

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

<hr style="border: 0.5px solid black;"/> <p>In re:</p> <p>AUTO PLUS AUTO SALES LLC,¹</p> <p style="text-align: center;">Wind-Down Debtor.</p> <hr style="border: 0.5px solid black;"/>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Chapter 11</p> <p>Case No. 23-90055 (CML)</p> <p>(Formerly Jointly Administered under Lead Case IEH Auto Parts Holding LLC, Case No. 23-90054)</p> <p>Re: Docket Nos. 32, 64, 65</p>
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**CERTIFICATE OF COUNSEL REGARDING
THE WIND-DOWN DEBTOR’S FIFTH OMNIBUS OBJECTION TO CERTAIN
PROOFS OF ADMINISTRATIVE CLAIM (REDUCED, REDUCED AND
RECLASSIFIED, SATISFIED, DUPLICATE, AND UNTIMELY CLAIMS)**

Pursuant to the *Procedures for Complex Chapter 11 Cases in the Southern District of Texas*, the undersigned counsel for the above-captioned wind down debtor (the “Wind-Down Debtor”) certifies as follows:

1. On March 8, 2024, the Wind-Down Debtor filed the *Wind-Down Debtors’ Fifth Omnibus Objection to Certain Proofs of Administrative Claim (Reduced, Reduced and Reclassified, Satisfied, Duplicate, and Untimely Claims)* [Docket No. 32] (the “Objection”).
2. The deadline for parties to file objections or responses to the Objection was April 8, 2024 (the “Response Deadline”).
3. On April 9, 2024, the Wind-Down Debtor filed the *Certificate of Counsel Regarding the Debtors’ Fifth Omnibus Objection to Certain Proofs of Administrative Claim (Reduced, Reduced and Reclassified, Satisfied, Duplicate, and Untimely Claims)* [Docket No. 64] (the “Initial CoC”).

¹ 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.kccellc.net/autoplus>.



4. On April 10, 2024, the Court entered the proposed order attached to the Initial CoC sustaining the Objection as to certain claims, except for three claims, including Proof of Claim No. 705 filed by HH-Cloyes, Inc. (“HH-Cloyes”). *See* Docket No. 65.

5. The Initial CoC provided that the Wind-Down Debtor received an informal response from HH-Cloyes, but that the parties were working to reach a resolution.

6. Since filing the Initial CoC, counsel to HH Cloyes informed counsel to the Wind-Down Debtor that HH Cloyes has no response to the Objection. As such, the Wind-Down Debtor now seeks a supplemental order sustaining the Objection as to Proof of Claim No. 705 filed by HH Cloyes.

7. The Wind-Down Debtor requests that the Court enter the attached proposed supplemental order at the earliest convenience of the Court.

Houston, Texas
Dated: May 22, 2025

/s/ Zachary McKay

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Certificate of Service

I certify that on May 22, 2025, 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/ Zachary McKay

Zachary McKay

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

In re:)	Chapter 11
)	
AUTO PLUS AUTO SALES LLC, ¹)	Case No. 23-90055 (CML)
)	
Wind-Down Debtor.)	(Formerly Jointly Administered under
)	Lead Case IEH Auto Parts Holding
)	LLC, Case No. 23-90054)
)	Re: Docket Nos. 32, 64, 65

**SUPPLEMENTAL ORDER SUSTAINING THE WIND DOWN
DEBTORS' FIFTH OMNIBUS OBJECTION TO CERTAIN
PROOFS OF ADMINISTRATIVE CLAIM (REDUCED, REDUCED AND
RECLASSIFIED, SATISFIED, DUPLICATE, AND UNTIMELY CLAIMS)**

Upon the objection (the "Objection")² of the above-captioned Wind-Down Debtors, seeking entry of an order (the "Order") sustaining the *Wind-Down Debtors' Fifth Omnibus Objection to Certain Proofs of Administrative Claim (Reduced, Reduced and Reclassified, Satisfied, Duplicate, and Untimely Claims)* to Proof of Claim No. 705 filed by HH-Cloyes, Inc. (the "HH-Cloyes Claim"), all as more fully set forth in the Objection; and the Court, by Docket No. 65, having previously granted the Objection as to certain claims other than the HH-Cloyes Claim; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and this Objection in this district is permissible pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that

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² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Objection.

the relief requested in the Objection is in the best interests of the Wind-Down Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Wind-Down Debtors' notice of the Objection and opportunity for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Objection; and this Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; 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 Objection is sustained as set forth herein.
2. The HH-Cloyes Claim (Proof of Claim No. 705) is disallowed.
3. Kurtzman Carson Consultants LLC, dba Verita, as claims, noticing, and solicitation agent, is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.
4. To the extent a response is filed regarding any Objected Claim, each Objected Claim, and the Objection as it pertains to such Objected Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order will be deemed a separate order with respect to each Objected Claim.
5. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any claim, including the Remaining Claims or Modified Claims, against a Wind-Down Debtor entity; (b) a waiver of the Wind-Down Debtors' right to dispute any claim on any grounds; (c) a promise or requirement to pay any claim; (d) an implication or admission that any particular claim is of a type specified or defined in this Objection or any order granting the relief requested by this Objection;

(e) a request or authorization to assume any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (f) a waiver of the Wind-Down Debtors' rights under the Bankruptcy Code or any other applicable law.

6. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall prejudice to the rights of the Wind-Down Debtors or the GUC Trustee, as defined in the Plan, to object to any claim, including the Remaining Claims and/or Modified Claims, on any grounds whatsoever. The Wind-Down Debtors specifically and expressly reserve for all purposes the GUC Trustee's right and ability to object to any and all general unsecured claims notwithstanding the relief granted in this Order, whether such claims are reclassified or otherwise modified under this Order, and this Order does not in any manner whatsoever inhibit, modify or otherwise limit the GUC Trustee's right to object to any general unsecured claim for any reason whatsoever, including without limitation to hereafter object to a general unsecured claim to the extent (i) such claim should properly be classified as an administrative claim pursuant to Section 503(b)(9) or otherwise and (ii) such claim is reclassified from a Section 503(b)(9) claim to a general unsecured claim pursuant to this Order. The Wind-Down Debtors' and/or Plan Agent's beliefs and allegations with respect to any claims affected by the Objection or this Order, whether general unsecured claims or otherwise, shall not binding on or otherwise prejudice the Plan Administrator in any respect, irrespective of whether the GUC Trustee challenged those beliefs or allegations as set forth in the Objection.

7. The Wind-Down Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Objection.

8. This Order is immediately effective and enforceable upon its entry.

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

Dated: _____, 2025

Houston, Texas

UNITED STATES BANKRUPTCY JUDGE