

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

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

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 16, 2025, Kane Russell Coleman Logan PC, counsel for Michael D. Warner, solely in his capacity as trustee of the Auto Parts GUC Trust, served true and correct copies of the and the following documents to all parties listed on the Service List attached hereto as **Exhibit A** in the manner identified thereon:

- *Notice of Continued Hearing* [Dkt. #348];
- *GUC Trustee's Thirteenth Omnibus Objection to Claims (Reduced Claims)* [Dkt. #322];
- Notice of Objection to Claim (attached hereto as **Exhibit B**);
- Omnibus Objection Procedures (attached hereto as **Exhibit C**); and
- Withdrawal Claim Form (attached hereto as **Exhibit D**).

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<sup>1</sup> On January 16, 2024, the Court entered a *Final Decree Closing Certain of the Chapter 11 Cases* [Case No. 23-90054, Dkt. No. 1043] closing each Debtor's chapter 11 case except the case of Auto Plus Auto Sales LLC. The following is a complete list of the Debtor entities in these chapter 11 cases, along with the last four digits of each entity's federal tax identification number: IEH Auto Parts Holding LLC (6529); AP Acquisition Company Clark LLC (4531); AP Acquisition Company Gordon LLC (5666); AP Acquisition Company Massachusetts LLC (7581); AP Acquisition Company Missouri LLC (7840); AP Acquisition Company New York LLC (7361); AP Acquisition Company North Carolina LLC (N/A); AP Acquisition Company Washington LLC (2773); Auto Plus Auto Sales LLC (6921); IEH AIM LLC (2233); IEH Auto Parts LLC (2066); IEH Auto Parts Puerto Rico, Inc. (4539); and IEH BA LLC (1428). The Wind-Down Debtors' service address is: 5330 Caramel Crest Lane, Charlotte, NC 28226.



DATED: June 13, 2025

Respectfully submitted,

**KANE RUSSELL COLEMAN LOGAN PC**

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*/s/ JaKayla J. DaBera*

**Joseph M. Coleman**

State Bar No. 0456610

SDTX No. 16936

**John J. Kane**

State Bar No. 24066794

SDTX No. 1069650

**Kyle Woodard**

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***Counsel for the Auto Parts GUC Trust***

# **Exhibit A**

**Via first-class mail and email:**

AGS Company Automotive Solutions, LLC  
Attn: A/R  
AGS Co.  
PO Box 729  
Muskegon, MI 49443  
[accounting@agscompany.com](mailto:accounting@agscompany.com)  
[dcenters@agscompany.com](mailto:dcenters@agscompany.com)

**Via first-class mail and email:**

Bryce D. McLay and Kathleen A. McLay  
908 Sawgrass Drive  
Greensburg, PA 15601  
[BMCLAY102@COMCAST.NET](mailto:BMCLAY102@COMCAST.NET)

**Via first-class mail and email:**

Capital Management Systems, LLC  
Attn: Rick Levy  
11470 Cinder Cone Court  
Truckee, CA 96161  
[ricklevy1@gmail.com](mailto:ricklevy1@gmail.com)

**Via first-class mail and email:**

1310 Point Street 12th Floor  
Baltimore, MD 21231  
[strategiccreditsolutions@constellation.com](mailto:strategiccreditsolutions@constellation.com)

**Via first-class mail and email:**

Fidelity and Deposit Company of Maryland  
c/o Duane J. Brescia  
Clark Hill PLC  
720 Brazos Street, Suite 700  
Austin, TX 78701  
[dbrescia@clarkhill.com](mailto:dbrescia@clarkhill.com)

**Via first-class mail and email:**

FRAM Group Operations LLC  
127 Public Square, Suite 5300  
Cleveland, OH 44114  
[matthew.liebson@firstbrandsgroup.com](mailto:matthew.liebson@firstbrandsgroup.com)

**Via first-class mail and email:**

Autologue Computer Systems, Inc  
Attn: Donny Krause  
8452 Commonwealth Ave  
Buena Park, CA 90621  
[dkrause@autologue.com](mailto:dkrause@autologue.com)

**Via first-class mail and email:**

Bryce D. McLay and Kathleen A. McLay  
Attn: Eric M. Mungai Esq  
5 Hot Metal Street, Suite 202  
Pittsburgh, PA 15203  
[emm@thecorporateadvocates.com](mailto:emm@thecorporateadvocates.com)

**Via first-class mail and email:**

Constellation NewEnergy, Inc.  
1310 Point Street 12th Floor  
Baltimore, MD 21231  
[strategiccreditsolutions@constellation.com](mailto:strategiccreditsolutions@constellation.com)

**Via first-class mail and email:**

Attn: Molly Machold  
CBRE, Inc.  
2575 E. Camelback Rd., Ste. 500  
Phoenix, AZ 85016  
[molly.machold@cbre.com](mailto:molly.machold@cbre.com)

**Via first-class mail and email:**

Forney Industries, Inc.  
2057 Vermont Drive  
Fort Collins, CO 80525  
[sadams@forneyind.com](mailto:sadams@forneyind.com)

**Via first-class mail and email:**

Geodis Logistics LLC  
c/o Shane G. Ramsey, Esq.  
Nelson Mullins Riley & Scarborough LLP  
150 Fourth Avenue North, Suite 1100

**Via first-class mail and email:**

HONEYWELL CPG/ FRAM Group  
127 Public Square, Suite 5300  
Cleveland, OH 44114  
[matthew.liebson@firstbrandsgroup.com](mailto:matthew.liebson@firstbrandsgroup.com)

**Via first-class mail and email:**

LANTER DELIVERY SYSTEMS LLC  
13075 MANCHESTER, SUITE 300  
Des Peres, MO 63131  
[compliance@lanterds.com](mailto:compliance@lanterds.com)

**Via first-class mail and email:**

Leoch Battery Corp.  
Attn: Lurna A. Kinnel  
Fox O'Neill and Shannon S.C.  
622 N. Water Street, Suite 500  
Milwaukee, WI 53202  
[lakinnel@foslaw.com](mailto:lakinnel@foslaw.com)

**Via first-class mail and email:**

Life Insurance Company of North America  
Attn: Jeffrey C. Wisler  
Connolly Gallagher LLC  
1201 N. Market Street, 20th Floor  
Wilmington, DE 19801  
[iwisler@connollygallagher.com](mailto:iwisler@connollygallagher.com)

**Via first-class mail and email:**

MEDCO TOOL  
7337 BRYAN DAIRY RD  
LARGO, FL 33777  
[jjennings@medcocorp.com](mailto:jjennings@medcocorp.com)

**Via first-class mail and email:**

ATK NORTH AMERICA  
Attn: Blake Reams

Nashville, TN 37219

[shane.ramsey@nelsonmullins.com](mailto:shane.ramsey@nelsonmullins.com)

**Via first-class mail and email:**

Keystone Automotive Operations  
c/o Blake Reams  
5846 Crossings Blvd  
Antioch, TN 37013  
[btreams@lkqcorp.com](mailto:btreams@lkqcorp.com)

**Via first-class mail and email:**

Leoch Battery Corp.  
Attn: Lili Shi  
20322 Valencia Circle  
Lake Forest, CA 92630  
[Lili.shi@leoch.us](mailto:Lili.shi@leoch.us)

**Via first-class mail and email:**

Life Insurance Company of North America  
Attn: Lisa Durrenberger, Senior Specialist  
51 Madison Avenue  
New York, NY 10010  
[Lisa\\_A\\_Durrenberger@newyorklife.com](mailto:Lisa_A_Durrenberger@newyorklife.com)

**Via first-class mail and email:**

Massachusetts Department of Revenue  
Attn Bankruptcy Unit  
PO Box 7090  
Boston, MA 02204  
[joyces@dor.state.ma.us](mailto:joyces@dor.state.ma.us)  
[Limagec@dor.state.ma.us](mailto:Limagec@dor.state.ma.us)

**Via first-class mail and email:**

North American ATK  
Attn: Blake Reams  
5846 Crossings Blvd  
Antioch, TN 37013  
[btreams@lkqcorp.com](mailto:btreams@lkqcorp.com)

**Via first-class mail and email:**

Peerless Chain Company  
Attn: Paul Johnston

5846 Crossings Blvd  
Antioch, TN 37013  
[btreams@lkqcorp.com](mailto:btreams@lkqcorp.com)

1416 East Sanborn St.  
Winona, MN 55987  
[paul.johnston@harringtonhoists.com](mailto:paul.johnston@harringtonhoists.com)

**Via first-class mail and email:**

Penske Truck Leasing Co., L.P.  
PO Box 563  
Reading, PA 19603  
[diane.hetrick@penske.com](mailto:diane.hetrick@penske.com)

**Via first-class mail and email:**

Power Stop, LLC  
6112 W. 73rd St-Suite B  
Bedford Park, IL 60638  
[Msnider@powerstop.com](mailto:Msnider@powerstop.com)

**Via first-class mail and email:**

Power Stop, LLC  
Attn: Michael P. Oneil  
Taft Stettinius and Hollister LLP  
One Indiana Square, Suite 3500  
INDIANAPOLIS, IN 46204  
[Moneil@taftlaw.com](mailto:Moneil@taftlaw.com)

**Via first-class mail and email:**

Prime Automotive Parts Co., Inc.  
415 W Main Street  
Rochester, NY 14608  
[hahncredit@hahnauto.com](mailto:hahncredit@hahnauto.com)

**Via first-class mail and email:**

Robert Bosch LLC  
Attn: Steve Grapenthien  
1800 W. Central Rd.  
Mount Prospect, IL 60056  
[steve.grapenthien@us.bosch.com](mailto:steve.grapenthien@us.bosch.com)

**Via first-class mail and email:**

Suehr Cargo Services, Inc.  
4214 Campbells Run Road  
Pittsburgh, PA 15205  
[dsuehr@suehrcargoservices.com](mailto:dsuehr@suehrcargoservices.com)

**Via first-class mail and email:**

The Berkebile Oil Company, Inc.  
Attn: Kirk Sherbine  
PO Box 715  
Somerset, PA 15501  
[ksherbine@berkebileoil.com](mailto:ksherbine@berkebileoil.com)

**Via first-class mail and email:**

FRAM Group Operations LLC  
c/o Marvin Sprouse  
Sprouse Law Firm  
901 Mopac Expressway South, Building 1,  
Suite 300  
Austin, TX 78746  
[msprouse@sprousepllc.com](mailto:msprouse@sprousepllc.com)

# **Exhibit B**



3. A form to complete and deliver to the Claims and Noticing Agent should you wish to withdraw your Claim(s); and
4. This Notice of Objection to Claim.

A preliminary hearing on the Omnibus Objection is scheduled for **Tuesday, June 17, 2025, at 11:00 a.m.**, prevailing central time (the “Hearing”), before the Honorable Christopher Lopez, United States Bankruptcy Judge, Courtroom 401, 515 Rusk Street, Houston, Texas 77002.

If you do not want the Bankruptcy Court to eliminate your Claim, then you or your attorney must file a written response with the Bankruptcy Court (a “Response”) on or before on or before **June 16, 2024** (the “Response Deadline”), in accordance with the Omnibus Objection Procedures. *Please review the Omnibus Objection Procedures carefully and follow the instructions for filing Responses to Omnibus Objections to ensure that your Response is timely and correctly filed and served.*<sup>4</sup> If you mail your Response to the Bankruptcy Court for filing, you must ensure that the Response is *actually received* by the Bankruptcy Court on or before the Response Deadline.

If you disagree with the Omnibus Objection or contest the disallowance of your Claim, you must participate in the Hearing. Parties may participate in the Hearing either in person or by an audio and video connection. Audio communication will be by use of the Court’s dial-in facility. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Lopez’s home page.<sup>5</sup> The meeting code is “JudgeLopez”. Click the settings icon in the upper right corner and enter your name under the personal information setting.

#### **Telephonic Participation**

Dial-in Telephone No: 832-917-1510  
Conference Code: 590153

#### **Video Participation**

<https://www.gotomeet.me/JudgeLopez>

*Audio connections by phone are required for all video participants*

Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the “Electronic Appearance” link on Judge Lopez’s home page. Select the case name, complete the required fields and click “submit” to complete your appearance.

If you or your attorney do not take these steps in accordance with the Omnibus Objection Procedures, the Bankruptcy Court may decide that you do not oppose the objection to your Claim.

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<sup>4</sup> For the avoidance of doubt, all Responses must be filed in the above-captioned case of Auto Plus Auto Sales, LLC, Case No. 23-90055. The enclosed Omnibus Objection Procedures have been modified to account for the Court’s *Final Decree Closing Certain of the Chapter 11 Cases* [Case No. 23-90054, Dkt. No. 1043] closing Case No. 23-90054.

<sup>5</sup> <https://www.txs.uscourts.gov/page/united-states-bankruptcy-judge-christopher-m-lopez>.

Copies of the Omnibus Objection, the Omnibus Objection Procedures, and all other related pleadings are available for free at <https://www.veritaglobal.net/autoplus>. You may also obtain copies of any pleadings filed in these bankruptcy cases for a fee at <https://ecf.txsb.uscourts.gov/>. A login identification and password to the Public Access to Court Electronic Records (PACER) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>.

DATED: May 16, 2025

Respectfully submitted,

**KANE RUSSELL COLEMAN LOGAN PC**

By: /s/ JaKayla J. DaBera

**Joseph M. Coleman**

State Bar No. 0456610

SDTX No. 16936

**John J. Kane**

State Bar No. 24066794

SDTX No. 1069650

**Kyle Woodard**

State Bar No. 24102661

SDTX No. 3596595

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***Counsel for the Auto Parts GUC Trust***

# **Exhibit C**

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

In re:	)	
	)	Chapter 11
	)	
IEH AUTO PARTS HOLDING LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 23-90054 (CML)
	)	
Debtors.	)	(Jointly Administered)
	)	

**PROCEDURES FOR FILING OMNIBUS CLAIMS OBJECTIONS**

1. Grounds for Omnibus Objections. In addition to those grounds expressly set forth in Bankruptcy Rule 3007(d), the Debtors<sup>2</sup> may file omnibus objections (each, an “Omnibus Objection”) to Claims on the grounds (the “Additional Grounds”) that such Claims, in part or in whole:

- a. fail to specify the asserted Claim amount (or only list the Claim amount as “unliquidated”);
- b. seek recovery of amounts for which the Debtors are not liable;
- c. are satisfied by payment in full or in part on account of such Claim from a party that is not a debtor, including one or more of the Debtors’ insurers;
- d. are incorrectly or improperly classified;
- e. are filed against non-Debtors, the incorrect Debtor, or multiple Debtors;
- f. fail to specify a Debtor against which the Claim is asserted;
- g. are disallowed or subordinated to all Claims senior to or equal to the asserted Claim arising out of the purchase or sale of a security of the Debtor or affiliate pursuant to section 510(b) of the Bankruptcy Code;

<sup>1</sup> The Debtor entities in these chapter 11 cases, along with the last four digits of each Debtor entity's federal tax identification number, are: IEH Auto Parts Holding LLC (6529); AP Acquisition Company Clark LLC (4531); AP Acquisition Company Gordon LLC (5666); AP Acquisition Company Massachusetts LLC (7581); AP Acquisition Company Missouri LLC (7840); AP Acquisition Company New York LLC (7361); AP Acquisition Company North Carolina LLC (N/A); AP Acquisition Company Washington LLC (2773); Auto Plus Auto Sales LLC (6921); IEH AIM LLC (2233); IEH Auto Parts LLC (2066); IEH Auto Parts Puerto Rico, Inc. (4539); and IEH BA LLC (1428). The Debtors’ service address is: 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144.

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

- h. are disallowed pursuant to, or asserted in an amount, priority, or on terms that are otherwise inconsistent with, the Plan; or
- i. have not been timely filed by parties to prepetition litigation with the Debtors.

2. Form of Omnibus Objection. Each Omnibus Objection will be numbered consecutively, regardless of basis. The Claims subject to the Omnibus Objection will be listed alphabetically by claimant on the schedules attached to each Omnibus Objection.

3. Supporting Documentation. In accordance with Local Bankruptcy Rule 3007-1, Omnibus Objections must include an affidavit or declaration signed by a person with personal knowledge supporting the objection.

4. Claims Exhibits. An exhibit listing the Claims that are subject to the particular Omnibus Objection will be attached thereto. Each exhibit will include only the Claims to which there is a common basis for the objection. Claims for which there is more than one basis for the objection will be referenced on each exhibit applicable thereto. Including a Claim on one exhibit will not constitute a waiver of the Debtors' right to object to the Claim on an additional basis or bases. The exhibits will include, without limitation, the following information:

- a. the Claims that are the subject of the Omnibus Objection and, if applicable, the Proof of Claim number(s) related thereto from the claims register;
- b. the asserted amount of the Claim;
- c. the grounds for the objection; and
- d. other information, as applicable, including: (i) the proposed classification of Claims the Debtors seek to reclassify; (ii) the proposed allowed Claim amounts of claims the Debtors seek to reduce; and/or (iii) the surviving Claims, if any, of claimants affected by the Omnibus Objection.

5. Objection Notice. Each Omnibus Objection will be accompanied by an objection notice, substantially in the form annexed to the Order as **Exhibit 2** (the "Objection Notice"), which will:

- a. describe the basic nature of the objection;
- b. inform creditors how to file a written response (each, a "Response") to the objection;
- c. identify the hearing date, if applicable, and information on how to participate; and
- d. describe how copies of proofs of claim, the Omnibus Objection, and other pleadings filed in the chapter 11 cases may be obtained.

6. Notice and Service. Each Omnibus Objection will be filed with the Court and served electronically using the Court's electronic filing system. Each Omnibus Objection (along with a copy of the Objection Notice and these Procedures) will be mailed to each claimholder that is subject to such objection.

7. Omnibus Claims Objection Hearings. Each Omnibus Objection shall be set for hearing no less than 30 days after service of the Omnibus Objection (each, a "Hearing"), unless otherwise ordered by the Court. For all Hearings:

- a. Unless agreed to by the Debtors and the claimant, or otherwise ordered by the Court, the first hearing on any Omnibus Objection shall be a non-evidentiary status conference.
- b. Upon no less than 10 days' notice, the Debtors, or any claimant that has filed a timely response, may file a motion to continue any Hearing.
- c. By agreement (email being sufficient), the Debtors and claimants may agree to reset any Hearing with respect to any Claim.

8. Hearing Participation. The first Hearing on an Omnibus Objection shall be a status conference and shall be a virtual hearing consistent with section I of the Complex Procedures (i.e., no in-person participation will be permitted). Unless otherwise ordered by the Court, all subsequent Hearings on an Omnibus Objection will be remote hearings consistent with section H of the Complex Procedures (i.e., all parties may elect to appear either in person or virtually). Instructions for appearing at the Hearing shall be included on the first page of each Omnibus Objection.

9. Contested Matter. Each Claim subject to an Omnibus Objection and the Response thereto shall constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, and any order entered by the Court will be deemed a separate order with respect to such Claim.

### **Responses to Omnibus Objections**

10. Parties Required to File a Response. Any party who disagrees with an Omnibus Objection is required to file a Response in accordance with the procedures set forth herein and to appear at the Hearing(s) with respect to their Claim. If a claimant whose Claim is subject to an Omnibus Objection does not file and serve a Response in compliance with the procedures below or fails to appear at the Hearing(s), the Court may grant the relief requested in the Omnibus Objection with respect to such Claim without further notice to the claimant.

11. Failure to Respond. A Response that is not filed and served in accordance with the procedures set forth herein may not be considered by the Court at the Hearing. **Absent reaching an agreement with the Debtors resolving the objection to a Claim, failure to timely file and serve a Response as set forth herein or to appear at the Hearing(s) may result in the Court**

**granting the Omnibus Objection without further notice or hearing.** Upon entry of an order sustaining an Omnibus Objection, affected creditors will be served with such order.

12. Response Contents. Each Response must contain the following (at a minimum):

a. This case caption:<sup>3</sup>

<b>IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION</b>		
In re:	)	Chapter 11
AUTO PLUS AUTO SALES LLC,	)	Case No. 23-90055 (CML)
Wind-Down Debtor. <sup>1</sup>	)	(Formerly Jointly Administered under Lead Case IEH Auto Parts Holding LLC, Case No. 23-90054)
-	)	

- b. The responding party's name and the number of the Omnibus Objection to which the Response is directed,
- c. The factual basis and specific reasons for disagreement with the Omnibus Objection;
- d. If applicable, the Proof of Claim number(s) from the Claims Register to which the Response relates; and
- e. The following contact information for the responding party:
- (i) the name, address, telephone number, and email address of the responding claimant or the name, address, telephone number, and email address of the claimant's attorney or designated representative to whom the attorneys for the Debtors should serve a reply to the Response, if any; or
  - (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the objection on the claimant's behalf.

13. Filing and Service of the Response. A Response will be deemed timely only if it is filed with the Court and served electronically using the Court's electronic filing system and

<sup>3</sup> ~~The Debtors may revise these procedures for service purposes to include the case caption of a remaining case in the event that Case No. 22-90054 is closed in the future.~~  
Case No. 22-90054 was closed on January 16, 2024, pursuant to the Court's *Final Decree Closing Certain of the Chapter 11 Cases* [Case No. 23-90054, Dkt. #1043]. All Responses should be filed in Case No. 23-90055 styled *In re: Auto Plus Auto Sales, LLC*.

*actually received* on the response date specified in the Objection Notice (the “Response Deadline”) by the following parties (the “Notice Parties”):

1) Debtors’ counsel:

Jackson Walker LLP  
1401 McKinney Street, Suite 1900  
Houston, TX 77010

Attention: Matthew Cavanaugh  
Veronica A. Polnick  
Zachary McKay  
Vienna F. Anaya  
Emily Flynn Meraia

E-mail: mcavanaugh@jw.com  
vpolnick@jw.com  
zmckay@jw.com  
vanaya@jw.com  
emeraia@jw.com

- and -

Law Office of Liz Freeman  
PO Box 61209  
Houston, TX 77208  
Attention: Elizabeth C. Freeman

Email: liz@lizfreemanlaw.com

2) The U.S. Trustee:  
Hector Duran  
Stephen Statham  
Office of the United States Trustee for the Southern District of Texas  
515 Rusk St, Ste. 3516  
Houston, Texas 77002  
hector.duran.jr@usdoj.com  
stephen.statham@usdoj.com

3) Counsel to the ~~Unsecured Creditors’ Committee~~ **GUC Trustee:**

Joseph M. Coleman  
John J. Kane  
**Kyle Woodard**  
**JaKayla J. DaBera**  
KANE RUSSELL COLEMAN LOGAN PC  
Bank of America Plaza  
901 Main Street, Suite 5200  
Dallas, Texas 75202  
(214) 777-4200

jcoleman@krcl.com  
jkane@krcl.com  
kwoodard@krcl.com  
jdabera@krcl.com

- and -

Michael D. Warner  
PACHULSKI STANG ZIEHL & JONES LLP  
440 Louisiana Street, Suite 900  
Houston, TX 77002  
(713) 691-9385  
mwarner@pszjlaw.com

If you do not have electronic filing privileges, you must also mail your Response to the Court, such that it is received by the Response Deadline, at:

Nathan Oschner  
Clerk of Court  
515 Rusk Street, 5<sup>th</sup> Floor  
Houston, Texas 77002

14. Informal Resolution. Parties to an Omnibus Objection may engage in settlement discussions to resolve the matter without the need for a hearing. The Debtors may utilize Rule 68 of the Federal Rules of Civil Procedure with respect to Omnibus Objections, as modified by this paragraph 14. Rule 68 provides, in pertinent part:

(a) MAKING AN OFFER; JUDGMENT ON AN ACCEPTED OFFER. At least 14 days before the date set for trial, a party objecting to a claim may serve on an opposing party an offer to allow judgment on specified terms, with the costs then accrued. If, within 14 days after being served, the opposing party serves written notice accepting the offer, either party may then file the offer and notice of acceptance, plus proof of service. The clerk must then enter judgment.

(b) UNACCEPTED OFFER. An unaccepted offer is considered withdrawn, but it does not preclude a later offer. Evidence of an unaccepted offer is not admissible except in a proceeding to determine costs.

\* \* \*

(d) PAYING COSTS AFTER AN UNACCEPTED OFFER. If the judgment that the offeree finally obtains is not more favorable than the unaccepted offer, the offeree must pay the costs incurred after the offer was made.

**The Debtors will not utilize Rule 68 against unrepresented parties. Rule 68(d) is further modified such that if the ruling finally obtained is not more favorable to the offeree than the unaccepted offer, the Debtors may seek reimbursement of costs incurred after the offer was made.**

#### Miscellaneous

15. Additional Information. Copies of these procedures, the Motion, the Order or any other pleadings (the “Pleadings”) filed in these chapter 11 cases are available at no cost at the Debtors’ restructuring website <https://www.kccllc.net/autoplus>. You may also obtain copies of any of the Pleadings filed in these chapter 11 cases for a fee at the Court’s website at <https://ecf.txsb.uscourts.gov/>. A login identification and password to the Court’s Public Access to Court Electronic Records (“PACER”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>.

16. Reservation of Rights. NOTHING IN ANY OMNIBUS OBJECTION OR OBJECTION NOTICE IS INTENDED OR SHALL BE DEEMED TO CONSTITUTE (A) AN ADMISSION AS TO THE VALIDITY OF ANY PREPETITION CLAIM AGAINST A DEBTOR ENTITY; (B) A WAIVER OF ANY RIGHT OF ANY DEBTOR TO DISPUTE ANY PREPETITION CLAIM ON ANY GROUNDS, ASSERT COUNTERCLAIMS, RIGHTS OF OFFSET OR RECOUPMENT, DEFENSES, OBJECT TO CLAIMS (OR OTHER CLAIMS OR CAUSES OF ACTION OF A CLAIMANT) ON ANY GROUNDS NOT PREVIOUSLY RAISED IN AN OBJECTION, UNLESS THE COURT HAS ALLOWED A CLAIM OR ORDERED OTHERWISE, OR SEEK TO ESTIMATE ANY CLAIM AT A LATER DATE; (C) A PROMISE OR REQUIREMENT TO PAY ANY PREPETITION CLAIM; (D) AN IMPLICATION OR ADMISSION THAT ANY PARTICULAR CLAIM IS OF A TYPE SPECIFIED OR DEFINED IN THIS MOTION OR ANY ORDER GRANTING THE RELIEF REQUESTED BY THIS MOTION; (E) A REQUEST OR AUTHORIZATION TO ASSUME ANY PREPETITION AGREEMENT, CONTRACT, OR LEASE PURSUANT TO BANKRUPTCY CODE SECTION 365; OR (F) A WAIVER OF ANY RIGHT OF ANY DEBTOR UNDER THE BANKRUPTCY CODE OR ANY OTHER APPLICABLE LAW.

# **Exhibit D**

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

In re:	)	
	)	Chapter 11
IEH AUTO PARTS HOLDING LLC, <i>et al.</i> , <sup>1</sup>	)	Case No. 23-90054 (CML)
	)	
Debtors.	)	(Jointly Administered)
	)	

**WITHDRAWAL OF PROOF OF CLAIM NO. \_\_\_\_\_**

Claimant, \_\_\_\_\_ [Claimant Name(s)],  
hereby withdraws with prejudice its proof of claim No. \_\_\_\_\_ [Claim Number(s)].

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Claimant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please mail this form via U.S. Mail to:

**IEH Auto Parts Holding LLC  
Claims Processing Center  
c/o KCC  
222 N Pacific Coast Highway, Suite 300  
El Segundo, CA 90245**

Or, you may email this form to  
**autoplusinfo@kccllc.com**

<sup>1</sup> The Debtor entities in these chapter 11 cases, along with the last four digits of each Debtor entity's federal tax identification number, are: IEH Auto Parts Holding LLC (6529); AP Acquisition Company Clark LLC (4531); AP Acquisition Company Gordon LLC (5666); AP Acquisition Company Massachusetts LLC (7581); AP Acquisition Company Missouri LLC (7840); AP Acquisition Company New York LLC (7361); AP Acquisition Company North Carolina LLC (N/A); AP Acquisition Company Washington LLC (2773); Auto Plus Auto Sales LLC (6921); IEH AIM LLC (2233); IEH Auto Parts LLC (2066); IEH Auto Parts Puerto Rico, Inc. (4539); and IEH BA LLC (1428). The Debtors' service address is: 112 Townpark Drive NW, Suite 300, Kennesaw, GA 30144.