Docket #0051 Date Filed: 10/21/2026

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

In re:	§	Chapter 11
Rhodium Enterprises, Inc.	§	Case No. 24-90454 (ARP)
Wind Down Debtor.[1]	§	

MOTION FOR PERMISSION TO MARK EXHIBITS

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 was 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**") appointed under the confirmed Second Amended Joint Chapter 11 Plan of Liquidation (the "**Plan**"), hereby files its *Motion for Permission to Mark Exhibits* (this "**Motion**").

DISCUSSION

1. The Wind Down Debtor respectfully requests permission to mark as exhibits (i) invoices reflecting fees incurred by the Wind Down Debtor in connection with the Second Sanctions Motions[2] during the months of August and September 2026, as well as (ii) a summary chart identifying the dates on which relevant professional fee entries were first marked as exhibits in connection with the Second Sanctions Motions. As the Court is aware, under appropriate

[1] The last four digits of the taxpayer identification number for Rhodium Enterprises, Inc. is 6290. The location of the Wind Down Debtor's service address for purposes of this chapter 11 case is 7301 SW 57th Ct, Suite 515, Miami, FL 33143.

[2] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the *Request of the Wind Down Debtor to End Abatement of, and Grant Sanctions Motions Against Midas Green*, Case No. 24-90448 (ARP) [Docket No. 2366].

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circumstances, a party may recover the fees it incurs in obtaining a sanction or other fee award. *See, e.g.*, Fed. R. Bankr. P. 9011(c)(2)(C) (authorizing award of attorney's fees and expenses in presenting motion for sanctions); *Mathis v. Spears*, 857 F.2d 749, 756 (Fed. Cir. 1988) (upholding award of "fees for preparation of [defendants'] motions for attorney fees" under Section 285).

2. The Wind Down Debtor accordingly has provided information concerning professional fees it has incurred litigating the Second Sanctions Motions, including as such information has become available. For example, on June 24, 2026, the Wind Down Debtor identified the amount of fees billed to it by the undersigned firm ("**Akin**") relating to Midas Green from February 2026 through May 2026. *See Declaration of Jordan Pietzsch in Support of Request of Wind Down Debtor to Grant Sanctions Motions Against Midas Green*, Case No. 24-90448 (ARP) [Docket No. 2428] at ¶ 6; *see also The Wind Down Debtor's Witness and Exhibit List for the Hearing Scheduled for June 30, 2026, at 9:00 A.M. (Prevailing Central Time)*, Case No. 24-90448 (ARP) [Docket No. 2433], Ex. 36 at ¶ 6. The Wind Down Debtor marked copies of the corresponding invoices (as redacted) on July 1, 2026. *See The Wind Down Debtor's Amended Witness and Exhibit List for the Hearing Scheduled for July 2, 2026, at 2:00 P.M. (Prevailing Central Time)*, Case No. 24-90448 (ARP) [Docket No. 2444], Exs. 42-45.[3]

3. Akin invoices for June and July were not then finalized and were instead marked as exhibits by the Wind Down Debtor on September 11, 2026, along with briefing that the Court permitted the Wind Down Debtor to file during the July 29, 2026 hearing (the "**July 29 Hearing**") in this matter. *See The Wind Down Debtor's Amended Witness and Exhibit List for the Hearing Scheduled for September 29, 2026, at 9:00 A.M. (Prevailing Central Time)* [Docket No. 34], Exs.

[3] Much of the redactions are of entries unrelated to Midas Green, since the Wind Down Debtor does not seek fee shifting with respect to those entries. The Wind Down Debtor also redacted limited aspects of the Midas Green entries, solely for the purpose of preserving the privilege.

61-63 (including Scott 902(11) certification). During the September 29, 2026 hearing (the "**September 29 Hearing**"), the Court indicated that it understood that the Wind Down Debtor marked Akin's June and July invoices when it did because "those [invoices] were evolving." *See* Exhibit A (excerpts of transcript of September 29 Hearing at 29:16). Akin invoices have continued to evolve. For example, invoices for August and September 2026 now are available, and the Wind Down Debtor therefore respectfully asks for permission to mark them as exhibits as well, along with an amended Scott certification encompassing the additional invoices, in substantially the form attached hereto as Exhibit B.[4]

4. The Wind Down Debtor also seeks permission to mark a copy of the chart attached hereto as Exhibit C, which identifies the dates on which Midas Green-related professional-fee time entries were first exhibited in support of the Second Sanctions Motions. We hope the chart will dispel any misunderstanding that Midas Green may harbor concerning the timing of the Wind Down Debtor's exhibits. For example, during the September 29 Hearing, Midas Green advised the Court that "[t]he Quinn invoices, which cover September '25 to January '26, were submitted on September 11", 2026, which Midas Green characterized as "late," and "on the eve of trial." *Id.* at 33:7-9. In fact, Quinn invoices for the "September '25 to January '26" period were first marked as Exhibit 27 more than three months previously, on the Wind Down Debtor's original June 26, 2026 witness and exhibit list. *See The Wind Down Debtor's Witness and Exhibit List for the Hearing Scheduled for June 30, 2026, at 9:00 A.M. (Prevailing Central Time)*, Case No. 24-90448

[4] The Wind Down Debtor submits that the rules permit it to add exhibits up to two business days before the hearing at which it proposes to use the exhibits. *See, e.g.*, *The Wind Down Debtor's Response to Midas Green Technologies, LLC's Omnibus Objection and Reply in Further Support of the Second Sanctions Motions* [Docket No. 33], at p. 7; Local Bankruptcy Rule 9013-2(b). The Court has yet to schedule the resumed hearing on the Second Sanctions Motions. The Wind Down Debtor nevertheless seeks express authorization to supplement its exhibit list in light of the prior proceedings in connection with the instant Second Sanctions Motions (which were filed originally by different counsel, representing the Rhodium Debtors) and out of an abundance of caution.

(ARP) [Docket No. 2433], Ex. 27 (Quinn final fee application, including Quinn invoices from September 1, 2025 through the Effective Date of the Plan).

5. On July 28, 2026, the Wind Down Debtor supplied to the Court and Midas Green a version of Exhibit 27 with yellow highlighting to make even clearer the specific Quinn entries that the Wind Down Debtor contends are self-evidently Midas Green-related, and therefore subject to fee shifting (the "**Highlighted Version of Exhibit 27**"). *See Statement of the Wind Down Debtor Concerning the Midas Green Sanctions Motions* [Docket No. 11], Tab B. The Wind Down Debtor also attached a summary identifying which Akin time entries were Midas Green related through May 2026 (the "**Akin Midas Green Summary**"). *See id*. at Tab C. The Wind Down Debtor believed the Highlighted Version of Exhibit 27 and the Akin Midas Green Summary would help streamline Midas Green's examination at the July 29 Hearing. Midas Green did not see it that way, however, and argued at the beginning of the July 29 Hearing that it was the victim of "trial by ambush," and that "the only fair thing for the Court to do is to give us adequate time to … prepare our new cross examination based on" the Highlighted Version of Exhibit 27 and the Akin Midas Green Summary. *See* Exhibit D (excerpts of July 29 Hearing Transcript [Docket No. 16]) at 4:3-17.

6. When the Court asked Midas Green "[h]ow much time [it would] need in order to be prepared," counsel replied, "I would like two weeks," then revised the request, saying, "[a]ctually, 30 days would be better for me." *Id.* at 13:1-9. Ultimately, the Court scheduled the resumed hearing for September 29, 2026, giving Midas Green 62 days to prepare for the hearing – more than double the amount of time requested. On September 11, 2026, the Wind Down Debtor amended its witness and exhibit list to add the new Akin invoice-related materials for June and July. *See The Wind Down Debtor's Amended Witness and Exhibit List for the Hearing Scheduled*

for September 29, 2026, at 9:00 A.M. (Prevailing Central Time) [Docket No. 34], Exs. 61-63 (including Scott 902(11) certification). The Wind Down Debtor also marked the Highlighted Version of Exhibit 27 –the exact document that the Court provided Midas Green more than two months to prepare for – as Exhibit 64 so that it could be referred to separately by exhibit number at the September 29 Hearing. There was nothing new about the exhibit, however. All of the same entries were marked on June 26, 2026 as Exhibit 27, and were highlighted for Midas Green and filed on July 28, 2026.

7. In an effort to avoid further confusion of this kind, the chart at Exhibit C was prepared to allow the Court and parties to identify at a glance the dates on which each set of time entries relied on by the Wind Down Debtor in connection with the Second Sanctions Motions first were listed as an exhibit in connection with the Sanctions Motions. The chart also identifies the corresponding law firm, billing period, exhibit number, ECF number and FRE 902(11) certification. The Wind Down Debtor hopes the chart will aid the Court as it considers issues of timing and fairness in advance of the next hearing, and on that basis respectfully asks permission to file it as an additional exhibit.

CONCLUSION

8. For the foregoing reasons, the Wind Down Debtor respectfully requests that the Court grant the relief requested in the Motion and permit the Wind Down Debtor to file, in substantially the same form, the documents attached hereto as Exhibit B and Exhibit C and amend its witness and exhibit list to include such documents as exhibits ahead of any continued hearing on the Second Sanctions Motions.

[*Remainder of page intentionally left blank.*]

Dated: October 21, 2026

Respectfully Submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

/s/ Sarah Link Schultz

Sarah Link Schultz (State Bar No. 24033047; S.D. Tex. 30555)
Elizabeth Scott (State Bar No. 24059699; S.D. Tex. 2255287)
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-and-

Mitchell P. Hurley (admitted *pro hac vice*)
One Bryant Park, 44th Floor
New York, NY 10036-6745
Phone: (212) 872-1000
Email: mhurley@akingump.com

Counsel to the Wind Down Debtor

CERTIFICATE OF SERVICE

I certify that on October 21, 2026, I caused a copy of the foregoing document to be 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

EXHIBIT A

identifying as part of our damages claim are the entries that specifically are identified as Midas Green. So they're admissible, and we submit they speak for themselves and Your Honor can sort through them and make a decision about what you think their significance is, but they certainly in our view admissible.

THE COURT: All right. I'm going to -- this is not something that I'm going to be able to decide this minute. So I'm going to have to study this, go back. I think there's -- I think in my mind there's really three issues. Are they admissible based on the certification? Does it really provide any probative evidence as to the reasonableness of the fees? And then the third thing, was it timely?

And I understand your argument about the June and July invoices. Those were evolving. But to the extent that you're producing 2024 invoices after we started the hearing, I mean, that's a little bit of a different issue. And then I have to understand the significance of the withdrawal of the declaration --

MR. HURLEY: The Pietsch declaration.

THE COURT: Yeah, the Pietzsch let declaration, how that impacts what we've heard. So I'm going to have to study that before I rule. So what else can we accomplish today?

think we should probably proceed with the witness testimony.

MR. J. THOMAS: Your Honor, can I be heard on this?

THE COURT: Yes. Go ahead.

MR. J. THOMAS: Well, first off, counsel's ignoring the (indiscernible) certification, which we object to, was submitted on September 11th. The Quinn invoices, which cover September '25 to January '26, were submitted on September 11th. This is again late, on the eve of trial, after your direction to counsel not to make any more submissions after August 31. So there is actually no excuse for this behavior. This is what caused all these delays. They're continuing to file things on the eve of the hearing and they're violating the local rules in doing so.

So we don't think, Your Honor, any of this stuff should be considered and, Your Honor, my view is you ought to rule on this before I have to cross-examine anyone further. I need to know what the contours of the evidence are before I start my cross-examination.

MR. HURLEY: Your Honor, I'd just submit this is the fourth attempt to get through this hearing, and I would hope that we can finish it up today. And if Your Honor needs some time to rule, fair enough. But let's proceed with the cross-examination. You know, I mean, at the end of the day, they're either going to be admissible or not.

EXHIBIT B

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

In re:	§	Chapter 11
Rhodium Enterprises, Inc.	§	Case No. 24-90454 (ARP)
Wind Down Debtor.[1]	§	

AMENDED CERTIFICATION OF ELIZABETH D. SCOTT IN SUPPORT OF REQUEST OF WIND DOWN DEBTOR TO GRANT SANCTIONS MOTIONS AGAINST MIDAS GREEN

I, Elizabeth D. Scott, hereby declare as follows:

1. I make this certification in connection with the *Request of the Wind Down Debtor to End Abatement of, and Grant Sanctions Motions Against Midas Green*, Case No. 24-90448 (ARP) [Docket No. 2366] (the "**Sanctions Request**") and the Second Sanctions Motions.[2]

2. I am a Partner at the law firm Akin Gump Strauss Hauer & Feld, LLP ("**Akin**"). Akin serves as counsel to the Wind Down Debtor in the above-captioned proceedings. In my capacity as a Partner at Akin, I am familiar with the firm's procedures for creating, maintaining, reviewing, and preserving billing records, time entries, invoices, and related fee statements, including with respect to legal services performed on behalf of the Wind Down Debtor. I make this declaration based on my own personal knowledge and based on records available to me in connection with my role at Akin.

3. In the course of these proceedings, I have been involved in the preparation of regular invoices for legal services performed by Akin on behalf of the Wind Down Debtor in

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

connection with its preparation and pursuit of the Second Sanctions Motions, including for the months February through September 2026 (collectively, the "**Invoices**"). True and correct copies of the Invoices for February through July 2026 are listed as Exhibits 42-45 and 61-62 in *The Wind Down Debtor's Amended Witness and Exhibit List for the Hearing Scheduled for September 29, 2026, at 9:00 A.M. (Prevailing Central Time)* [Docket No. 34]. True and correct copies of the Invoices for August and September 2026 are attached hereto as Exhibits 1 and 2.

4. I certify that the Invoices contain time entries that were made and input into the billing system at or near the time the legal services were performed, or shortly thereafter, by attorneys, paralegals, or other personnel with knowledge of the services rendered and the time expended, which is the regular practice of Akin. I further certify that the Invoices were kept in the course of Akin's regularly conducted business activity of providing legal services and maintaining records concerning those services.

I declare under penalty of perjury that the foregoing is true and correct.

Executed October 21, 2026.

/s/ Elizabeth D. Scott
Elizabeth D. Scott

Exhibit 1

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One Bryant Park
44th Floor
New York, NY 10036

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F +1 212.872.1002
akingump.com

Akin

GXD LABS LLC
7301 SW 57TH COURT
SUITE 515
MIAMI, FL 33143
ATTN: DAVID PROMAN

Invoice Number	2225758
Invoice Date	09/25/26
Client Number	110984
Matter Number	0001

Re: REI WIND DOWN

FOR PROFESSIONAL SERVICES RENDERED THROUGH 08/31/26 :

Date	Tkpr		Hours
08/01/26	SLB	[redacted]	[redacted]
08/02/26	SLB	[redacted]	
08/03/26	MPH	Exchange correspondence with Midas Green; correspondence with court concerning scheduling.	2.50
08/03/26	EMS	Correspondence regarding hearing and confer with Akin team regarding same.	0.20
08/03/26	SLB	Corr re Midas Green issues; review hearing audio re same	0.50
08/04/26	MPH	Exchange correspondence with Midas Green; correspondence with court concerning scheduling.	2.50
08/04/26	SLB	[redacted]	[redacted]
08/05/26	EMS	Review Midas Green district court updates.	0.10
08/05/26	SLB	[redacted]	[redacted]
08/06/26	BRK	Prepare and file transcript request re July 29 hearing.	0.70
08/07/26	MPH	[redacted]	[redacted]
08/07/26	EMS	[redacted]	[redacted]
08/07/26	ZJC	[redacted]	
08/07/26	SLB	[redacted]	
08/08/26	MPH	[redacted]	
08/08/26	SLB	[redacted]	
08/09/26	EMS	[redacted] s.	
08/10/26	SLS	[redacted]	
08/11/26	MPH	[redacted]	
08/12/26	SLS	[redacted]	
08/12/26	SLB	[redacted]	[redacted]
08/13/26	SLS	[redacted]	
08/13/26	EMS	Review issues regarding Midas hearing.	0.10
08/13/26	SLB	[redacted] eams	[redacted]
08/14/26	SLB	[redacted]	

Date	Tkpr		Hours
08/17/26	SLS	[redacted]	[redacted]
08/17/26	MPH	[redacted]	
08/17/26	BRK	[redacted]	[redacted]
08/17/26	EMS	[redacted]	
08/17/26	SLB	[redacted]	[redacted]
08/18/26	MPH	Review and revise exhibits for presentation at Midas Green hearing.	1.00
08/18/26	EMS	Review Notice of Hearing and confer with Akin team regarding same; review further updated [redacted] and confer with S. Baham regarding same.	0.50
08/18/26	SLB	Draft notice of Midas Green hearing; corr re same; corr re Midas Green [redacted] corr re Midas Green invoices.	1.10
08/19/26	SLS	[redacted]	[redacted]
08/19/26	SLB	[redacted]	[redacted]
08/20/26	MPH	[redacted]	[redacted]
08/20/26	SLB	[redacted]	
08/21/26	MPH	[redacted] ent	
08/21/26	SLB	[redacted]	
08/23/26	SLB	[redacted]	[redacted]
08/24/26	SLS	[redacted]	
08/24/26	MPH	[redacted]	
08/24/26	EMS	[redacted]	
08/24/26	SLB	[redacted]	
08/25/26	MPH	[redacted]	[redacted]
08/25/26	SLB	[redacted] e	[redacted]
08/26/26	EMS	Prepare [redacted] in support of Midas Green sanctions claim.	1.20
08/26/26	SLB	[redacted]	[redacted]
08/27/26	SLS	[redacted]	
08/27/26	MPH	[redacted]	[redacted]
08/27/26	EMS	[redacted]	[redacted]
08/27/26	EMS	[redacted]	[redacted]
08/27/26	ALC	[redacted]	[redacted]
08/27/26	SLB	[redacted]	[redacted]
08/28/26	MPH	[redacted]	[redacted]
08/28/26	ALC	[redacted]	
08/31/26	MPH	[redacted]	[redacted]

Date	Tkpr		Hours
08/31/26	EMS	[redacted]	[redacted]
08/31/26	SLB	[redacted]	[redacted]
		Total Hours	[redacted]

TIMEKEEPER TIME SUMMARY:

Timekeeper	Hours		Rate		Value
Z CHEN	[redacted]	at	$2100.00	=	[redacted]
M P HURLEY	[redacted]	at	$2795.00	=	[redacted]
S L SCHULTZ	[redacted]	at	$2795.00	=	[redacted]
E M SCOTT	[redacted]	at	$1995.00	=	[redacted]
S BAHAM	[redacted]	at	$1350.00	=	[redacted]
A L COOKSEY	[redacted]	at	$1475.00	=	[redacted]
B R KEMP	[redacted]	at	$575.00	=	[redacted]

Current Fees	[redacted]
10% Fee Discount	[redacted]
Total Fees	[redacted]

FOR COSTS ADVANCED AND EXPENSES INCURRED:

[redacted]		
[redacted]		
[redacted]		
[redacted]		[redacted]

Total Amount of This Invoice	[redacted]
Prior Balance Due	[redacted]
Total Balance Due Upon Receipt	[redacted]

Exhibit 2

Akin Gump Strauss Hauer & Feld LLP
One Bryant Park
44th Floor
New York, NY 10036

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Akin

GXD LABS LLC
7301 SW 57TH COURT
SUITE 515
MIAMI, FL 33143
ATTN: DAVID PROMAN

Invoice Number	2228108
Invoice Date	10/09/26
Client Number	110984
Matter Number	0001

Re: REI WIND DOWN

FOR PROFESSIONAL SERVICES RENDERED THROUGH 09/30/26 :

Date	Tkpr		Hours
09/01/26	MPH	[redacted]	[redacted]
09/01/26	MPH	Review Midas Green 8/31 submission; call with team concerning same.	1.00
09/01/26	EMS	[redacted]	[redacted]
09/01/26	EMS	Review Midas brief and correspondence with Akin team regarding same; call with M. Hurley and S. Baham regarding [redacted] and follow-up call with S. Baham regarding same; [redacted] made in Midas brief.	0.60
09/01/26	MVL	[redacted]	[redacted]
09/01/26	SLB	Review and analyze Midas Green objection; corr re same; meeting re same; research re same	0.80
09/01/26	SLB	[redacted]	[redacted]
09/02/26	SLS		
09/02/26	MPH	[redacted]	[redacted]
09/02/26	EMS	Review [redacted] from S. Baham regarding Midas filing and follow up call with S. Baham regarding same.	0.50
09/02/26	EMS	[redacted]	[redacted]
09/02/26	MVL	[redacted]	[redacted]
09/02/26	SLB	[redacted] for Midas Green issues; corr re same	3.00
09/02/26	SLB	[redacted]	[redacted]
09/03/26	MPH		
09/03/26	EMS		
09/03/26	SLB	[redacted] issues for Midas Green reply; draft outline for same; corr re same	2.00

Date	Tkpr		Hours
09/04/26	MPH	Review [redacted] for Midas Green response brief; correspond team regarding same.	1.00
09/04/26	SLB	[redacted]	[redacted]
09/07/26	SLB	Draft MG response brief; [redacted] re same; corr re same	2.00
09/08/26	SLS	[redacted]	[redacted]
09/08/26	EMS	Review and revise draft response brief [redacted] regarding same; confer with S. Baham regarding same and review updated draft.	2.00
09/08/26	SLB	Review and revise MG response; [redacted] re same; corr re same	2.10
09/08/26	SLB	[redacted]	[redacted]
09/09/26	SLS	[redacted]	[redacted]
09/09/26	MPH	Review and comment reply on Midas Green [redacted]	1.40
09/09/26	MPH	[redacted]	[redacted]
09/09/26	EMS	[redacted]	[redacted]
09/09/26	SLB	[redacted]	[redacted]
09/09/26	SLB	Corr re [redacted] of sanctions motion; [redacted] re same; corr with [redacted] re same	1.90
09/10/26	SLS	[redacted]	[redacted]
09/10/26	MPH	[redacted]	[redacted]
09/10/26	MPH	Review and revise Midas Green reply.	2.50
09/10/26	EMS	Review updated draft Midas response brief and confer with S. Baham regarding same; correspondence regarding updated W&E list.	0.80
09/10/26	EMS	[redacted]	[redacted]
09/10/26	MVL	[redacted]	[redacted]
09/10/26	SLB	[redacted]	[redacted]
09/10/26	SLB	Corr re MG [redacted] issue; pull MG documents for M. Hurley; review and revise MG reply; corr re same	1.00
09/11/26	MPH	Review and revise submission concerning Midas Green [redacted]	1.00
09/11/26	EMS	Confer with Akin team regarding updated W&E list and reply brief filings; review and revise updated W&E List; review draft certification and confer with S. Baham regarding same; review further updated draft reply brief; review additional exhibits.	0.90
09/11/26	ALC	Discussions with S. Baham re filings; review materials re same; [redacted] in connection with response to objection; revise response for same.	2.80
09/11/26	SLB	Review and revise MG reply; [redacted] re same; confer with [redacted] s re same; review [redacted] re same; review and revise W&E list; corr re same; review and revise certificationre MG fees; corr re same; coordinate filing the above	3.00
09/12/26	SLB	[redacted]	[redacted]
09/14/26	BRK	[redacted]	[redacted]

Date	Tkpr		Hours
09/14/26	SLB	[redacted]	[redacted]
09/15/26	MPH	Confer with [redacted] regarding Midas Green; draft [redacted] concerning Midas Green conference .	2.00
09/16/26	SLB	[redacted]	[redacted]
09/17/26	SLS	[redacted] .	[redacted]
09/17/26	MPH	[redacted] .	[redacted]
09/17/26	EMS	[redacted]	[redacted]
09/17/26	SLB	[redacted] .	[redacted]
09/18/26	MPH	Confer with [redacted]	0.20
09/18/26	EMS	Call with [redacted] regarding Midas hearing; review correspondence from J. Thomas regarding same; prepare updated [redacted] and calls and correspondence with M. Hurley and S. Schultz regarding same.	0.60
09/18/26	SLB	[redacted]	[redacted]
09/21/26	MPH	Correspondence with Thomas re Midas Green.	0.50
09/21/26	SLB	[redacted]	[redacted]
09/22/26	MPH	[redacted] .	[redacted]
09/22/26	EMS	Correspondence regarding meet-and-confers with Midas ahead of hearing; call with [redacted] regarding Midas hearing preparations and review documents regarding same.	0.80
09/22/26	EMS	[redacted] .	[redacted]
09/22/26	SLB	[redacted]	[redacted]
09/23/26	SLS	[redacted] .	[redacted]
09/23/26	MPH	Prep for Midas Green hearing.	2.00
09/23/26	EMS	Participate in call with M. Hurley and S. Baham regarding Midas hearing preparations; review [redacted] ; confer with Akin team regarding exhibits.	0.90
09/23/26	SLB	[redacted]	[redacted]
09/23/26	SLB	Call re MG next steps; assist M. Hurley with hearing prep; corr re previous [redacted] corr re various filings; reivew and analyze same	1.50
09/24/26	MPH	Prep for Midas Green.	1.00
09/24/26	SLB	[redacted]	[redacted]
09/24/26	SLB	Draft agenda for hearing; corr re same; assist M. Hurley with MG hearing prep; pull filings re same; [redacted] re same; review and analuze documents re same; prep binders for hearing	2.50
09/25/26	SLS	[redacted]	[redacted]
09/25/26	MPH	Prep for Midas Green hearing.	1.00
09/25/26	EMS	Participate in call with Akin team regarding Midas hearing preparations; review [redacted] regarding exhibits; correspondence with [redacted] regarding hearing; review and revise draft hearing agenda.	1.00
09/25/26	SLB	Call re MG hearing and next steps; corr re same; reivew and revise agenda; file same; assist M. Hurley with [redacted] and prepping for hearing; reivew and analyze documents re same; [redacted] re same	2.00
09/26/26	MPH	Prep for MG hearing.	1.00

Date	Tkpr		Hours
09/26/26	EMS	Confer with M. Hurley and S. Baham regarding Midas questions and review [redacted] regarding same and prepare [redacted] regarding same.	1.00
09/26/26	SLB	[redacted] in connection with MG hearing; prep for same; corr re same.	3.00
09/27/26	MPH	Prep for Midas Green hearing.	1.00
09/27/26	EMS	Review and revise draft [redacted] for Midas hearing and confer with M. Hurley and S. Baham regarding same; review and revise draft slides for Midas hearing presentation and review [redacted] regarding same; confer with Akin team regarding hearing materials.	2.00
09/27/26	SLB	[redacted] in connection with MG hearing; prep for same; corr re same	2.00
09/28/26	MPH	[redacted]	[redacted]
09/28/26	MPH	Prep for Midas Green hearing.	1.00
09/28/26	EMS	Prepare materials for use during Midas Green hearing; meeting with A. Sanders regarding [redacted] regarding same; prepare [redacted]; call with [redacted] l regarding hearing; prepare slides for hearing [redacted] me; confer with M. Hurley and S. Baham regarding hearing presentation; update [redacted] in preparation for hearing.	4.50
09/28/26	FR	Graphic development (AH)	6.50
09/28/26	ANS	Discuss [redacted] with Lizzy Scott; [redacted] in preparation for upcoming sanctions motion hearing; prepare and send [redacted] for Lizzy Scott's review.	2.00
09/28/26	SLB	[redacted]	[redacted]
09/28/26	SLB	Prep for MG hearing including [redacted] hearing, drafting demonstrative, various calls re MG hearing; prepping exhibits; reviewing and analyzing filings, prepping a [redacted]; conferring re the foregoing	5.00
09/29/26	MPH	Prep for hearing; attend hearing.	2.00
09/29/26	FR	Graphic Development (AH)	6.50
09/30/26	SLS	[redacted].	[redacted]
09/30/26	ANS	[redacted].	
09/30/26	SLB	Corr re hearing trancript and audio; review same	0.30
09/30/26	SLB	[redacted]	[redacted]
		Total Hours	[redacted]

TIMEKEEPER TIME SUMMARY:

Timekeeper	Hours		Rate		Value
M P HURLEY	[redacted]	at	$2795.00	=	[redacted]
S L SCHULTZ	[redacted]	at	$2795.00	=	[redacted]
E M SCOTT	[redacted]	at	$1995.00	=	[redacted]
M V LLOYD	[redacted]	at	$1645.00	=	[redacted]
S BAHAM	[redacted]	at	$1350.00	=	[redacted]
A L COOKSEY	[redacted]	at	$1475.00	=	[redacted]
A N SANDERS	[redacted]	at	$925.00	=	[redacted]
B R KEMP	[redacted]	at	$575.00	=	[redacted]
F RACANATI	[redacted]	at	$420.00	=	[redacted]

Current Fees	[redacted]
10% Fee Discount	[redacted]
Total Fees	[redacted]

FOR COSTS ADVANCED AND EXPENSES INCURRED:

[redacted]	[redacted]	
[redacted]	[redacted]	
[redacted]	[redacted]	
[redacted]	[redacted]	
[redacted]		[redacted]

Total Amount of This Invoice	[redacted]
Prior Balance Due	[redacted]
Total Balance Due Upon Receipt	[redacted]

EXHIBIT C

WHEN TIME ENTRIES FIRST EXHIBITED IN SUPPORT OF SANCTIONS

Firm	Time Entry Period	Date First Exhibited	Exhibit No(s).	ECF No(s).	Case No. 24-
Stris	August 2024 to August 2025	September 19, 2025	Topping Dec. Exs. A-L[1]	1660-9	90448
Quinn	February 2025 to August 2025	September 19, 2025	Topping Dec. Ex. M[2]	1660-9	90448
Stris	September 2025 to January 2026	June 26, 2026	25[3]	2433-59 to 2433-63	90448
Quinn	September 2025 to December 2025	June 26, 2026	27[4]	2433-65	90448
Stris	Pre-petition	July 1, 2026	46	2444-6	90448
Akin	February 2026 to May 2026	July 1, 2026	42-45	2444-2 to 2444-5	90448
Kirkland	Pre-petition	July 22, 2026	54	8-1	90454
Akin	June 2026 to July 2026	Sept. 11, 2026	61-62	34-1 to 34-2[5]	90454

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[1] The Topping Declaration (with all of its exhibits) was filed by the Debtors on September 12, 2025, and made an exhibit in connection with the hearings scheduled for September 23 and 24, 2025 on September 19, 2026. *See* Case No. 24-90448, ECF No. 1660, Ex. 9. The Topping Declaration (with all of its exhibits) also was marked as Exhibit 9 on the June 26, 2026 Wind Down Debtor Witness and Exhibit List. *Id*. ECF No. 2433-38 through 2433-43.

[2] Exhibit M to the Topping Declaration identifies the Quinn time entries during the February 2025 to August 2025 period that are related to Midas Green. The Topping Declaration (with all of its exhibits) also was marked as Exhibit 9 on the June 26, 2026 Wind Down Debtor Witness and Exhibit List.

[3] Exhibit 25 is the Stris final fee application dated February 11, 2026 (Case No. 24-90448, ECF No. 2294), which includes all Stris post-petition invoices for Midas Green from the beginning of the cases through January 2026.

[4] Exhibit 27 is the Quinn final fee application dated February 27, 2026 (Case No. 24-90448, ECF No. 2324), and includes invoices with entries spanning September 2025 through January 2026. A version of Exhibit 27 highlighting in yellow all Midas Green related entries was filed with the Court on July 28, 2026, *see* Case No. 24-90454, ECF No. 11, Tab B, and was marked as Exhibit 64 on September 11, 2026. *Id*. ECF No. 34 & 34-4.

[5] The Wind Down Debtor exhibited FRE 902(11) certifications with respect to the invoices on July 22, 2026 (Peloubet, Ex. No. 56, Kirkland, Stris, Quinn) (Brannen, Ex. No. 57, Stris) (Tomasco, Ex. No. 55, Quinn) and September 11, 2026 (Scott, Ex. No. 63, Akin).

EXHIBIT D

substitute this with evidence that they offered last night. We haven't had sufficient time to review these numerous pages, and this is nothing else than trial by ambush, Your Honor.

So if the Court is -- I would ask in the first instance if the Court would just exclude everything that was filed last night and, as we previously moved, to exclude the belated exhibits; those were 41 through 46 filed on July 1, and then Exhibits 54 through 57 filed on July 22, well after the hearings began. We ask that the Court do that.

If the Court is not inclined to do that, the only fair thing for the Court to do is to give us adequate time to respond to this change in testimony, and we would want the opportunity to file a responsive brief to the eight-page brief that you received last night, as well as objections to the new evidence, and also prepare our new cross examination based on what Mr. Hurley intends to -- relied on in terms of evidence to support the sanctions.

So, Your Honor, these are all eleventh hour filings with no notice to us, substantially prejudicing our ability to prepare and be ready for this hearing today, so we ask that the Court either exclude or continue.

THE COURT: All right. I don't see the filing. Do you have a docket number, Mr. Hurley?

MR. HURLEY: Yeah.

THE COURT: How much time do you need in order to be prepared?

MR. J. THOMAS: Your Honor, I would like two weeks at least.

THE COURT: All right. I'm going to -- in light of all this, I'm going to continue this hearing. Let me see what we can do.

MR. J. THOMAS: Actually, 30 days would be better for me, Your Honor, just because of vacation and other things.

MR. HURLEY: We would prefer a shorter adjournment than that, if at all possible, Your Honor.

THE COURT: Yeah. So -- also, we need to find out when Mr. Topping is available. So can we find -- can we look at -- I mean, and we're also coming up on the last two weeks in August, which I'm sure a lot of people are out of pocket.

MR. J. THOMAS: Yes, Your Honor, that's the point. I'm not generally looking for a longer continuance. I do have vacation planned at the end of August. So, for me, it'd be better to do it the first or second week of September.

THE COURT: So, I mean, if we could do it in two weeks, that would be -- we could try to -- that would be before the vacation time, so let me see. See if Mr. Topping

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

In re:	§	Chapter 11
Rhodium Enterprises, Inc.	§	Case No. 24-90454 (ARP)
Wind Down Debtor.[1]	§	

ORDER GRANTING MOTION FOR PERMISSION TO FILE INVOICES

Upon the motion (the "**Motion**") 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 authorizing the Wind Down Debtor to (i) file Akin Gump Strauss Hauer & Feld, LLP ("**Akin**") invoices reflecting fees incurred in connection with the Second Sanctions Motions[2] during the months of August and September 2026, as well as an amended Federal Rule of Evidence 902(11) certification with respect to the Akin invoices, substantially in the same form as those attached to the Motion as Exhibit B; (ii) file a summary chart identifying the dates on which relevant professional fee entries were marked as exhibits in connection with the Second Sanctions Motions, substantially in the same form as the chart attached to the Motion as Exhibit C; and (iii) amend its witness and exhibit list to include the foregoing documents as additional exhibits ahead of any continued hearing on the Second Sanctions Motions,

[1] The last four digits of the taxpayer identification number for Rhodium Enterprises, Inc. is 6290. The location of the Wind Down Debtor's service address for purposes of this chapter 11 case is 7301 SW 57th Ct, Suite 515, Miami, FL 33143.

[2] Capitalized terms used but not defined herein shall have the meanings ascribed to them in the *Request of the Wind Down Debtor to End Abatement of, and Grant Sanctions Motions Against Midas Green*, Case No. 24-90448 (ARP) [Docket No. 2366].

as more fully set forth in the Motion; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion 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 to 28 U.S.C. § 1408; and due and proper notice of the Motion 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; and all objections, if any, to the Motion having been withdrawn, resolved, or overruled; and this Court having determined that the legal and factual bases set forth in the Motion 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 is GRANTED.

2. The Wind Down Debtor is authorized to file the Akin invoices for August and September 2026 and the amended Federal Rule of Evidence 902(11) certification with respect to the Akin invoices in substantially the same form as those that were attached to the Motion as Exhibit B.

3. The Wind Down Debtor is authorized to file a summary chart which identifies the dates on which Midas Green-related professional-fee time entries were first listed as exhibits in support of the Second Sanctions Motions in substantially the same form as the chart that was attached to the Motion as Exhibit C.

4. The Wind Down Debtor is authorized to amend its witness and exhibit list to include the Akin invoices for August and September 2026, the amended Federal Rule of Evidence 902(11) certification with respect to the Akin invoices, and the chart identifying the dates on which

Midas Green-related professional-fee time entries were first listed as exhibits in support of the Second Sanctions Motions as additional exhibits ahead of any continued hearing on the Second Sanctions Motions.

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

6. The Wind Down Debtor is authorized to take all actions necessary to effectuate the relief granted in this Order.

7. 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