

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

**In re:**

**AUTO PLUS AUTO SALES LLC,<sup>1</sup>**

**Wind-Down Debtor.**

**Chapter 11**

**Case No. 23-90055 (CML)**

**(Formerly Jointly Administered under  
Lead Case IEH Auto Parts  
Holding LLC, Case No. 23-90054)**

**UNITED STATES TRUSTEE'S MOTION FOR WITHDRAWAL OF  
THE REFERENCE AND REFERRAL OF MOTION FOR RELIEF UNDER RULE  
60(b)(6) AND RELATED MATTERS**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

Kevin Epstein, United States Trustee for Region 7 ("United States Trustee"), moves, pursuant to 28 U.S.C. § 157(d), Rule 5011 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and BLR 5011-1, for withdrawal of the reference of the United States Trustee's Motion for Relief under Rule 60(b)(6) in this case (the "Withdrawal Motion"). The United States Trustee further moves that his Withdrawal Motion be referred for decision to Chief

<sup>1</sup> The Wind-Down Debtor's service address is: 5330 Carmel Crest Lane, Charlotte, North Carolina 28226. All pleadings related to these chapter 11 cases may be obtained from the website of the Wind Down Debtor's claims and noticing agent at <https://www.kccllc.net/autoplus>.



District Judge Alia Moses of the United States District Court for the Western District of Texas consistent with the district court's August 8, 2024, order in *Professional Fee Matters Concerning the Jackson Walker Law Firm*, 4:23-CV-04787 (S.D. Tex.), assigning to Chief District Judge Moses the United States Trustee's prior Motions to Withdraw the Reference of 17 motions that seek substantially similar relief.<sup>2</sup> A copy of the August 8 Order is attached as **Exhibit 1**.

As explained in greater detail in the Rule 60 Motion, this case is one of those in which Judge Jones was appointed mediator, in which Jackson Walker, LLP ("Jackson Walker") represented a party to the mediation and did not disclose the financial and intimate relationship to the presiding court or opposing parties, and where Judge Jones did not recuse himself as required by 28 U.S.C. § 455(a) and S.D. Tex. Local Rule 16.4.I (made applicable to this case by Bankruptcy Local Rule 1001-1(b)). In November 2023, the United States Trustee filed Rule 60(b)(6) motions along with Motions to Withdraw the Reference and Referral in 17 cases. Subsequently, the United States Trustee filed similar pleadings in 16 additional cases in February 2024 and March 2024.<sup>3</sup> A decision on the initial Motions to Withdraw the Reference and Referral remains pending before the district court.<sup>4</sup> For judicial efficiency and consistency, the United States Trustee seeks to

---

<sup>2</sup> The United States Trustee is contemporaneously seeking identical relief in 16 additional cases: 19-32112 *Jones Energy, Inc.*; 20-30336 *McDermott International Inc.*; 20-31886 *Sheridan Production Partners I-A, L.P.*; 20-32680 *Energy Services Puerto Rico, LLC*; 20-33812 *Denbury Holdings, Inc.*; 20-34500 *iQor Holdings Inc.*; 20-50082 *Volusion, LLC*; 22-90002 *Seadrill Member LLC*; 22-90126 *LaForta – Gestao e Investimentos*; 19-34508 *Sanchez Energy Corporation*; 22-90032 *GWG Holdings, Inc.*; 22-90035 *HONX, Inc.*; 22-90129 *Altera Infrastructure Project Services LLC*; 23-90055 *Auto Plus Auto Sales, LLC*; 18-30155 *EXCO Resources, Inc.*; and 20-33916 *TMW Merchants LLC*.

<sup>3</sup> The relief sought in each of the 33 cases is collectively referred to as the "Rule 60 Motions."

<sup>4</sup> "A motion for withdrawal of a case or proceeding shall be heard by a district judge." Fed. R. Bankr. P. 5011(a). Although the United States Trustee argued in the original Withdrawal Motions that they should be decided by the district court in the first instance, Chief Judge Rodriguez ruled otherwise and issued a Report and Recommendation to the district court against withdrawing the reference. *In re Professional Fee Matters Concerning the Jackson Walker Law Firm*, Case No.

withdraw the reference for the 16 later-filed pleadings, including the one filed in this case. The United States Trustee originally deferred filing the additional Withdrawal Motions pending a decision by the district court on the original Withdrawal Motions filed in November 2023. But no such decision has been forthcoming, the Withdrawal Motions remain pending before the fifth assigned judge (including Chief Judge Rodriguez, who issued a Report and Recommendation), and discovery on the Rule 60 Motions will conclude imminently with several trial settings fewer than two months away. Thus, the United States Trustee can no longer defer seeking relief in all the proceedings against Jackson Walker and obtaining clarity on where the Rule 60 Motions will be tried and before whom.

## **I. PROCEDURAL HISTORY AND STATEMENT OF FACTS**

1. This case is one of 33 pending in the United States Bankruptcy Court for the Southern District of Texas where Jackson Walker failed to disclose that one of its partners, Elizabeth Freeman (“Ms. Freeman”), had an ongoing intimate and financial relationship with former bankruptcy judge David R. Jones (“Judge Jones”). Jackson Walker regularly appeared as a retained professional in cases before Judge Jones without disclosing the relationship. Jackson Walker sought and obtained more than \$23 million dollars in fees in those cases.

2. On October 13, 2023, the Chief Judge of the United States Court of Appeals for the Fifth Circuit filed a formal ethics complaint against Judge Jones (“Ethics Complaint”), finding

---

23-645, ECF No. 44 (Bankr. S.D. Tex., Dec. 21, 2023) (the “Report and Recommendation” in the “Miscellaneous Proceeding”). The United States Trustee’s Objection to the Report and Recommendation, and Reply in support of it, can be found at ECF Nos. 5 and 7 in *In re Professional Fee Matters Concerning the Jackson Walker Law Firm*, Misc. No. 4:23-cv-04787 (S.D. Tex.)

“probable cause to believe” that he engaged in “misconduct.”<sup>5</sup> Ethics Complaint at 1. The Ethics Complaint was based, in part, on Judge Jones’s failure to disclose his intimate relationship with Ms. Freeman as well as Judge Jones’s failure to recuse himself from matters involving Ms. Freeman and her former law firm Jackson Walker.

3. On October 20, 2023, the Chief Judge for the United States District Court for the Southern District of Texas issued a General Order, which refers all lawsuits against Judge Jones to Chief District Judge Alia Moses of the United States District Court for the Western District of Texas.<sup>6</sup>

4. On November 2 and November 3, 2023, the United States Trustee first filed his Rule 60 Motions and Motions for Withdrawal of the Reference and Referral of his Rule 60 Motions to Chief District Judge Moses in 17 cases.<sup>7</sup> Initially, Jackson Walker agreed that the matters should be withdrawn to and consolidated before the district court but did not agree that they should be referred to a Western District of Texas judge sitting by designation. Those Motions were consolidated for consideration before Chief United States Bankruptcy Judge Rodriguez in the Miscellaneous Proceeding.

---

<sup>5</sup> *Complaint Identified by the Chief Judge of the Fifth Circuit Court of Appeals Against United States Bankruptcy Judge David R. Jones, Southern District of Texas, Under the Judicial Improvements Act of 2002*, Complaint No. 05-24-9002 (5th Cir. Oct. 13, 2023).

<sup>6</sup> Southern District of Texas, General Order 2023-21 (Oct. 20, 2023) (“General Order”).

<sup>7</sup> Those seventeen cases are: 18-35672 *Westmoreland Coal Company*; 20-20184 *J. C. Penny Company Direct Marketing Services LLC*; 20-32021 *Whiting Petroleum Corporation*; 20-32519 *Neiman Marcus Group LTD LLC*; 20-32564 *Stage Stores, Inc.*; 20-33233 *Chesapeake Energy Corporation*; 20-33295 *Covia Holdings Corporation*; 20-34758 *Tug Robert J. Bouchard Corporation*; 20-35561 *Mule Sky LLC*; 20-35740 *Seadrill Partners LLC*; 21-30427 *Seadrill Limited*; 21-30936 *Brilliant Energy, LLC*; 21-31861 *Katerra Inc.*; 21-90002 *Basic Energy Services Inc.*; 21-90054 *Strike LLC*; 22-50009 *4E Brands Northamerica LLC*; and 22-90018 *Sungard AS New Holdings, LLC*.

5. On December 21, 2023, Chief Bankruptcy Judge Rodriguez issued a Report and Recommendation to the district court recommending against withdrawing the reference in those 17 cases and against referral of the matters to Chief District Judge Moses. Miscellaneous Proceeding, ECF No. 44 (Bankr. S.D. Tex., Dec. 21, 2023). The United States Trustee objected to the Report and Recommendation, and a decision on whether to withdraw the reference in the first 17 cases remains pending before Chief District Judge Moses.<sup>8</sup>

6. On February 29, 2024, the United States Trustee filed amended Rule 60 Motions in the initial 17 cases and also filed similar Rule 60 Motions in nine additional cases over which Judge Jones presided.<sup>9</sup> On March 29, 2024, the United States Trustee filed further Rule 60 Motions in seven cases that Judge Jones mediated.<sup>10</sup>

7. In each of the 33 cases, the United States Trustee seeks similar relief: vacatur of the orders approving the employment and compensation of Jackson Walker as well as the return of all fees received. The relief requested in each case turns on the same nucleus of operative facts: the intimate and financial relationship between Ms. Freeman and Judge Jones and the firm's continued and complete failure to disclose the relationship. The cases are currently assigned to three different

---

<sup>8</sup> See n.4, *supra*.

<sup>9</sup> See 19-32112 *Jones Energy, Inc.*; 20-30336 *McDermott International Inc.*; 20-31886 *Sheridan Production Partners I-A, L.P.*; 20-32680 *Energy Services Puerto Rico, LLC*; 20-33812 *Denbury Holdings, Inc.*; 20-34500 *iQor Holdings Inc.*; 20-50082 *Volusion, LLC*; 22-90002 *Seadrill Member LLC*; and 22-90126 *LaForta – Gestao e Investimentos*.

<sup>10</sup> See 19-34508 *Sanchez Energy Corporation*; 22-90032 *GWG Holdings, Inc.*; 22-90035 *HONX, Inc.*; 22-90129 *Altera Infrastructure Project Services LLC*; 23-90055 *Auto Plus Auto Sales, LLC*; 18-30155 *EXCO Resources, Inc.*; and 20-33916 *TMW Merchants LLC*.

bankruptcy judges: Judges Perez (6 cases), Lopez (26 cases), and Chief Judge Rodriguez (1 case).<sup>11</sup>

8. The following chart details the case assignments. The reference to “type” follows Exhibit 6 of the United States Trustee’s Amended Rule 60 Motion, which divides the cases into four basic categories: (6A) then-open cases over which Judge Jones presided; (6B) then-closed cases over which Judge Jones presided; (6C) then-open cases in which Judge Jones served as mediator; and (6D) then-closed cases in which Judge Jones served as mediator.

| Type | Case Name                                   | Case No. | Judge     |
|------|---|----------|-----------|
| 6A   | 4E Brands Northamerica LLC                  | 22-50009 | Lopez     |
| 6A   | Basic Energy Services, Inc.                 | 21-90002 | Lopez     |
| 6A   | Brilliant Energy, LLC                       | 21-30936 | Rodriguez |
| 6A   | Chesapeake Exploration, LLC                 | 20-33239 | Lopez     |
| 6A   | J. C. Penney Direct Marketing Services, LLC | 20-20184 | Lopez     |
| 6A   | Katerra Inc.                                | 21-31861 | Lopez     |
| 6A   | Mule Sky LLC                                | 20-35561 | Lopez     |
| 6A   | Neiman Marcus Group LTD, LLC                | 20-32519 | Perez     |
| 6A   | Seadrill Limited                            | 21-30427 | Lopez     |
| 6A   | Seadrill Partners LLC                       | 20-35740 | Lopez     |
| 6A   | Stage Stores LLC                            | 20-32564 | Lopez     |
| 6A   | Strike LLC                                  | 21-90054 | Perez     |
| 6A   | Sungard AS New Holdings                     | 22-90018 | Lopez     |
| 6A   | Tug Robert J. Bouchard Corporation          | 20-34758 | Lopez     |
| 6A   | Whiting Petroleum Corporation               | 20-32021 | Lopez     |
| 6B   | Covia Finance Company, LLC                  | 20-33302 | Lopez     |
| 6B   | Denbury Holdings, Inc.                      | 20-33812 | Lopez     |

<sup>11</sup> Fifteen of these cases were proceeding before Judge Isgur until September 20, 2024, when Judge Isgur wrote a letter to Chief Judge Crane referring Jackson Walker for disciplinary proceedings pursuant to Local Rule of Discipline 6. That matter was referred to Judge Rosenthal, under the style *In re Jackson Walker*, Case No. 4:24-MC-1523 (S.D. Tex.). Because of this referral, Judge Isgur recused from these cases. They were randomly reassigned by court order to Judges Lopez and Perez.

| Type | Case Name                                  | Case No. | Judge |
|------|--|----------|-------|
| 6B   | Energy Services Puerto Rico, LLC           | 20-32680 | Lopez |
| 6B   | iQor Holdings Inc.                         | 20-34500 | Lopez |
| 6B   | Jones Energy Inc.                          | 19-32112 | Lopez |
| 6B   | LaForta - Gestao e Investimentos           | 22-90126 | Perez |
| 6B   | McDermott International Inc.               | 20-30336 | Lopez |
| 6B   | Seadrill Member LLC                        | 22-90002 | Lopez |
| 6B   | Sheridan Production Partners I-A, L.P.     | 20-31886 | Lopez |
| 6B   | Volusion, LLC                              | 20-50082 | Lopez |
| 6B   | Westmoreland Coal Company                  | 18-35672 | Lopez |
| 6C   | Altera Infrastructure Project Services LLC | 22-90129 | Lopez |
| 6C   | Auto Plus Auto Sales LLC                   | 23-90055 | Lopez |
| 6C   | GWG Holdings Inc.                          | 22-90032 | Perez |
| 6C   | HONX, Inc.                                 | 22-90035 | Perez |
| 6C   | Sanchez Energy Corporation                 | 19-34508 | Lopez |
| 6D   | EXCO Resources, Inc.                       | 18-30155 | Lopez |
| 6D   | TWC Merchants LLC                          | 20-33916 | Perez |

9. On May 15, 2024, discovery commenced in these matters and is set to conclude on November 1, 2024.

10. Although certain pre-trial matters arising from the Rule 60 Motions have been consolidated before Chief Judge Rodriguez, three bankruptcy judges retain responsibility for adjudicating the Rule 60 Motions themselves. Judge Isgur, prior to his recusal, had scheduled a trial to begin on December 16, 2024. Judge Lopez has set aside December 4–13, 2024, for possible trial in the cases assigned to him. Judge Rodriguez entered a pre-trial order but has not yet scheduled a trial on the United States Trustee’s Amended Rule 60 Motion in *In re Brilliant Energy, LLP*. And Judge Perez has only just received six cases assigned to him and has not yet established any possible trial dates.



11. As the United States Trustee’s Rule 60 Motions progress toward 33 separate trials before three different judges, cause for withdrawal of the reference and consolidation before a single judge is more compelling—and urgent—than ever to ensure judicial uniformity, economy, and efficiency, particularly where the critical factual and legal questions overwhelmingly overlap.

12. Thus, the United States Trustee moves to withdraw the reference of his Rule 60 Motion to the bankruptcy court for cause under 28 U.S.C. § 157(d). The United States Trustee further asks that his Rule 60 Motion be referred to Chief District Judge Moses consistent with the Order entered August 8, 2024, in Case 4:23-CV-04787. Not only does cause exist, but withdrawal will best serve the interests of justice.

## II. LAW AND ARGUMENT

### A. **There is Cause to Withdraw the Reference to Decide the United States Trustee’s Rule 60 Motion.**

13. Under 28 U.S.C. § 157(d), a district court may withdraw “in whole or in part, any case or proceeding” from the bankruptcy court for cause. *See Revie v. Smith (In re Moody)*, 899 F.2d 383, 386 (5th Cir. 1990). The district court need not withdraw the reference for the entire bankruptcy case. It may also withdraw the reference only for a particular contested matter or proceeding. *See, e.g., In re Autoseis, Inc.*, No. 14-20130, 2015 WL 4113241, at \*2 (Bankr. S.D. Tex. June 1, 2015) (recommending withdrawal of reference as to a claims objection).

14. Neither the Bankruptcy Code nor Title 28 defines “cause.” It is commonly accepted, however, that cause means a good or “legally sufficient reason” or “ground for legal action.” Black’s Law Dictionary (11th ed. 2019). As the Fifth Circuit stated almost forty years ago when it first confronted the issue of permissive withdrawal of the reference under the then new Bankruptcy Code, permissive withdrawal requires “a sound, articulated foundation.” *Holland Am. Ins. v. Succession of Roy*, 777 F.2d 992, 998 (5th Cir. 1985). The Fifth Circuit, however, also stated



that “little precedent” yet then existed on what constitutes cause for withdrawal and offered some general guidelines for the district court to consider on remand. *Id.* (“posture of this case does not permit us to offer more than general principles that should guide the district court in determining whether to refer or withdraw the reference.”).

15. In its guidance to the district court on remand, the Fifth Circuit identified several factors to be weighed when deciding whether withdrawal of the reference is appropriate for cause, including (i) the promotion of uniformity in bankruptcy administration, (ii) the need for economical use of resources, and (iii) the need to expedite the bankruptcy process. *Id.* at 998–99.

16. The “sound, articulated foundation” is satisfied here, and each factor weighs strongly in favor of granting the Withdrawal Motion. **First**, withdrawal will ensure uniformity of approach and consistent outcomes. Although the United States Trustee has filed his pleadings in 33 separate cases, those pleadings involve a common pattern of conduct extending across multiple cases and proceedings in this district: (i) the co-ownership of a home, (ii) an ongoing intimate relationship, (iii) an ongoing financial relationship between a presiding judge<sup>12</sup> and an attorney in the case, and (iv) the failure of the professionals to disclose that relationship to the court and parties in interest.

17. Withdrawing the reference will allow the district court to consolidate these 33 matters—should it determine that is appropriate—and avoid the increasingly likely piecemeal or duplicative litigation and inconsistent results. *See In re Congoleum Corp.*, 414 B.R. 44, 61 (D.N.J. 2009) (withdrawing reference based on need to avoid piecemeal litigation and repetitive appeals); *see also Veldekens v. GE HFS Holdings, Inc.*, 362 B.R. 762, 763 (S.D. Tex. 2007) (withdrawing

---

<sup>12</sup> In seven cases, Judge Jones was not the presiding judge but was appointed judicial mediator. His personal and economic relationship with Ms. Freeman, an attorney for the debtors in these cases, and Jackson Walker’s knowing failure to disclose it, are the core of these cases as well.

reference of post-confirmation adversary proceeding where matter was highly contentious, scope of bankruptcy court's jurisdiction was unsettled, and "[a] number of difficult issues will be avoided if this Court adjudicates the case in the first instance"). The risk of inconsistent results is not hypothetical. Although the Bankruptcy Court has consolidated certain pre-trial matters under the Miscellaneous Proceeding before Chief Judge Rodriguez, the substantive Rule 60 Motions will be tried separately by three different judges.

18. **Second**, it will be more economical for one court to decide these motions, which have many, if not mostly, overlapping facts. And it will allow a decision to be reached in each without the risk that significant time and resources will be expended in dozens of trials and subsequent appeals from the bankruptcy court to the district court.<sup>13</sup>

19. **Third**, withdrawing the reference will expedite the Rule 60 bankruptcy process to everyone's benefit. These matters involve over \$23 million in fees that merit disgorgement. The disgorgement of these funds should be expedited. And the public benefits, too, by restoring sooner rather than later public confidence in the integrity of the bankruptcy court and eradicating the perception, if not the reality, that Jackson Walker profited off of its former partner's intimate and financial relationship with former Judge Jones. Indeed, Jackson Walker's conduct has been the subject of widespread public interest, and other bankruptcy participants and the public both deserve prompt trial and resolution by one judge.

---

<sup>13</sup> Bankruptcy court decisions are appealable to the district court. Although a bankruptcy court's legal conclusions would be reviewed *de novo* on appeal, its factual determinations in those appeals would be reviewed only for clear error. *Highland Cap. Mgmt. Fund Advisors, L.P. v. Highland Cap. Mgmt., L.P. (In re Highland Cap. Mgmt., L.P.)*, 57 F.4th 494, 499 (5th Cir. 2023); *ASARCO, Inc. v. Elliott Mgmt. (In re ASARCO, L.L.C.)*, 650 F.3d 593, 601 (5th Cir. 2011).

**B. The District Court Should Refer the Rule 60 Motion to Chief District Judge Moses.**

20. For judicial efficiency, the United States Trustee requests that the district court refer the Rule 60 Motion to Chief District Judge Moses consistent with the current assignment of the United States Trustee's Motions to Withdraw the Reference in the initial seventeen cases discussed above.<sup>14</sup> Although the Rule 60 Motion does not seek relief against Judge Jones, which would subject such relief to the General Order, Judge Jones's conduct is relevant to the Rule 60 Motion—there will be substantial factual overlap between it and the matters that the district court referred to Chief District Judge Moses. Chief District Judge Moses is already assigned the United States Trustee's prior Withdrawal Motions and is best positioned to adjudicate this substantially similar Motion as well.

**C. The District Court Can Grant the Relief Requested in the Rule 60 Motions and Remand the Cases back to the Bankruptcy Court Should any Issues Remain Outstanding.**

21. In his Report and Recommendation, Chief Judge Rodriguez stated that the “treatment and application of disgorged funds will necessarily be different” in each of the underlying cases should the United States Trustee prevail in his Rule 60 Motions. Report and Recommendation at 11.

22. But if the United States Trustee prevails on his Rule 60 Motions, the district court could enter orders vacating the retention and fee orders and determine the amount of fees Jackson

---

<sup>14</sup> Although BLR 5011-1 provides that a withdrawal motion will first be presented to the bankruptcy court, it further contemplates that the district court can order otherwise. This Court should consider this Motion in the first instance. The Bankruptcy Court has already entered a Report and Recommendation on substantially similar Motions filed in the seventeen cases in which the United States Trustee initially sought relief against Jackson Walker, and because each of those motions to withdraw the reference for the Related Rule 60 Motions will and must ultimately be determined by the district court, referring the motions to withdraw the reference to the bankruptcy court first for recommendation will lead to unnecessary and wasteful delay and duplication.

Walker must return as a sanction. That would fully address the relief in the Motion. If, for any reason, parties-in-interest in the case then disputed how the returned fees should be disbursed, the bankruptcy court may then address that issue on remand consistent with the district court's orders.

WHEREFORE, the United States Trustee respectfully requests that (i) the reference of the Rule 60 Motion to the Bankruptcy Court be withdrawn pursuant to 11 U.S.C. § 157(d) and (ii) the Rule 60 Motion be referred to Chief District Judge Moses on the same basis provided in the General Order and consistent with the referral Order entered August 8, 2024, in *In re Professional Fee Matters Concerning the Jackson Walker Law Firm*, 4:23-CV-04787 (S.D. Tex.). The United States Trustee also requests that the Court grant such other and further relief as this Court deems just and appropriate.

[Signature Page Follows]

Date: October 7, 2024

Respectfully Submitted,

KEVIN M. EPSTEIN  
UNITED STATES TRUSTEE  
REGION 7, SOUTHERN AND WESTERN  
DISTRICTS OF TEXAS

RAMONA D. ELLIOTT  
Deputy Director/  
General Counsel  
NAN ROBERTS EITEL  
Associate General Counsel  
Fed. ID No. 561266  
DANIELLE PHAM  
Trial Attorney  
Department of Justice  
Executive Office for  
United States Trustees  
Washington, D.C. 20530  
(202) 307-1399 – Telephone

By: /s/ Alicia Barcomb  
MILLIE APONTE SALL  
Assistant U.S. Trustee  
Tex. Bar No. 01278050/Fed. ID No. 11271  
VIANEY GARZA  
Trial Attorney  
Tex. Bar No. 24083057/Fed. ID No. 1812278  
ALICIA BARCOMB  
Trial Attorney  
Tex. Bar No. 24106276/Fed ID No. 3456397  
515 Rusk, Suite 3516  
Houston, Texas 77002  
(713) 718-4650 – Telephone  
(713) 718-4670 – Fax  
Email: [millie.sall@usdoj.gov](mailto:millie.sall@usdoj.gov)  
[vianey.garza@usdj.gov](mailto:vianey.garza@usdj.gov)  
[alicia.barcomb@usdoj.gov](mailto:alicia.barcomb@usdoj.gov)

**CERTIFICATE OF SERVICE**

I certify that on October 7, 2024 a copy of the foregoing pleading was served on all parties entitled to electronic notice through the Court's CM/ECF system.

/s/ Alicia Barcomb  
Alicia Barcomb



United States District Court  
Southern District of Texas

**ENTERED**

August 08, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

OFFICE OF THE UNITED STATES  
TRUSTEE FOR REGION 7,

Movant,

VS.

JACKSON WALKER L.L.P.,

Respondent.

§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 4:23-CV-4787

**ORDER**

It is hereby **ORDERED** that the above-styled case shall be **REMOVED** from the undersigned Chief Judge's docket as presiding judge and **REASSIGNED** to the docket of the Honorable Alia Moses, Chief United States District Judge for the Western District of Texas, as presiding judge over this case.

It is further **ORDERED** that the case shall **REMAIN** in the Southern District of Texas.

SO ORDERED August 8, 2024, at McAllen, Texas.

A handwritten signature in black ink that reads "Randy Crane". The signature is written in a cursive, flowing style.

Randy Crane

Chief United States District Judge

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

**In re:**

**AUTO PLUS AUTO SALES LLC,<sup>1</sup>**

**Wind-Down Debtor.**

**Chapter 11**

**Case No. 23-90055 (CML)**

**(Formerly Jointly Administered under  
Lead Case IEH Auto Parts  
Holding LLC, Case No. 23-90054)**

**ORDER ON UNITED STATES TRUSTEE'S MOTION FOR WITHDRAWAL OF  
THE REFERENCE AND REFERRAL OF MOTION FOR RELIEF UNDER  
RULE 60(b)(6) AND RELATED MATTERS**

---

CAME ON for consideration the *United States Trustee's Motion for Withdrawal of the Reference and Referral of Motion for Relief under Rule 60(b)(6) and Related Matters* (the "Motion"), and after consideration of the Motion and the Court being fully advised of the premises, it is hereby

**ORDERED** that the Motion is granted; and it is further

**ORDERED** that the reference to the Bankruptcy Court pursuant to 11 U.S.C. § 157(d) shall be withdrawn with respect to the *United States Trustee's Motion for (1) Relief from Judgment pursuant to Federal Rule of Civil Procedure 60(b)(6) and Federal Rule of Bankruptcy Procedure 9024 Approving the Compensation Applications of Jackson Walker LLP, (2) Sanctions, and (3) Related Relief*, and any matters related to the Rule 60 Motion (collectively, the "Rule 60 Motion"), and (ii) the Rule 60 Motion shall be referred to Chief Judge Alia Moses of the United States District

---

<sup>1</sup> The Wind-Down Debtor's service address is: 5330 Carmel Crest Lane, Charlotte, North Carolina 28226. All pleadings related to these chapter 11 cases may be obtained from the website of the Wind Down Debtor's claims and noticing agent at <https://www.kccllc.net/autoplus>.



Court for the Western District of Texas for the same basis as provided in the General Order and consistent with the Order entered August 8, 2024, in Case 4:23-CV-04787.