

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

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

**LEHOTSKY KELLER COHN LLP’S REPLY IN SUPPORT OF
JOINT EMERGENCY MOTION FOR CONTINUANCE**
[Relates to Docket Nos. 971 & 998]

Lehotsky Keller Cohn LLP (“**LKC**”), by and through its undersigned counsel, files this Reply in support of the *Joint Emergency Motion of Debtors and Lehotsky Keller Cohn LLP to Continue Hearing on Application for an Updated Order Authorizing the Retention and Employment of Lehotsky Keller Cohn LLP as Special Litigation Counsel* [Docket No. 971] (the “**Emergency Continuance Motion**”).

The Ad Hoc Group of SAFE Parties’ (the “**Ad Hoc Group**”) *Response to the Joint Emergency Motion of Debtors and Lehotsky Keller Cohn LLP to Continue Hearing on Application for an Updated Order Authorizing the Retention and Employment of Lehotsky Keller Cohn LLP as Special Litigation Counsel* [Docket No. 998] (the “**Response**”) is self-defeating. It asserts a supposed urgent need for the hearing on the Debtors’ *Application for an Updated Order Authorizing the Retention and Employment of Lehotsky Keller Cohn LLP as Special Litigation Counsel* [Docket No. 835] to proceed on May 1 but then admits that the Ad Hoc Group agreed to

¹ 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 (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 Debtors in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.



a May 20 hearing date. *See* Response, ¶ 6. LKC is unaware of any exigency that requires hindering LKC or the Debtors in seeking discovery. Rather, it appears the Ad Hoc Group is simply seeking to avoid discovery. LKC also understands that the Debtors are seeking clarification regarding Stris & Maher LLP retention matter related to the Updated Application, and it will likely take additional time for Stris & Maher LLP to get up to speed and adequately advise its clients.

Regarding the Ad Hoc Group's suggestion that LKC sat on its hands regarding the Updated Application and related discovery—the record speaks for itself. LKC sought to confer with the Ad Hoc Group within two days of the Court setting a hearing on the Updated Application. The Ad Hoc Group needlessly dragged out that conferral for over two weeks in a transparent effort to run out the clock. Given the approaching hearing date, LKC and the Debtors had no choice but to file the Emergency Continuance Motion.

LKC respectfully requests that the Court grant the continuance requested by the Debtors and LKC (1) to allow Stris & Maher LLP to get up to speed; (2) to provide time for the modest discovery LKC seeks; and (3) because of other commitments and conflicts that the Debtors and LKC have over the next few weeks.

Dated: April 23, 2025
Houston, Texas

Respectfully submitted,

/s/ Joshua W. Wolfshohl

Joshua W. Wolfshohl (TX Bar No. 24038592)

Michael B. Dearman (TX Bar No. 24116270)

PORTER HEDGES LLP

1000 Main Street, 36th Floor

Houston, Texas 77002

Telephone: (713) 226-6000

Facsimile: (713) 226-6248

jwolfshohl@porterhedges.com

mdearman@porterhedges.com

Counsel to Lehotsky Keller Cohn LLP

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on April 23, 2025, I caused a true and correct copy of the foregoing document to be served on all parties entitled to notice via the CM/ECF system in the United States Bankruptcy Court for the Southern District of Texas.

/s/ Joshua W. Wolfshohl

Joshua W. Wolfshohl