Docket #0020 Date Filed: 2/16/2026

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

In re:	Chapter 11
Vanderbilt Minerals, LLC,	Case No. 26-60110 (WAK)
Debtor.[1]	

APPLICATION FOR ENTRY OF AN ORDER
REDUCING TIME FOR NOTICE OF FIRST DAY MOTIONS

The above-captioned debtor and debtor in possession (the "Debtor"), by and through its undersigned counsel, makes this application (this "Application") for entry of an order pursuant to Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedures and Local Bankruptcy Rule 9013-5(b), reducing the notice period and scheduling hearings for February 17, 2026 at 12:00 noon (prevailing Eastern Time) (the "First Day Hearing"), or as soon thereafter as counsel may appear and be heard, before the Honorable Wendy A. Kinsella, Chief United States Bankruptcy Judge for the Northern District of New York, at the United States Bankruptcy Court, Northern District of New York, Alexander Pirnie U.S. Courthouse and Federal Building, 10 Broad Street, Utica, New York, to consider approving the relief requested in the following motions and applications (collectively, the "First Day Motions"):[2]

(i) Motion for Case Management Order (i) Designating Syracuse as the Venue for all Future Hearings and (ii) Establishing Certain Omnibus Hearing Dates (the "Case Management Motion");

(ii) Motion for Entry of an Order Extending Time to File its (i) Schedules of Assets and Liabilities and (ii) Statements of Financial Affairs (the "Schedules Extension Motion");

[1] The Debtor is Vanderbilt Minerals, LLC (EIN 13-1432885). The Debtor's noticing address in this Chapter 11 Case is 33 Winfield Street, Norwalk, Connecticut 06855.

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

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(iii) Application for Entry of an Order Authorizing the Appointment of Kurtzman Carson Consultants, LLC DBA Verita Global as Claims and Noticing Agent Effective as of the Petition Date (the "Verita Claims Agent Application");

(iv) Motion for Interim and Final Orders (A) Prohibiting Utility Companies from Altering, Refusing or Discontinuing Services to and/or Discriminating Against the Debtor, (B) Establishing Procedures for Determining Requests for Additional Assurance for the Utility Companies; (C) Determining That the Utility Companies Have Received Adequate Assurance of Payment for Future Utility Services (the "Utilities Motion");

(v) Motion for Entry of Interim and Final Orders Authorizing the Debtor to Pay Prepetition Taxes, Regulatory Fees and Related Obligations (the "Taxes Motion");

(vi) Motion for Entry of Interim and Final Orders Authorizing (A) Continued Use of Existing Cash Management System (B) Maintenance of the Existing Bank Accounts, and (C) Continued Use of Existing Business Forms (the "Cash Management Motion");

(vii) Motion for Entry of Interim and Final Orders Authorizing, But Not Directing, the Debtor, In Its Sole Discretion, to (A) Continue Its Insurance Policies and Surety Bond Programs and Satisfy Any Insurance Premiums, Insurance Deductibles, Premiums for the Surety Bonds and Any Other Related Payments, Fees and Obligations Under the Insurance Policies and Surety Bond Programs, Including Those That Were Incurred or Accrued Prepetition and (B) Obtain, Renew, Amend, Supplement, Modify, Extend, Purchase and/or Replace the Insurance Policies and Surety Bonds In the Ordinary Course of Business on a Postpetition Basis (the "Insurance Motion");

(viii) Motion for Entry of Interim and Final Orders Authorizing, But Not Directing, the Debtor, In Its Sole Discretion, to Pay Prepetition Claims of (i) Critical Vendors and Service Providers, (ii) Lien Claimants, and (iii) Certain Vendors Who May Be Entitled To Administrative Expense Status Under 11 U.S.C. §503(b)(9) of the Bankruptcy Code (the "Critical Vendors Motion");

(ix) Motion for Entry of an Order Authorizing the Debtor to (A) File a List of the 15 Law Firms With the Most Significant Representations of Parties With Talc Claims Against the Debtor, In Lieu of a List of Creditors That Hold the 20 Largest Unsecured Claims Against the Debtor; (B) Approving Certain Notice Procedures for Creditors Who Are Claimants in Talc Related Personal Injury Lawsuits or

Other Proceedings Involving the Debtor or Who Have Similar Claims Asserted Through Counsel; and (C) Approving the Form and Manner of Notice of the Commencement of this Chapter 11 Case (the "Notice Procedures Motion");

(x) Motion for Interim and Final Orders Authorizing, But Not Directing, the Debtor to Pay (A) Prepetition Employee Wages, Salaries, Overtime Pay, Contractual Compensation and Other Accrued Compensation, As Well As Deductions and Related Employer Payroll Taxes; (B) Prepetition Contributions to Employee Benefit Plans; (C) Unreimbursed Prepetition Business Expenses; (D) Prepetition Fees Owed to the Debtor's Payroll Processor; and (E) Amounts That Become Due Under the Debtor's Non-Insider Retention Bonus Program (the "Employees Motion");

(xi) Motion of the Debtor and Debtor in Possession Pursuant to Sections 105, 362, 363, 503, 507, and 552 of the Bankruptcy Code, Bankruptcy Rules 2002, 4001, 6004 and 9014 and Local Rules 2002-1, 4001-2 and 9013-1 for Interim and Final Orders (i) Authorizing the Debtor to Obtain Postpetition Financing, (ii) Granting Liens and Providing Superpriority Administrative Expense Status, (iii) Modifying the Automatic Stay, (iv) Scheduling a Final Hearing and (v) Granting Related Relief (the "DIP Financing Motion").

In support of this Application, the Debtor respectfully submits to the Court as follows:

BACKGROUND

1. On the Petition Date, the Debtor commenced a case under chapter 11 of the Bankruptcy Code (the "Chapter 11 Case"). The Debtor is authorized to continue to operate its business and manage its properties as a debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. The Debtor is a global supplier of mineral products, operating mines and processing facilities in six different states. The Debtor mines bentonite clay, kaolin clay, pyrophyllite and wollastonite and processes and sells products used in industrial applications (e.g., construction coatings, ceramics and refractories) and life sciences (e.g., pharmaceuticals, personal care, animal care, agriculture and horticulture). Prior to 2008, a predecessor in interest to the Debtor mined and

sold talc for use in industrial applications, which is the source of the litigation and judgments that have led to the commencement of this Chapter 11 Case.

3. A comprehensive description of the Debtor's business and operations, capital structure and the events leading to the commencement of the Chapter 11 Case can be found in the *Declaration of Dean Vomero, Chief Restructuring Officer of Vanderbilt Minerals, LLC, in Support of First Day Motions of Debtor and Debtor in Possession* (the "First Day Declaration"), which was filed on the Petition Date and is incorporated by reference.

RELIEF REQUESTED

4. The Debtor respectfully requests entry of an order, in substantially the form attached hereto as Exhibit A, reducing the notice period for the First Day Hearing.

5. Bankruptcy Rule 9006(c)(1) provides that the Court may reduce notice periods for cause. FED. R. BANKR. P. 9006(c)(1). Here, it is imperative that the First Day Hearing be held on shortened notice because any delay in granting the relief requested in the First Day Motions will negatively affect the Debtor's business operations resulting in a permanent and irreplaceable loss of revenue, to the detriment of the Debtor, its estate, its creditors, and other parties in interest.

BASIS FOR RELIEF REQUESTED

6. Generally, motions must be served 21 days prior to the hearing date. Local Rule 9013-1(e). However, Bankruptcy Rule 9006(c)(1) provides that "[w]hen a rule, notice given under a rule, or court order requires or allows an act to be done within a specified time, the court may—

for cause and with or without a motion or notice—reduce the time." FED R. BANKR. P. 9006(c)(1).

7. Local Rule 9013-5(b) provides that parties may seek an expedited hearing by application showing good and sufficient reasons for shortening the normal notice period.

8. A full 21-day notice period without the interim relief requested in the First Day Motions would be detrimental to the reorganization of the Debtor. As set forth in the First Day Declaration, each of the First Day Motions seeks relief that is narrowly tailored but critically important to ensure that the Debtor's operations continue uninterrupted as the Debtor transitions into this Chapter 11 Case.

9. More specifically, the relief requested in the First Day Motions will provide the Debtor with, among other things: (i) authority to pay or otherwise satisfy all Prepetition Wages and Benefits; (ii) assurance of continued utility service; (iii) authority to pay Taxes and Fees; (iv) authority to continue to utilize its Cash Management System; (v) the ability to utilize and maintain its insurance policies and surety bond programs; (vi) additional time to file schedules; (vii) the ability to provide notice to talc claimants via their counsel of record; (viii) access to DIP Loans; (ix) the ability to pay critical vendors; and (x) access to a noticing and claims agent to facilitate efficient processing of notices and claims in this chapter 11 case. The relief sought in the First Day Motions is essential to the continuation of the Debtor's business operations in chapter 11, and is in the best interest of the Debtor's estate as it would preserve the value of the Debtor's assets.

10. In light of the forgoing, the Debtor respectfully submits that sufficient cause exists for scheduling the First Day Hearing on shortened notice and respectfully refers the Court to the Declaration of Charles J. Sullivan, Esq. pursuant to Local Bankruptcy Rule 9013-5(b) in support

of the Debtor's request for an order shortening notice for the First Day Hearing (the "Sullivan Declaration") attached hereto as Exhibit B.

11. The Debtor further respectfully submits that an order reducing the time for notice of the First Day Hearing will not materially prejudice any party in interest.

NOTICE

12. Upon entry of an order shortening time, the Debtor will transmit copies of that order, this Application, the Sullivan Declaration, and the First Day Motions as soon as practicable to: (i) the Office of the United States Trustee for the Northern District of New York, (ii) the Top Talc Counsel List, (iii) counsel for the proposed DIP Lender, (iv) any persons that have requested or that are required to receive special notice pursuant to Bankruptcy Rule 2002 and (v) as otherwise directed by the Court. In light of the nature of the relief requested herein, the Debtor submits that no further notice is necessary or should be required.

13. No previous request for the relief requested in the Application has been filed with this, or any other, Court.

WHEREFORE, the Debtor respectfully requests that this Court enter an order in substantially the form attached hereto as Exhibit A, (a) scheduling the First Day Hearing for 12:00 noon (prevailing Eastern Time) on February 17, 2026, (b) reducing the notice period required for the First Day Hearing, and (c) granting such other and further relief as the Court may deem just and proper.

Dated: February 16, 2026
Syracuse, New York

Respectfully submitted,

/s/ Charles J. Sullivan

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Proposed Counsel for the Debtor and Debtor in Possession

EXHIBIT A

Proposed Order

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

In re:	Chapter 11
Vanderbilt Minerals, LLC,	Case No. 26-60110 (WAK)
Debtor.[1]	

ORDER REDUCING TIME FOR FIRST DAY MOTIONS

Upon the *Application for Entry of an Order Reducing Time for Notice of First Day Motions* dated February 16, 2026 (the "Application")[2] filed by Vanderbilt Minerals, LLC, the above-captioned debtor and debtor in possession (the "Debtor"); and the Declaration of Charles J. Sullivan, Esq. dated February 16, 2026 filed in support of the Application (the "Sullivan Declaration"); and upon the *Declaration of Dean Vomero, Chief Restructuring Officer of Vanderbilt Minerals, LLC, in Support of First Day Motions of Debtor and Debtor in Possession* and upon finding that the Court has jurisdiction to consider the Application pursuant to 28 U.S.C.

[1] The Debtor is Vanderbilt Minerals, LLC (EIN 13-1432885). The Debtor's noticing address in this Chapter 11 Case is 33 Winfield Street, Norwalk, Connecticut 06855.

[2] Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Application.

§§ 157 and 1334; that venue of this Chapter 11 Case in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); that cause exists for reducing the period required for notice of the First Day Motions and scheduling a hearing to consider the First Day Motions on an expedited basis; and that the relief requested in the Application is in the best interests of the Debtor's estate, creditors and other parties in interest; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. A hearing to consider the First Day Motions (the "First Day Hearing") shall be held on February 17, 2026 at 12:00 noon (prevailing Eastern Time), or as soon thereafter as counsel may appear and be heard, before the Honorable Wendy A. Kinsella, Chief United States Bankruptcy Judge for the Northern District of New York, at the United States Bankruptcy Court, Northern District of New York, Alexander Pirnie U.S. Courthouse and Federal Building, 10 Broad Street, Utica, New York. Any party wishing to appear at the First Day Hearing may do so in person at the courthouse OR by video via Teams, for which pre-registration is required by 11:00 a.m. on the day of the First Day Hearing. Go to https://www.nynb.uscourts.gov/Remote-Hearing-Appearances to register.

2. Service of copies of this Order, the Application, the Sullivan Declaration, and the First Day Motions shall be deemed good and sufficient notice of the First Day Hearing and no further notice shall be required, if transmitted by first class mail, overnight delivery, ECF notification and/or electronic mail not later than **6:00 p.m.** (prevailing Eastern Time) on **February 16, 2026** to: (i) the Office of the United States Trustee for the Northern District of New York,

(ii) the Top Talc Counsel List, (iii) counsel for the proposed DIP Lender, and (iv) any persons that have requested or that are required to receive special notice pursuant to Bankruptcy Rule 2002.

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EXHIBIT B

Sullivan Declaration

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

In re:	Chapter 11
Vanderbilt Minerals, LLC,	Case No. 26-60110 (WAK)
Debtor.[1]	

DECLARATION OF CHARLES J. SULLIVAN, ESQ. IN SUPPORT OF APPLICATION FOR ENTRY OF AN ORDER REDUCING TIME FOR NOTICE OF FIRST DAY MOTIONS

I, Charles J. Sullivan, do hereby declare, under penalty of perjury, that:

1. I am an attorney duly licensed to practice law in the State of New York and before this Court and am a member for the law firm of Bond, Schoeneck & King, PLLC, proposed counsel to Vanderbilt Minerals, LLC, the above-captioned debtor and debtor in possession (the "Debtor"). As such, I am familiar with the facts and circumstances set forth herein.

2. I make this Declaration in support of the Debtor's *Application for Entry of an Order Reducing Time for Notice of First Day Motions* (the "Application"),[2] filed with the Court contemporaneously herewith.

3. On the Petition Date, the Debtor filed the (i) Employees Motion, (ii) Utilities Motion, (iii) Taxes Motion, (iv) Cash Management Motion, (v) Insurance Motion, (vi) Schedules Extension Motion, (vii) Notice Procedures Motion, (viii) DIP Financing Motion, (ix) Critical Vendors Motion, and (x) Verita Claims Agent Application (collectively, the "First Day Motions").

4. Local Rule 9013-1(e) generally requires that notice of a motion be provided 21 days prior to the scheduled hearing date.

[1] The Debtor is Vanderbilt Minerals, LLC (EIN 13-1432885). The Debtor's noticing address in this Chapter 11 Case is 33 Winfield Street, Norwalk, Connecticut 06855.

[2] Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Application.

5. Bankruptcy Rule 9006(c)(1) provides that "[w]hen a rule, notice given under a rule, or court order requires or allows an act to be done within a specified time, the court may—for cause and with or without a motion or notice—reduce the time." FED R. BANKR. P. 9006(c)(1).

6. Local Rule 9013-5(b) provides that parties may seek an expedited hearing by application showing good and sufficient reasons for shortening the normal notice period.

7. Typically, hearings to consider first day motions are held on the petition date or the next business day that the court is available. In this case, the Debtor filed its petition for relief on February 16, 2026. The Court's next available regularly scheduled chapter 11 motion calendar date for cases assigned to the Utica Division is March 3, 2026 at 10:00, and its next regularly scheduled date that is at least 21 days from the Petition Date is April 7, 2026. The relief requested in the First Day Motions is immediately necessary prior to such dates to ensure the uninterrupted operation of the Debtor's business and to prevent immediate and irreparable harm.

8. Under the circumstances presented, cause exists for reducing the notice period and scheduling a hearing on February 17, 2026 to consider the relief requested in the First Day Motions. An order reducing time for the hearings to consider the First Day Motions will benefit the Debtor's estate by ensuring the continued operation of the Debtor's business and preserving assets of its bankruptcy estate. Accordingly, for the reasons set forth in this Declaration and the First Day Motions, the Debtor respectfully requests that the Court issue an order reducing the notice period and scheduling a hearing to consider the First Day Motions on February 17, 2026 at 12:00 noon (prevailing Eastern Time) or as soon thereafter as the Court may be available.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on February 16, 2026

By: */s/ Charles J. Sullivan*
Charles J. Sullivan, Esq.