is filed, without waiting for its entry. If the Court has not entered this Second Stipulation and Agreed Order by the Extended Deadline, the Landlord will not contend that an objection filed on or before the Second Extended Deadline is untimely. Each undersigned counsel represents that he is authorized to execute this Second Stipulation and Agreed Order on behalf of the Party he represents. This Second 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 Second Stipulation and Agreed Order.

Dated: _____, 2026
Houston, Texas

_____
CHRISTOPHER M. LOPEZ
UNITED STATES BANKRUPTCY JUDGE

AGREED AS TO FORM AND SUBSTANCE:

Dated: November 12, 2026

BRINKMAN LAW GROUP, PC

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CERTIFICATE OF SERVICE

I certify that on November 12, 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