Docket #2405 Date Filed: 06/08/2026
United States Bankruptcy Court
Southern District of Texas
ENTERED
June 09, 2026
Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT
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 REGARDING REQUEST FOR PRELIMINARY RULING ON SANCTIONS AGAINST THE SPECIAL COMMITTEE OF RHODIUM ENTERPRISES, INC.'S BOARD OF DIRECTORS AND ITS COUNSEL BARNES & THORNBURG LLP

[Relates to ECF No. 2302]

The Court conducted a non-evidentiary hearing on June 4, 2026 (the "***Hearing***") at the request of David Eaton, Spencer Wells and Barnes & Thornburg LLP (the "***Respondents***") to determine whether the relief requested in *Lehotsky Keller Cohn LLP's Motion for Sanctions Against the Special Committee of Rhodium Enterprises, Inc.'s Board of Directors and Its Counsel Barnes & Thornburg LLP, or, in the Alternative, for Payment of Fees and Expenses Under Section 328* [ECF No. 2302] (the "***Motion***") should be denied as a matter of law. The Court, having heard oral arguments at the hearing and considered the Motion, *Barnes & Thornburg LLP's Response to Lehotsky Keller Cohn LLP's Motion for Sanctions* [ECF No. 2337], *David Eaton and Spencer Wells's Response to Lehotsky Keller Cohn LLP's Motion for Sanctions Against the Special Committee of Rhodium Enterprises, Inc.'s Board of Directors and Its Counsel Barnes & Thornburg LLP, or, in the Alternative, for Payment of Fees and Expenses Under Section 328* [ECF No. 2338],

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

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Lehotsky Keller Cohn LLP's Supplemental Brief in Support of its Motion for Sanctions Against the Special Committee and Barnes & Thornburg LLP [ECF No. 2389], and *David Eaton and Spencer Wells's Response to Lehotsky Keller Cohn LLP's Supplemental Brief in Support of its Motion for Sanctions Against the Special Committee and Barnes & Thornburg LLP* [ECF No. 2391], hereby FINDS and CONCLUDES, for the reasons stated on the record at the Hearing, that the Respondents' request should be DENIED. It is THEREFORE ORDERED THAT:

1. The Respondents' request to deny the relief requested in the Motion as a matter of law before an evidentiary hearing is denied for the reasons described by the Court on the record.

2. The Parties are directed to confer regarding (1) the submission of a scheduling order for an evidentiary hearing on the Motion and (2) the handling of Adv. Pro. No. 26-03051.

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

Signed: June 08, 2026

Alfredo R Pérez
United States Bankruptcy Judge