

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

In re:
RHODIUM ENCORE, LLC, et al.,

Debtors,

Chapter 11

Case No. 24-90448 (ARP)

(Jointly Administered)

**MOTION TO SEAL MIDAS GREEN TECHNOLOGIES, LLC’S COURT
DIRECTED OMNIBUS BRIEF REGARDING PENDING CLAIM OBJECTIONS
AND MOTIONS AND SUPPORTING EXHIBITS**

(Relates to ECF No. 1578)

Midas Green Technologies LLC (“Midas”), by and through its undersigned counsel, hereby moves for entry of an order authorizing it to file under seal, MIDAS GREEN TECHNOLOGIES, LLC’S COURT DIRECTED OMNIBUS BRIEF REGARDING PENDING CLAIM OBJECTIONS AND MOTIONS AND SUPPORTING EXHIBITS (the “Brief and Supporting Exhibits”), and respectfully states as follows:

I. JURISDICTION AND VENUE

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

II. RELIEF REQUESTED

Midas seeks an order authorizing the filing of the Brief and Supporting Exhibits under seal and directing that it remains under seal and not be made publicly available.

III. BACKGROUND



On August 24 and 29, 2024, Rhodium Encore LLC and certain affiliates (the “Debtors”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code in this Court. The Debtors’ cases are jointly administered under Case No. 24-90448 (ARP).

Midas has filed multiple proofs of claim in these cases alleging patent infringement, as described in detail in the record. Pursuant to the Court’s July 9, 2025, Scheduling Order [ECF No. 1427], the Debtors filed (a) their Summary Judgment Motion [ECF No. 1483] and (b) their Estimation Motion [ECF No. 1484] on July 29, 2025. Both motions contain—and rely upon—confidential, commercially sensitive, and proprietary information regarding the Debtors’ cryptocurrency mining operations. On September 23rd and 24th, the Parties engaged in an Evidentiary Hearing in this Court regarding (1) Debtor’s Motion for Summary Judgment, (2) Motion for Estimation and (3) Midas’s Motion for Leave to Amend and (4) Motion for Mandatory Withdrawal. On September 24th, 2025, the parties were ordered by this Court to file a 10-page brief discussing the evidence presented at the hearing.

Midas’s Brief and Supporting Exhibits necessarily reference and discusses the same categories of information in order to respond fully to the Debtors’ arguments. Disclosure of this information in the public record would risk harm to Midas and the Debtors by revealing confidential business operations, technical specifications, and other non-public commercial information.

IV. BASIS FOR RELIEF

Section 107(b) of the Bankruptcy Code provides that the Court “shall” protect confidential commercial information upon request of a party in interest. 11 U.S.C. § 107(b)(1).

Bankruptcy Rule 9018 implements § 107(b) and authorizes the Court to make any order which justice requires to protect an entity in respect of “a trade secret or other confidential research,

development, or commercial information.” Fed. R. Bankr. P. 9018.

Although 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 (1978), that presumption is overcome where the information falls within the protective scope of § 107(b) and Rule 9018.

The Brief and Supporting Exhibits contain the same categories of sensitive and proprietary information the Debtors relied on in their sealed filings—namely, technical details and operational data regarding cryptocurrency mining technology. This is precisely the type of information courts routinely protect from public disclosure. See, e.g., *Jones v. RealPage, Inc.*, 2021 WL 268824, at *2 (N.D. Tex. Jan. 27, 2021).

Midas proposes filing the Brief and Supporting Exhibits under seal on the public docket and to provide unredacted copies to the Court and parties entitled to receive them.

V. CONCLUSION

WHEREFORE, Midas respectfully requests that the Court enter an order:

- a. Granting this Motion;
- b. Authorizing Midas to file the Brief and Supporting Exhibits under seal; and
- c. Granting such other and further relief as the Court seems just and proper.

DATED: October 8, 2025

Respectfully submitted,
/s/ Joseph E. Thomas

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CERTIFICATE OF SERVICE

I, Tierra Mendiola, hereby certify that on the October 8, 2025, a copy of the foregoing was served by email from tmendiola@twtlaw.com to Counsel to the Debtors and Debtors-In-Possession via email to pattytomasco@quinnemanuel.com; cameronkelly@quinnemanuel.com; alainjaquet@quinnemanuel.com; rachelharrington@quinnemanuel.com and mailed to 700 Louisiana Street, Suite 3900, Houston, Texas 77002.

DATED: October 8, 2025

Respectfully submitted,
/s/ Tierra Mendiola