Docket #2890 Date Filed: 10/27/2026

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
MARELLI AUTOMOTIVE LIGHTING USA LLC, *et al.*,[1]	)	Case No. 25-11034 (CTG)
Debtors.	)	(Jointly Administered)

MOTION OF DEBTORS FOR ENTRY OF AN ORDER (I) AUTHORIZING THE DEBTORS TO REDACT AND FILE UNDER SEAL CERTAIN SENSITIVE COMMERCIAL INFORMATION RELATED TO THE SETTLEMENT AGREEMENT AND (II) GRANTING RELATED RELIEF

The above-captioned debtors and debtors in possession (collectively, the "Debtors") state as follows in support of this motion:[2]

Relief Requested

1. The Debtors seek entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Order"), (a) authorizing the Debtors to redact certain commercially sensitive information related to the Settlement Agreement (the "Confidential Information"), in any and all filings with the United States Bankruptcy Court for the District of Delaware (the "Court"), including the *Motion of Debtors for Entry of and Order (I) Authorizing and Approving the Settlement Agreement By and Among Marelli and OPmobility and (II) Granting Related Relief* [Docket No. 2888] (the "Settlement Agreement Motion"), (b) directing that the Confidential

[1] A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at https://www.veritaglobal.net/Marelli. The location of Marelli Automotive Lighting USA LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 26555 Northwestern Highway, Southfield, Michigan 48033.

[2] A detailed description of the Debtors and their business, including the circumstances giving rise to the Debtors' chapter 11 cases, is set forth in the *Declaration of David Slump, Chief Executive Officer of Marelli Automotive Lighting USA, LLC, in Support of First Day Motions* [Docket No. 20] (the "First Day Declaration"). Capitalized terms used but not defined in this motion shall have the meanings ascribed to them in the First Day Declaration or in the Settlement Agreement Motion, as applicable.

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Information shall remain under seal and confidential and not be made available to anyone, without the prior written consent of the Debtors except to (i) the Court, (ii) the United States Trustee for the District of Delaware (the "U.S. Trustee"), (iii) counsel to the Committee (as defined herein), (iv) any party authorized by Section 15(b) of the Settlement Agreement, and (v) any other party as may be ordered by the Court or agreed to by the Debtors, in each case under appropriate confidentiality agreements satisfactory to the Debtors, in their sole discretion, that preserve the confidentiality of the Confidential Information, and (c) granting related relief.

Jurisdiction and Venue

2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2), and the Debtors confirm their consent, pursuant to rule 9013-1(f) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), to the entry of a final order by the Court in connection with this motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The statutory bases for the relief requested herein are section 107(b) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "Bankruptcy Code"), rule 9018 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Local Rule 9018-1.

Background

5. The Debtors, together with their non-Debtor affiliates (collectively, "Marelli" or the "Company") are one of the largest international automotive parts suppliers in the world and a

pioneer in motorsports and in automobile manufacturing and design. With its headquarters in Saitama, Japan and over 46,000 employees located in twenty-four countries around the world, Marelli designs and produces sophisticated technologies for leading automotive manufacturers, including lighting and sensor integrations, electronic systems, software solutions, and interior design products, and collaborates with motor sports teams and other industry leaders to research and develop cutting-edge, high-performance automotive components.

6. On June 11, 2025 (the "Petition Date"), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. The Debtors are operating their businesses and managing their property as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On June 12, 2025, the Court entered an order [Docket No. 102] authorizing the procedural consolidation and joint administration of these chapter 11 cases pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1. On June 25, 2025, the United States Trustee for the District of Delaware (the "U.S. Trustee") appointed an official committee of unsecured creditors [Docket No. 184] (the "Committee").[3] On January 15, 2026, a fee examiner was appointed in these in these chapter 11 cases [Docket No. 1515].

The Settlement Agreement

7. By the Settlement Agreement Motion, the Debtors seek entry of an order authorizing and approving the Settlement Agreement negotiated between Marelli and OPmobility Gestion, OPmobility SE, OPmobility Holding USA, Inc. and OPmobility Lighting Holding

[3] On July 2, 2025, the U.S. Trustee filed the *Amended Notice of Appointment of Committee of Unsecured Creditors* [Docket No. 230]. On September 10, 2025, the U.S. Trustee filed the *Second Amended Notice of Appointment of Committee of Unsecured Creditors* [Docket No. 922]. On March 5, 2026, the U.S. Trustee filed the *Third Amended Notice of Appointment of Committee of Unsecured Creditors* [Docket No. 1780].

(collectively, "OPmobility," and together with Marelli, the "Parties") to fully resolve all claims and causes of action relating to the Litigation Proceedings.

8. By this motion, the Debtors seek authorization to redact and file under seal the Confidential Information in any and all filings with the Court, including the Settlement Agreement Motion. The concessions and consideration that comprise the Confidential Information are sensitive and fundamental to the Debtors' business operations. A broad publication of this information would be inappropriate and materially harmful to the Parties. In fact, it is of critical importance to the Parties that certain details of the Settlement Agreement be kept confidential so that their competitors and other actors in the industry may not use such information to gain a strategic advantage over the Parties. The Confidential Information is not public and disclosure of such commercial information could cause significant injuries to the Parties. Indeed, the confidentiality requirement was a key point negotiated in connection with the underlying Settlement Agreement and the Parties have agreed to keep certain key terms of the Settlement Agreement confidential. Accordingly, the Debtors have filed a minimally redacted version of the Settlement Agreement on the public docket and have filed an unredacted copy of the Settlement Agreement with the Court. The Debtors request that the Court maintain the Settlement Agreement under seal. The Debtors have or will provide unredacted copies of the Settlement Agreement to (i) the Office of the United States Trustee for the District of Delaware (the "U.S. Trustee"), (ii) the counsel for the Committee (on a confidential and professionals' eyes only basis), and (iii) any additional party, on a confidential basis, who, upon good faith review of a request, the Debtors consent to receiving the Confidential Information.

Basis for Relief

9. The Court must protect entities from potential harm that may result from the disclosure of certain confidential information. *See* 11 U.S.C. § 107(b); *In re Orion Pictures Corp.*,

21 F.3d 24, 27 (2d Cir. 1994); *In re Motions Seeking Access to 2019 Statements (Honeywell)*, 585 B.R. 733, 753 (D. Del. 2018); *In re Altegrity, Inc.*, No. 15-10226 (LSS), 2015 WL 10963572, at *3 (Bankr. D. Del. July 6, 2015). Specifically, section 107(b) provides, in relevant part, as follows:

> On request of a party in interest, the bankruptcy court shall, and on the bankruptcy court's own motion, the bankruptcy court may—
>
> > (1) protect an entity with respect to a trade secret or confidential research, development, or commercial information;

11 U.S.C. § 107(b). "The protections afforded in section 107(b) do not just extend to a debtor," but "[r]ather, a bankruptcy court may 'protect' an *entity* with respect to . . . commercial information." *In re Borders Group, Inc.*, 462 B.R. 42 (Bankr. S.D.N.Y. 2011) (emphasis in original) (citing 11 U.S.C. § 107(b)(1)).

10. Bankruptcy Rule 9018 sets forth the procedures by which a party may obtain a protective order authorizing the filing of a document under seal. *See* Fed. R. Bankr. P. 9018. Bankruptcy Rule 9018 provides, in relevant part, that "[o]n motion or on its own initiative, with or without notice, the court may make any order which justice requires . . . to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information[.]" *Id.* In addition, Local Rule 9018-1(d) provides, in relevant part, that "any filer seeking to file a document . . . under seal must file a motion requesting such relief[.]" Del. Bankr. L.R. 9018-1(d)(i).

11. "Section 107 provides the Bankruptcy Courts with authority and discretion to fashion orders that appropriately balance the interests of a party seeking access to [confidential commercial information] with the interests of those whose information is contained therein." *Honeywell*, 585 B.R. at 753. If the material sought to be protected satisfies one of the categories identified in section 107(b) of the Bankruptcy Code, the court is required to grant protection and

has no discretion to deny the application. *See Orion Pictures*, 21 F.3d at 27; *Honeywell*, 585 B.R. at 753 ("In limited circumstances, courts must deny access to judicial documents—generally where an open inspection may be used as a vehicle for improper purposes." (quoting *Orion Pictures*, 21 F.3d at 27)); *Altegrity*, 2015 WL 10963572, at *3 ("[I]f it is established that the documents sought to be sealed fall within the enumerated statutory exception, the Court must grant the requested relief . . ." (citing *In re Anthracite Capital, Inc.*, 492 B.R. 162, 177 (Bankr. S.D.N.Y. 2013))).

12. Moreover, "[c]ourts have supervisory authority over their records and files and may deny access to those records and files to prevent them from being used for an improper purpose." *In re Kaiser Aluminum Corp.*, 327 B.R. 554, 560 (D. Del. 2005); *see In re A C & S Inc.*, 775 Fed. Appx. 78, 79 (3d Cir. 2019) (mem.) ("[E]very court has supervisory power over its own records and files, and access has been denied where court files might have become a vehicle for improper purposes." (internal quotations omitted) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 598 (1978))). "When the requirements of Rule 9018 are satisfied, the authority to issue the resulting order is broad—'any order which justice requires.'" *In re Global Crossing Ltd*, 295 B.R. 720, 724 (Bankr. S.D.N.Y. 2003) (quoting Fed. R. Bankr. P. 9018). Such court "authority goes not just to the protection of confidential documents, but to other confidentiality restrictions that are warranted in the interests of justice." *Id.*

13. Commercial information is "information which would result in an unfair advantage to competitors by providing them information as to [an entity's] commercial operations." *Honeywell*, 585 B.R. at 733 n.24 (quoting *In re Alterra Healthcare Corp.*, 353 B.R. 66, 75 (Bankr. D. Del. 2006)); *Altegrity*, 2015 WL 10963572, at *3; *see also Global Crossing*, 295 B.R. at 725 (holding that "[t]he whole point of [Bankruptcy Rule 9018] is to protect business entities from disclosure of information that could reasonably be expected to cause the entity commercial

injury"). Commercial information need not rise to the level of a trade secret to be protected under section 107(b) of the Bankruptcy Code; it need only be "confidential" and "commercial" in nature. *See Orion Pictures,* 21 F.3d at 27–28; *Altegrity*, 2015 WL 10963572, at *3. Rather, "commercial information" may be sealed when a bankruptcy court "reasonably determine[s]" that allowing such disclosure would have a "chilling effect on negotiations, ultimately affecting the viability of the Debtors." *In re Lomas Fin. Corp*., No. 90 Civ. 7827 (LLS), 1991 WL 21231, at *2 (S.D.N.Y. Feb. 11, 1991).

14. The terms of the Settlement Agreement are the product of good-faith negotiations, and the disclosure of certain commercially-sensitive terms would likely cause substantial harm to the Debtors, create an unfair advantage for competitors, and violate the Parties' confidentiality obligations pursuant to the Settlement Agreement. The concessions and consideration embodied in the Settlement Agreement are considered by the Parties to be, and by industry standards are, highly sensitive and confidential information not typically disclosed to the public. As such, it is critically important that those commercially sensitive details of the Settlement Agreement be kept confidential.

15. The Debtors request that they be authorized to file the Confidential Information under seal in light of the harm to their estates, and to their commercial relationships with competitors, that would ensue if the terms of the Settlement Agreement were publicized. The Debtors submit that other parties in interest will not be materially prejudiced because the Confidential Information will be reviewed by the Court, the U.S. Trustee, counsel to Committee, and any party ordered by the Court, on a confidential basis. Thus, the parties with the greatest interest in the subject matter at hand will have the ability to review the Confidential Information. Further, any party in interest can request that the Debtors permit them to review the Confidential

Information. Therefore, the Debtors believe that they have struck the appropriate balance, and that good cause exists to allow the redaction of limited portions of the Settlement Agreement to preserve the confidentiality of the Confidential Information.

16. For the foregoing reasons, the Debtors respectfully request that the Court permit the Debtors to redact the Confidential Information from the publicly filed versions of the Settlement Agreement and to file the unredacted version of the Settlement Agreement under seal. The Debtors also respectfully request that the Court order all parties to redact any Confidential Information in pleadings without the need for further orders from the Court.

Notice

17. The Debtors will provide notice of this motion to: (a) the U.S. Trustee; (b) Paul Hastings LLP and Morris James LLP, as co-counsel to the Committee; (c) the office of the attorney general for each of the states in which the Debtors operate; (d) United States Attorney's Office for the District of Delaware; (e) the Internal Revenue Service; (f) the United States Securities and Exchange Commission; (g) the United States Department of Justice; (h) Mayer Brown LLP, as counsel to the DIP Agent; (i) Davis Polk & Wardwell LLP, as counsel to Mizuho Bank, Ltd., in all capacities other than as Prepetition Agent; (j) Young Conaway Stargatt & Taylor, LLP, as counsel to Mizuho Bank, Ltd., in its capacity as Prepetition Agent; (k) Akin Gump Strauss Hauer & Feld LLP and Cole Shotz P.C., as counsel to the Ad Hoc Group of Senior Lenders; (l) Paul, Weiss, Rifkind, Wharton & Garrison LLP, as counsel to the Sponsors; (m) any party that has requested notice pursuant to Bankruptcy Rule 2002 (the "Notice Parties"); and (n) OPmobility. In light of the nature of the relief requested, no other or further notice need be given.

No Prior Request

18. No prior request for the relief sought in this motion has been made to this or any other court.

[*Remainder of page intentionally left blank*]

WHEREFORE, the Debtors request entry of the Order, substantially in the form attached hereto as **Exhibit A**, (a) granting the relief requested herein and (b) granting such other relief as the Court deems appropriate under the circumstances.

Dated: October 27, 2026
Wilmington, Delaware

/s/ Laura Davis Jones

PACHULSKI STANG ZIEHL & JONES LLP
Laura Davis Jones (DE Bar No. 2436)
Timothy P. Cairns (DE Bar No. 4228)
Edward A. Corma (DE Bar No. 6718)
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19899 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
tcairns@pszjlaw.com
ecorma@pszjlaw.com

Proposed Co-Counsel for the Debtors and Debtors in Possession

KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
Nicholas M. Adzima (admitted *pro hac vice*)
Evan Swager (admitted *pro hac vice*)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: joshua.sussberg@kirkland.com
nicholas.adzima@kirkland.com
evan.swager@kirkland.com

-and-

Ross M. Kwasteniet, P.C. (admitted *pro hac vice*)
Spencer A. Winters, P.C. (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: ross.kwasteniet@kirkland.com
spencer.winters@kirkland.com

Proposed Co-Counsel for the Debtors and Debtors in Possession

Exhibit A

Proposed Order

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
MARELLI AUTOMOTIVE LIGHTING USA LLC, *et al.*,[1]	)	Case No. 25-11034 (CTG)
Debtors.	)	(Jointly Administered)
	)	**Re: Docket No. __**

ORDER (I) AUTHORIZING THE DEBTORS TO REDACT AND FILE UNDER SEAL CERTAIN SENSITIVE COMMERCIAL INFORMATION RELATED TO THE SETTLEMENT AGREEMENT AND (II) GRANTING RELATED RELIEF

Upon the motion (the "Motion")[2] of the above-captioned debtors and debtors in possession (collectively, the "Debtors") for entry of an order (this "Order"), (a) authorizing the Debtors to redact and file the Confidential Information under seal; (b) directing that the Confidential Information shall remain under seal and confidential and not be made available to anyone, without the prior written consent of the Debtors except to (i) the Court, (ii) the U.S. Trustee, (iii) counsel to the Committee, (iv) any party authorized by Section 15(b) of the Settlement Agreement, and (v) any other party as may be ordered by the Court or agreed to by the Debtors, under appropriate confidentiality agreements reasonably satisfactory to the Debtors that preserve the confidentiality of the Confidential Information (and any information derived therefrom); and (c) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended*

[1] A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at https://www.veritaglobal.net/Marelli. The location of Marelli Automotive Lighting USA LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 26555 Northwestern Highway, Southfield, Michigan 48033.

[2] Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

Standing Order of Reference from the United States District Court for the District of Delaware, dated February 29, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing, if any, before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.

2. The Debtors are authorized to redact and file under seal the Confidential Information. The Confidential Information shall remain confidential, and shall not be made available to anyone, other than as provided in paragraph 3 of this Order, without prior written consent of the Debtors or further order of the Court.

3. The Debtors are authorized to cause the Confidential Information to be served on and made available, on a confidential basis, to: (a) the Court, (b) the U.S. Trustee, (c) counsel to the Committee (on a confidential and professional eyes only basis), (d) any party authorized by Section 15(b) of the Settlement Agreement, and (e) any other party as may be ordered by the Court

or agreed to by the Debtors, pursuant to appropriate confidentiality agreements satisfactory to the Debtors that preserve the confidentiality of the Confidential Information (and any information derived therefrom).

4. The Debtors and any party authorized to receive the Confidential Information pursuant to this Order shall, subject to Local Rule 9018-1(d) and without further order of the Court: (a) redact specific references to the information set forth therein from pleadings filed on the public docket maintained in these chapter 11 cases and (b) not use or refer to the information contained in the Confidential Information in any hearing unless appropriate safeguards have been put in place to protect the confidentiality of the information.

5. Any party who receives the Confidential Information in accordance with this Order shall not disclose or otherwise disseminate such Confidential Information to any other person or entity.

6. The requirements set forth in Local Rule 9019-1 are satisfied by the contents of the Motion.

7. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion, and the requirements of the Bankruptcy Rules and the Local Rules are satisfied by such notice.

8. This Order is without prejudice to the rights of any party in interest to seek to unseal and make public any portion of the material filed under seal.

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9. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

10. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.