

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

In re:

RHODIUM ENCORE LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-90448 (ARP)

Jointly Administered

**NOTICE OF APPEARANCE AND  
REQUEST FOR SERVICE OF NOTICES AND PAPERS**

**PLEASE TAKE NOTICE** that Baker Botts L.L.P. hereby enters its appearance (the “Notice of Appearance”) in the above-captioned cases as counsel to David L. Eaton (“Mr. Eaton”) and Spencer Wells (“Mr. Wells”), each in their capacity as a former directors of Rhodium Enterprises, Inc. (“Rhodium Enterprises”), one of the debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the “Debtors”), and each as former members of the Special Committee of Rhodium Enterprises’ Board of Directors (the “Special Committee”), pursuant to section 1109(b) of title 11 of the United States Code, rules 2002, 3017(a), 9007, and 9010 of the Federal Rules of Bankruptcy Procedure (as amended, the “Bankruptcy Rules”), and rule 9013-1 of the Bankruptcy Local Rules for the United States Bankruptcy Court for the Southern

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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 Special Committee in these chapter 11 cases is 2617 Bissonnet Street, Suite 234, Houston, TX 77005.



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District of Texas, and requests that copies of any and all notices and papers filed or entered in these cases be given to and served upon the following:

BAKER BOTTS L.L.P.  
Thomas E. O'Brien (TX 24046543)  
Travis A. McRoberts (TX 24088040)  
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**PLEASE TAKE FURTHER NOTICE** that this constitutes not only a request for service of the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, notices of any orders, pleadings, motions, applications, complaints, demands, hearings, requests or petitions, answering or reply papers, memoranda and briefs in support of any of the foregoing, and any other documents brought before this Court with respect to these cases, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, personal delivery, telephone, telegraph, telex, facsimile, electronic mail, or otherwise, that (i) affects or seeks to affect in any way any rights or interests of any creditor or party in interest in these cases, with respect to (a) the Debtors and any related adversary proceedings, whether currently pending or later commenced, (b) property of the Debtors' estates, or proceeds thereof, in which the Debtors may claim an interest, or (c) property or proceeds thereof

in the possession, custody, or control of others that the Debtors may seek to use; or (ii) requires or seeks to require any act or other conduct by a party in interest.

**PLEASE TAKE FURTHER NOTICE** that this Notice of Appearance and any subsequent appearance, pleading, claim, or suit is not intended nor shall be deemed to waive the rights of either Mr. Eaton or Mr. Wells: (i) to have an Article III judge adjudicate in the first instance any case, proceeding, matter, or controversy as to which a bankruptcy judge may not enter a final order or judgment consistent with Article III of the United States Constitution; (ii) to have final orders in a non-core case, proceeding, matter, or controversy entered only after an opportunity to object to proposed findings of fact and conclusions of law and a de novo review by a United States District Court judge; (iii) to trial by jury in any case, proceeding, matter, or controversy so triable; (iv) to have the reference withdrawn by the United States District Court in any case, proceeding, matter, or controversy subject to mandatory or discretionary withdrawal; or (v) any other rights, claims, actions, defenses, setoffs, recoupments or motions or arguments under Bankruptcy Rule 7012 and Rule 12 of the Federal Rules of Civil Procedure to which either Mr. Eaton or Mr. Wells are or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

*[Remainder Intentionally Left Blank]*

Dated: February 18, 2026

Respectfully Submitted,

**BAKER BOTTS L.L.P.**

*/s/ Kevin Chiu*

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*Counsel for David L. Eaton and Spencer Wells*

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on February 18, 2026, a true and correct copy of the foregoing document was served on all parties requesting service via the Court's ECF system.

*/s/ Kevin Chiu*

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