

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

In re:	§	Chapter 11
	§	
RHODIUM ENCORE LLC, <i>et al.</i> , <sup>1</sup>	§	Case No. 24-90448 (ARP)
	§	
Debtors.	§	
	§	(Jointly Administered)
	§	

**MOTION TO SEAL DEBTORS' AMENDED OMNIBUS OBJECTION TO CLAIM  
NUMBERS 004, 062, AND 068-072 FILED BY MIDAS GREEN TECHNOLOGIES LLC**  
(Relates to ECF No. 954)

**IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE ELECTRONICALLY AT [HTTPS://ECF.TXSB.USCOURTS.GOV/](https://ecf.txsb.uscourts.gov/) WITHIN TWENTY-ONE DAYS FROM THE DATE THIS MOTION WAS FILED. IF YOU DO NOT HAVE ELECTRONIC FILING PRIVILEGES, YOU MUST FILE A WRITTEN OBJECTION THAT IS ACTUALLY RECEIVED BY THE CLERK WITHIN TWENTY-ONE DAYS FROM THE DATE YOU WERE SERVED WITH THIS PLEADING. YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON WHO SENT YOU THE NOTICE; OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.**

Rhodium Encore LLC and its debtor affiliates (the “Debtors”) hereby file this Motion to Seal the *Debtors’ Amended Omnibus Objection to Claim Numbers 004, 062, and 068-072* filed by *Midas Green Technologies LLC* (the “Motion”) and state as follows:

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of their corporate identification numbers are as follows: Rhodium Encore LLC (3974), Jordan HPC LLC (3683), Rhodium JV LLC (5323), Rhodium 2.0 LLC (1013), Rhodium 10MW LLC (4142), Rhodium 30MW LLC (0263), Rhodium Enterprises, Inc. (6290), Rhodium Technologies LLC (3973), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Shared Services LLC (5868), Rhodium Ready Ventures LLC (8618), Rhodium Industries LLC (4771), Rhodium Encore Sub LLC (1064), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), and Rhodium Renewables Sub LLC (9511). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.



## **I. JURISDICTION AND VENUE**

1. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. § 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

## **II. RELIEF REQUESTED**

2. The Debtors seek an order authorizing the sealing of the *Debtors' Amended Omnibus Objection to Claim Numbers 004, 062, and 068-072 filed by Midas Green Technologies LLC* (the “Objection”) (ECF No. 954) and directing that the Objection remain under seal and not be made publicly available.

## **III. BACKGROUND**

3. On August 24, 2024, Rhodium Encore LLC, Jordan HPC LLC, Rhodium JV LLC, Rhodium 2.0 LLC, Rhodium 10MW LLC, and Rhodium 30MW LLC each filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code (the “Initial Debtors”). The Initial Debtors’ cases are jointly administered as *In re Rhodium Encore, LLC, et al.*, Case No. 24-90448 (ARP).

4. On August 29, 2024, additional affiliates of the Initial Debtors filed, in this Court, voluntary petitions for chapter 11 relief: Rhodium Technologies LLC, Rhodium Enterprises Inc., Rhodium Renewables LLC, Rhodium Ready Ventures LLC, Rhodium Industries LLC, Rhodium Shared Services LLC, Rhodium Renewables Sub LLC, Rhodium 30MW Sub LLC, Rhodium Encore Sub LLC, Rhodium 10MW Sub LLC, Rhodium 2.0 Sub LLC, Air HPC LLC, and Jordan HPC Sub LLC (the “Additional Debtors,” and, together with the Initial Debtors, the “Debtors”).

5. The Debtors’ chapter 11 cases (the “Chapter 11 Cases”) are jointly administered for procedural purposes only pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015-1. *See* ECF Nos. 8 and 41.

6. On November 22, 2024, the United States Trustee filed a Notice of Appointment of Committee of Unsecured Creditors (ECF. No. 488).

7. No trustee or examiner has been appointed in these Chapter 11 Cases.

8. A detailed description of the facts and circumstances regarding the Debtors' business and capital structure and the circumstances leading to the commencement of these Chapter 11 Cases is set forth in the Declaration of David M. Dunn in Support of Chapter 11 Petitions and First Day Relief (the "First Day Declaration") (ECF No. 35).

9. On September 18 and November 21, 2024, Midas Green Technologies LLC ("Midas") filed seven substantially similar proofs of claim alleging patent infringement against Debtors Rhodium Enterprises, Inc., Rhodium 10MW LLC, Rhodium 30MW LLC, Rhodium 2.0 LLC, Rhodium Technologies LLC, Rhodium Renewables Sub LLC, and Rhodium Encore LLC. To each claim, Midas attached its Third Amended Complaint filed in the District Court Litigation on March 29, 2023, and listed a wide range as the claimed amount. Claim 004 was filed against Debtor Rhodium Enterprises, Inc., and does not specify the claimed amount. Claim 062 was filed against Debtor Rhodium 30MW LLC for between \$933,685 and \$2,442,095. Claim 068 was filed against Debtor Rhodium 10MW LLC for between \$410,351 and \$913,154. Claim 069 was filed against Rhodium 2.0 LLC for between \$1,436,228 and \$3,196,039. Claim 070 was filed against Debtor Rhodium Technologies LLC for between \$11,899, 377 and 21,2955,440. Claim 071 was filed against Rhodium Renewables LLC for between \$9,093,236, and \$13,121,268. Claim 072

was filed against Rhodium Encore LLC for between \$1,025,877 and \$2,282,885. In total, the Midas Claims amount to between approximately \$25 million and \$43 million in alleged damages.

10. On April 15 and 17, 2025, the Debtors filed the Objection stating that the Midas Claims should be disallowed in their entirety. The Objection contains confidential and proprietary information concerning the operation of the Debtors' cryptocurrency mining technology.

#### **IV. BASIS FOR RELIEF**

11. Pursuant to section 107(b) of the Bankruptcy Code, the Court is authorized to issue orders to protect entities with respect to certain confidential information. *See* 11 U.S.C. § 107(b). Additionally, section 105(a) of the Bankruptcy Code, which codifies the Bankruptcy Court's inherent equitable powers, empowers the Court to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105(a).

12. Bankruptcy Rule 9018 implements section 107(b) of the Bankruptcy Code and provides in pertinent part: "On motion or on its own initiative, with or without notice, the court may make any order which justice requires (1) to protect the estate or any entity in respect of a trade secret or other confidential research, development, or commercial information . . . ." Fed. R. Bankr. P. 9018.

13. There is a strong presumption in favor of public access to court records. *See Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 598, 602 (1978).

14. However, sections 105(a) and 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 authorize this Court to limit public access under certain circumstances. *Accord Jones v. RealPage, Inc.*, 2021 WL 268824, at \*2 (N.D. Tex. Jan. 27, 2021) (quoting *Rodriguez v. United*

*Rentals (N. Am.), Inc.*, 2018 WL 4184321, at \*1 (S.D. Miss. Aug. 31, 2018)) (“Federal courts routinely limit the public's access to commercially sensitive and proprietary information.”).

15. Because the Objection relies on confidential information concerning the operation of the Debtors’ cryptocurrency mining technology, the Debtors seek an order authorizing the filing of the Objection under seal.

16. A redacted version of the Objection is filed on the docket for public viewing (ECF No. 953). The Debtors will furnish an unredacted copy to the Court.

## **V. CONCLUSION**

WHEREFORE, the Debtors respectfully request that this Court enter an order that (a) grants the Motion; and (b) grants all other relief that this Court deems just and proper.

Respectfully submitted this 17th day of April, 2025.

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

/s/ Patricia B. Tomasco

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*Counsel to the Debtors and  
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### **CERTIFICATE OF SERVICE**

I, Patricia B. Tomasco, hereby certify that on the 17th day of April, 2025, a copy of the attached Motion was served via the Clerk of the Court via ECF to the parties registered to receive service.

/s/ Patricia B. Tomasco

Patricia B. Tomasco

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

In re:	§	Chapter 11
RHODIUM ENCORE LLC, <i>et al.</i> , <sup>1</sup>	§	Case No. 24-90448 (ARP)
Debtors.	§	(Jointly Administered)
	§	
	§	
	§	

**ORDER GRANTING THE MOTION TO SEAL DEBTORS' AMENDED OMNIBUS  
OBJECTION TO CLAIM NUMBERS 004, 062, AND 068-072 FILED BY  
MIDAS GREEN TECHNOLOGIES LLC  
(Relates to ECF No. \_\_\_\_)**

Upon consideration of the Motion to Seal the *Debtors' Amended Omnibus Objection to Claim Numbers 004, 062, and 068-072 filed by Midas Green Technologies LLC* (the "Motion"), the Court having jurisdiction to consider this matter and relief requested therein pursuant to 28 U.S.C. § 1334; consideration of this Motion being a core proceeding pursuant to 28 U.S.C. § 157; notice of the Motion having been adequate and appropriate under the circumstances; and after due deliberation and sufficient cause appearing; it is hereby:

1. ORDERED that the Debtors are authorized to file under seal an unredacted version of the *Debtors' Omnibus Objection to Claim Numbers 004, 062, and 068-072 filed by Midas Green Technologies LLC* (ECF No. 954); it is further

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of their corporate identification numbers are as follows: Rhodium Encore LLC (3974), Jordan HPC LLC (3683), Rhodium JV LLC (5323), Rhodium 2.0 LLC (1013), Rhodium 10MW LLC (4142), Rhodium 30MW LLC (0263), Rhodium Enterprises, Inc. (6290), Rhodium Technologies LLC (3973), Rhodium Renewables LLC (0748), Air HPC LLC (0387), Rhodium Shared Services LLC (5868), Rhodium Ready Ventures LLC (8618), Rhodium Industries LLC (4771), Rhodium Encore Sub LLC (1064), Jordan HPC Sub LLC (0463), Rhodium 2.0 Sub LLC (5319), Rhodium 10MW Sub LLC (3827), Rhodium 30MW Sub LLC (4386), and Rhodium Renewables Sub LLC (9511). The mailing and service address of the Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.

2. ORDERED that the Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion; it is further

3. ORDERED that the Court retains jurisdiction with respect to all matters arising from or related to the implementation of this order.

DATED:

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ALFREDO R. PEREZ  
UNITED STATES BANKRUPTCY JUDGE