

**ENTERED**

May 23, 2025

Nathan Ochsner, Clerk

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

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

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**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)**

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Upon the objection (the "Objection")<sup>2</sup> 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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<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>.

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



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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.

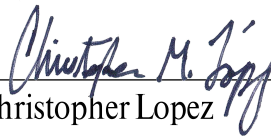
6. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall prejudice to the rights of the Wind-Down Debtors or the GUC Trustee, as defined in the Plan, to object to any claim, including the Remaining Claims and/or Modified Claims, on 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.

Signed: May 23, 2025

  
\_\_\_\_\_  
Christopher Lopez  
United States Bankruptcy Judge

United States Bankruptcy Court  
Southern District of Texas

In re:  
Auto Plus Auto Sales LLC  
IEH Auto Parts Holding LLC  
Debtors

Case No. 23-90055-cml  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: May 23, 2025

User: ADIuser  
Form ID: pdfclmob

Page 1 of 4  
Total Noticed: 23

The following symbols are used throughout this certificate:

**Symbol                      Definition**

+                      Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 25, 2025:**

| Recip ID | Recipient Name and Address   |
|----------|--|
| db       | + AP Acquisition Company New York LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754   |
| db       | + AP Acquisition Company North Carolina LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754   |
| db       | + AP Acquisition Company Washington LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754   |
| db       | + Auto Plus Auto Sales LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754  |
| db       | + IEH AIM LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754   |
| db       | + IEH Auto Parts Holding LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754  |
| db       | + IEH Auto Parts Puerto Rico, Inc., 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754  |
| db       | + IEH BA LLC, 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144-3754  |
| cr       | Cars Training Network Inc., c/o Kevin Bell, 350 Marwood Dri, Oshawa, Ontario, Canada, L1H8B4   |
| cr       | + City of Mesquite, Grimes & Linebarger, LLP, c/o John K. Turner, 120 W Main Suite 201, Mesquite, TX 75149-4224  |
| cr       | Continental Battery Company, c/o Clark Hill PLC, Attn: Audrey L. Hornisher, 900 Main Street, Suite 6000, Dallas, TX 75202                                    |
| cr       | + Fidelity and Deposit Company of Maryland, c/o Clark Hill PLC, Duane J. Brescia, 3711 South Mopac Expressway, Building One, Suite 500 Austin, TX 78746-8041 |
| cr       | + Integrated Handling Inc, 13325 Enterprise Ave, Cleveland, OH 44135-5105  |
| cr       | + Nyler Shields, c/o Peter B. Geen, Jr., 80 Monroe Ave, Ste900, Memphis, TN 38103-2481   |

TOTAL: 14

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address               | Date/Time            | Recipient Name and Address  |
|----------|--|----------------------|---|
| cr       | + Email/Text: julie.parsons@mvbalaw.com  | May 23 2025 20:04:00 | Dallam County Appraisal District, McCreary, Veselka, Bragg & Allen, P.C., P.O. Box 1269, Round Rock, TX 78680-1269                |
| cr       | + Email/Text: dallas.bankruptcy@LGBS.com | May 23 2025 20:05:00 | Dallas County, Linebarger Goggan Blair & Sampson, LLP, c/o John K Turner, 2777 N. Stemmons Frwy Ste 1000, Dallas, TX 75207-2328   |
| cr       | + Email/Text: collections@eucmail.com    | May 23 2025 20:05:00 | Easton Utilities, POB 1189, 219 N Washington St, Easton, MD 21601-3150  |
| cr       | + Email/Text: msprouse@sprousepllc.com   | May 23 2025 20:04:00 | FRAM Group Operations LLC, c/o Sprouse Law Firm, 901 Mopac Expwy South, Bldg 1, Ste 300, Austin, TX 78746-5883                    |
| cr       | + Email/Text: dallas.bankruptcy@LGBS.com | May 23 2025 20:05:00 | Irving ISD, Linebarger Goggan Blair & Samspon, LLP, c/o John K. Turner, 2777 N. Stemmons Frwy Ste 1000, Dallas, TX 75207-2328     |
| op       | + Email/Text: kccnoticing@kccllc.com     | May 23 2025 20:04:00 | Kurtzman Carson Consultants, LLC dba Verita Global, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245-5614            |
| cr       | + Email/Text: dallas.bankruptcy@LGBS.com | May 23 2025 20:05:00 | Tarrant County, Linebarger Goggan Blair & Sampson, LLP, c/o John K. Turner, 2777 N. Stemmons Frwy Ste 1000, Dallas, TX 75207-2328 |
| cr       | + Email/Text: julie.parsons@mvbalaw.com  | May 23 2025 20:04:00 | The County of Dallam, Texas, McCreary, Veselka, Bragg & Allen, P.C., P.O. Box 1269, Round Rock, TX 78680-1269                     |

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cr + Email/Text: julie.parsons@mvalaw.com

May 23 2025 20:04:00

The County of Stephens, Texas, c/o McCreary,  
Veselka, Bragg & Allen, P.O. Box 1269, Round  
Rock, TX 78680-1269

TOTAL: 9

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address   |
|----------|---------------|--|
| tr       |               | Michael D Warner   |
| cr       |               | BLUESCAPE ALTERA FMC, LLC  |
| cr       |               | Clarit Realty, Ltd.  |
| cr       |               | Disney Road Associates, LLC  |
| intp     |               | Edwin McCrary  |
| cr       |               | General Motors LLC   |
| intp     |               | Jackson Walker LLP   |
| op       |               | Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, 3rd Floor, El Segundo |
| cr       |               | RPT Hialeah I, LLC   |
| cr       |               | UNITED STATES OF AMERICA   |

TOTAL: 10 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 25, 2025

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 23, 2025 at the address(es) listed below:

| Name                    | Email Address   |
|-------------------------|---|
| Alicia Lenae Barcomb    | on behalf of U.S. Trustee US Trustee alicia.barcomb@usdoj.gov   |
| Audrey Lorene Hornisher | on behalf of Creditor Continental Battery Company audrey.hornisher@clarkhillstrasburger.com<br>mina.alvarez@clarkhillstrasburger.com  |
| Christina E. Cullom     | on behalf of Creditor UNITED STATES OF AMERICA christina.cullom@usdoj.gov<br>Caseview.ecf@usdoj.gov;USATXS.Bankruptcy-ECF@usdoj.gov;nicole.robbs@usdoj.gov;raymond.babauta@usdoj.gov;thoma.romero@usdoj.gov |
| Christopher R. Bankler  | on behalf of Plaintiff IEH Auto Parts Holding LLC cbankler@jw.com kgradney@jw.com   |
| Duane J Brescia         | on behalf of Creditor Fidelity and Deposit Company of Maryland dbrescia@clarkhill.com<br>kwebster@clarkhill.com,efarrar@clarkhill.com   |
| Edward L Ripley         | on behalf of Defendant Elliot Auto Supply Co. Inc. eripley@andrewsmyers.com, sray@andrewsmyers.com  |
| Emily Meraia            | on behalf of Debtor IEH BA LLC emeraia@jw.com kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;steso@jw.com   |

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|                       |  |
|-----------------------|--|
| Emily Meraia          | on behalf of Debtor IEH AIM LLC emeraia@jw.com kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;steso@jw.com   |
| Emily Meraia          | on behalf of Debtor IEH Auto Parts Holding LLC emeraia@jw.com kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;steso@jw.com                                    |
| Emily Meraia          | on behalf of Debtor IEH Auto Parts Puerto Rico Inc. emeraia@jw.com, kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;steso@jw.com                              |
| Emily Meraia          | on behalf of Debtor Auto Plus Auto Sales LLC emeraia@jw.com kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;steso@jw.com                                      |
| Evan Gershbein        | on behalf of Other Prof. Kurtzman Carson Consultants LLC ECFpleadings@kccllc.com ECFpleadings@kccllc.com   |
| Evan Gershbein        | on behalf of Other Prof. Kurtzman Carson Consultants LLC dba Verita Global ECFpleadings@kccllc.com, ECFpleadings@kccllc.com                                |
| JaKayla DaBera        | on behalf of Trustee Michael D Warner jdabera@krcl.com jdabera@ecf.courtdrive.com;ecf@krcl.com   |
| Jason Lee Boland      | on behalf of Interested Party Jackson Walker LLP jason.boland@nortonrosefulbright.com  |
| Jayson B. Ruff        | on behalf of U.S. Trustee US Trustee jayson.b.ruff@usdoj.gov   |
| Jennifer A Gehrt      | on behalf of Creditor RPT Hialeah I LLC jgehart@bglaw.net  |
| Jim D. Aycock         | on behalf of Defendant Elliot Auto Supply Co. Inc. jaycock@andrewsmyers.com, plee@andrewsmyers.com   |
| John Kendrick Turner  | on behalf of Creditor Dallas County john.turner@lgbs.com Dora.Casiano-Perez@lgbs.com;Dallas.Bankruptcy@lgbs.com  |
| John Kendrick Turner  | on behalf of Creditor City of Mesquite john.turner@lgbs.com Dora.Casiano-Perez@lgbs.com;Dallas.Bankruptcy@lgbs.com   |
| John Kendrick Turner  | on behalf of Creditor Tarrant County john.turner@lgbs.com Dora.Casiano-Perez@lgbs.com;Dallas.Bankruptcy@lgbs.com   |
| John Kendrick Turner  | on behalf of Creditor Irving ISD john.turner@lgbs.com Dora.Casiano-Perez@lgbs.com;Dallas.Bankruptcy@lgbs.com   |
| Julie Anne Parsons    | on behalf of Creditor The County of Stephens Texas jparsons@mvbalaw.com, vcovington@mvbalaw.com;kalexander@mvbalaw.com;julie.parsons@ecf.courtdrive.com    |
| Julie Anne Parsons    | on behalf of Creditor Dallam County Appraisal District jparsons@mvbalaw.com vcovington@mvbalaw.com;kalexander@mvbalaw.com;julie.parsons@ecf.courtdrive.com |
| Julie Anne Parsons    | on behalf of Creditor The County of Dallam Texas jparsons@mvbalaw.com, vcovington@mvbalaw.com;kalexander@mvbalaw.com;julie.parsons@ecf.courtdrive.com      |
| Kim Ellen Lewinski    | on behalf of Interested Party Edwin McCrary klewinski@dykema.com mdurrschmidt@dykema.com;ccastic@dykema.com  |
| Kyle Woodard          | on behalf of Trustee Michael D Warner kwoodard@krcl.com kwoodard@ecf.courtdrive.com;ecf@krcl.com   |
| Lawrence A. Lichtman  | on behalf of Creditor General Motors LLC llichtman@honigman.com jwright-smoot@honigman.com   |
| Lisa Ann Powell       | on behalf of Creditor Disney Road Associates LLC Lisa.Powell@fisherbroyles.com   |
| Maha Ghyas            | on behalf of Debtor Auto Plus Auto Sales LLC mghyas@jw.com   |
| Marvin E Sprouse, III | on behalf of Creditor FRAM Group Operations LLC msprouse@sprousepllc.com sprouselawfirm@gmail.com  |
| Michelle E Shriro     | on behalf of Creditor Clarit Realty Ltd. mshriro@singerlevick.com, scotton@singerlevick.com;tguillory@singerlevick.com                                     |
| Millie Aponte Sall    |  |

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on behalf of U.S. Trustee US Trustee millie.sall@usdoj.gov

Susan Tran Adams

on behalf of Debtor IEH Auto Parts Holding LLC stran@ts-llp.com  
stran@ts-llp.com;corraltransinghllp@jubileebk.net;ecf@mpatellaw.com

Susan Tran Adams

on behalf of Debtor Auto Plus Auto Sales LLC stran@ts-llp.com  
stran@ts-llp.com;corraltransinghllp@jubileebk.net;ecf@mpatellaw.com

US Trustee

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Veronica Ann Polnick

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Veronica Ann Polnick

on behalf of Debtor IEH Auto Parts Puerto Rico Inc. vpolnick@jw.com, kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com

Veronica Ann Polnick

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Veronica Ann Polnick

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Veronica Ann Polnick

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Veronica Ann Polnick

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Veronica Ann Polnick

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kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com

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msalinas@jw.com;kgradney@jw.com;jpupo@jw.com;dtrevino@jw.com

Zachary S McKay

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kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;dduhon@jw.com

Zachary S McKay

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kgradney@jw.com;dtrevino@jw.com;jpupo@jw.com;dduhon@jw.com

TOTAL: 48