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

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| In re: | § | Chapter 11 |
| RHODIUM ENCORE LLC, *et al.*,[1] | § | Case No. 24-90448 (ARP) |
| Debtors. | § | (Jointly Administered) |

**MOTION TO SEAL THE NOTICE OF FILING OF DECISION UNDER SEAL**

**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 is 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.**

Rhodium Enterprises, Inc., the wind down Debtor entity (the "**Wind Down Debtor**") in the above-captioned chapter 11 cases (the "**Chapter 11 Cases**") of Rhodium Encore LLC and its affiliated debtors and debtors in possession (the "**Debtors**"), by and through its undersigned counsel, files this Motion to Seal ("**Motion to Seal**") confidential information included in the *Notice of Filing of Decision Under Seal* (the "**Notice of Filing**") filed contemporaneously herewith.

## RELIEF REQUESTED

1. By this Motion to Seal, pursuant to sections 105(a) and 107(b) of title 11 of the

[1] The 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), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), Rhodium Encore Sub LLC (1064), Rhodium Enterprises, Inc. (6290), Rhodium Industries LLC (4771), Rhodium Ready Ventures LLC (8618), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Renewables Sub LLC (9511), Rhodium Shared Services LLC (5868), and Rhodium Technologies LLC (3973). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.

United States Code (the "**Bankruptcy Code**"), Rule 9018 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), and Rule 9037-1 of the Bankruptcy Local Rules for the United States Bankruptcy Court for the Southern District of Texas (the "**Local Rules**"), the Wind Down Debtor respectfully requests entry of an order authorizing the Wind Down Debtor (i) to file an unredacted version of the Notice of Filing, including the exhibits attached thereto, under seal; and (ii) to file an unsealed version of the Notice of Filing that redacts the exhibits attached thereto. The exhibits attached to the Notice of Filing include (i) the *Order Granting Summary Judgment* (the "**Summary Judgment Order**") filed at docket number 191 in the case titled *Midas Green Techs., LLC v. Rhodium Enters. Inc.*, No. 6:22-cv-00050-ADA (W.D. Tex. 2022) (the "**District Court Case**") and (ii) the *Omnibus Order Regarding Pretrial Motions* (the "**Pretrial Motions Order**") filed at docket number 192 in the District Court Case. Both the Summary Judgment Order and the Pretrial Motions Order were filed under seal in the District Court Case pursuant to the *Protective Order* filed at docket number 124 in the District Court Case.

2. A proposed form of order granting the relief requested herein is annexed hereto as **Exhibit A** (the "**Proposed Order**").

3. The Wind Down Debtor will file an unsealed, redacted version of the Notice of Filing on the public docket and will provide an unredacted version of the Notice of Filing to Midas Green Technologies LLC ("**Midas Green**"), and to other parties in interest upon further court order or upon agreement of the Wind Down Debtor and Midas Green.

## JURISDICTION, VENUE, AND LEGAL PREDICATE

4. This Court has jurisdiction with respect to this matter pursuant to 28 U.S.C. §§ 157(b)(1) and 1334. This Motion to Seal is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper in this district pursuant to 28 U.S.C. § 1408.

5. The bases for the relief requested herein are Bankruptcy Code sections 105(a) and 107(b), Bankruptcy Rule 9018, and Rule 9037-1 of the Local Rules.

## BACKGROUND

6. On April 7, 2026, the Wind Down Debtor filed the *Request of the Wind Down Debtor to End Abatement of, and Grant, Sanctions Motion Against Midas Green* [Docket No. 2366] (the "**Request to End Abatement**").

7. On April 28, 2026, Midas Green filed *Midas Green Technologies, LLC's Objections to Request of the Wind Down Debtor to End Abatement of, and Grant, Sanctions Motion Against Midas Green* [Docket No. 2372].

8. On May 4, 2026, the United States District Court for the Western District of Texas (the "**District Court**") entered the Summary Judgment Order in the District Court Case.

9. On May 5, 2026, the District Court entered the Pretrial Motions Order in the District Court Case.

10. On May 18, 2026, this Court held a status conference on the Request to End Abatement. At the status conference, the parties agreed to file the Summary Judgment Order and Pretrial Motions Order under seal in these Chapter 11 Cases.

## RELIEF REQUESTED SHOULD BE GRANTED

11. Section 105(a) of the Bankruptcy Code codifies the Court's inherent, equitable powers, and empowers it to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C § 105(a). Moreover, pursuant to section 107(b)(1) of the Bankruptcy Code, the Court may authorize the Wind Down Debtor to redact confidential information in the publicly filed Notice of Filing, and to file the non-public Notice of Filing under seal, by permitting the issuance of an order that protects entities from potential harm

that may result from the disclosure of certain confidential information. *See* 11 U.S.C. § 107(b). Specifically, section 107(b) provides, in relevant part:

> 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).

12. Bankruptcy Rule 9018 sets forth the procedures by which a party may obtain a protective order authorizing the filing of a document under seal. Bankruptcy Rule 9018 provides, in relevant part, "[o]n motion, or on its own initiative, with or without notice, the court may make any order which justice requires (1) to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information." Bankruptcy Rule 9018; *see also* Local Rule 9037-1 ("A motion, reply or other document may initially be filed under seal if the filing party simultaneously files a motion requesting that the document be maintained under seal.").

13. The Wind Down Debtor does not believe there is confidential information in the Notice of Filing or the exhibits attached thereto. However, the Wind Down Debtor seeks to redact the exhibits attached to the Notice of Filing in the unsealed version of that document on the public docket for good order since the District Court filed the Summary Judgment Order and the Pretrial Motions Order under seal in the District Court Case.

**NO PREVIOUS REQUEST**

14. No previous request for the relief sought herein has been made by the Wind Down Debtor to this or any other court.

[*Remainder of page intentionally left blank.*]

**WHEREFORE,** the Wind Down Debtor respectfully requests entry of the Proposed Order granting the relief requested herein and such other and further relief the Court may deem just and appropriate.

Dated: May 21, 2026

**AKIN GUMP STRAUSS HAUER & FELD LLP**

*/s/ Sarah Link Schultz*

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*Counsel to the Wind Down Debtor*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 21, 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.

*/s/ Sarah Link Schultz*
Sarah Link Schultz

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

| | | |
|---|---|---|
| In re: | § | Chapter 11 |
| RHODIUM ENCORE LLC, *et al.*,[1] | § | Case No. 24-90448 (ARP) |
| Debtors. | § | (Jointly Administered) |

**ORDER GRANTING MOTION TO SEAL THE NOTICE OF FILING OF DECISION UNDER SEAL**

Upon the motion (the "**Motion to Seal**") of Rhodium Enterprises, Inc., the wind down Debtor entity (the "**Wind Down Debtor**") in the above-captioned chapter 11 cases (the "**Chapter 11 Cases**") of Rhodium Encore LLC and its affiliated debtors and debtors in possession (collectively, the "**Debtors**"), seeking entry of an order pursuant to Bankruptcy Code[2] sections 105(a) and 107(b), Bankruptcy Rule 9018, and Local Rule 9037-1 authorizing the Wind Down Debtor (i) to file an unredacted version of the Notice of Filing, including the exhibits attached thereto, under seal; and (ii) to file an unsealed version of the Notice of Filing that redacts the exhibits attached thereto, as more fully set forth in the Motion to Seal; and this Court having jurisdiction to consider the Motion to Seal and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion to Seal and requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue is proper before this Court pursuant

[1] The 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), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), Rhodium Encore Sub LLC (1064), Rhodium Enterprises, Inc. (6290), Rhodium Industries LLC (4771), Rhodium Ready Ventures LLC (8618), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Renewables Sub LLC (9511), Rhodium Shared Services LLC (5868), and Rhodium Technologies LLC (3973). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.

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

to 28 U.S.C. § 1408; and due and proper notice of the Motion to Seal having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion to Seal; and all objections, if any, to the Motion to Seal having been withdrawn, resolved, or overruled; and this Court having determined that the legal and factual bases set forth in the Motion to Seal establish just cause for the relief granted here; 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 to Seal is GRANTED.

2. The Wind Down Debtor is authorized to file an unredacted version of the Notice of Filing under seal.

3. The Wind Down Debtor is authorized to file an unsealed version of the Notice of Filing that redacts the exhibits attached thereto.

4. The exhibits contained within the unredacted version of the Notice of Filing shall remain confidential and under seal, and absent further order of this Court, shall not be made available to anyone, except that copies shall be provided (i) to the Court and Clerk, (ii) to Midas Green, and (iii) to other parties in interest upon further court order or upon agreement of the Wind Down Debtor and Midas Green (the "**Parties**").

5. Any party who receives an unredacted version of the Notice of Filing, in accordance with this Order, shall be made aware of the terms of this Order, and shall keep the confidential information contained therein strictly confidential.

6. This Order shall be immediately effective and enforceable upon its entry.

7. The Parties, including the Wind Down Debtor, are authorized to take all actions

necessary to effectuate the relief granted in this Order in accordance with the Notice of Filing.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2026

Houston, Texas

Hon. Judge Alfredo R. Perez
United States Bankruptcy Judge