Docket #0547 Date Filed: 07/07/2026
United States Bankruptcy Court
Southern District of Texas
ENTERED
July 07, 2026
Nathan Ochsner, Clerk

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

In re:	)	Chapter 11
ASCEND ELEMENTS, INC., *et al.*,[1]	)	Case No. 26-90440 (CML)
Debtors.	)	(Jointly Administered)

AGREED ORDER RESOLVING COVINGTON INDUSTRIAL LLC'S LIMITED OBJECTION TO DEBTORS' LISTED CURE AMOUNTS
[Related to Docket Nos. 240 & 328]

Upon consideration of the above-captioned Debtors' (the "Debtors") *First Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases* [Docket No. 240] (the "Notice") and *Covington Industrial LLC's Limited Objection and Reservation of Rights to Debtors' Listed Cure Amounts* [Docket No. 328] (the "Objection"); and the Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of this proceeding and the Notice being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and due and sufficient notice of the Notice having been given under the particular circumstances; and it appearing that no other or further notice is necessary; and after due deliberation thereon; and good and sufficient cause appearing therefor, including the agreement of the parties; it is hereby ORDERED that:

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Ascend Elements, Inc. (2893) and Ascend Elements US, LLC (8309). The location of the Debtors' service address is: 133 Flanders Road, Westborough, MA 01581.

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1. The Debtors shall pay the cure amount set forth below to Covington Industrial LLC ("Landlord") within one week of the Debtors' receipt of proceeds from the sale of Debtors' assets to R3 Lithium Inc. (the "Purchaser").[2]

2. Landlord's cure amount shall consist of the following:

   a. $50,000 toward roof repair costs;[3]

   b. $8,750 for water consumption costs; and

   c. $44,039.55 in satisfaction of the 2025 Expense Reconciliation Invoice.[4]

3. As additional cure for the defaults under the lease agreement between Debtor Ascend Elements, Inc. (*fka* Battery Resourcers, Inc.) and the Landlord, dated December 31, 2021 (as amended, modified, and supplemented from time to time) (the "Lease"), the assumption and assignment of the Lease shall be subject to the execution of an amended lease pursuant to the agreed upon Term Sheet as of closing and such amended lease shall be executed within five business days of closing.

4. The Debtors are authorized and empowered to take all actions necessary or appropriate to implement the relief granted in this Order.

5. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Signed: July 07, 2026

Christopher Lopez
United States Bankruptcy Judge

[2] *See Order (I) Approving the Sale of Certain of the Debtors Assets Free and Clear of Claims, Liens, and Encumbrances, (II) Approving the Assumption and Assignment of Designated Executory Contracts and Unexpired Lease and (III) Granting Related Relief* [Docket No. 534].
[3] The exact amount is subject to Landlord's receipt of a final repair quote. Any remaining amounts owed for the roof repairs are to be resolved through agreement with the Landlord and Purchaser under a subsequent lease amendment.
[4] This amount is subject to further discussion and agreement of the parties.

APPROVED AS TO FORM AND SUBSTANCE:

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