Docket #0006 Date Filed: 10/6/2026

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: NOBLE SUPPLY & LOGISTICS, LLC, *et al.*, Debtors.[1]	Chapter 11 Case No. 26-11369 (CTG) (Jointly Administered)
NOBLE SUPPLY & LOGISTICS, LLC, Plaintiff, v. DEFENSE LOGISTICS AGENCY, Defendant.	Adv. Proc. No. 26-50885 (CTG)

DEBTORS' EMERGENCY MOTION TO EXPEDITE
MOTION FOR PARTIAL SUMMARY JUDGMENT

Noble Supply & Logistics, LLC ("Noble" and, together with its affiliated debtors and debtors in possession, the "Debtors"), a debtor and debtor in possession in the above-captioned chapter 11 cases (collectively, the "Chapter 11 Cases") and plaintiff in the above-captioned adversary proceeding (this "Adversary Proceeding"), by and through its undersigned proposed counsel, hereby submits this motion (the "Motion to Expedite") for entry of an order, substantially in the form attached hereto as **Exhibit A** (the "Proposed Order"), expediting the Court's consideration of Noble's motion for partial summary judgment [Adv. D.I. 3] (the "Summary

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Noble Supply & Logistics, LLC (7926); COTS Solutions, LLC (4477); Federal Resources Supply Company, LLC (3636); FRS Holdings, LLC (2327); K.D. Analytical Consulting, LLC (6637); KDA Acquisition, LLC (5870); Noble Defense Corporation (N/A); Noble Equity Holdings, LLC (0851); Noble.com, LLC (4712); Noble Mission Support, LLC (7908); and Tactical & Survival Specialties, LLC (2266). The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is 1 Marina Park Drive, Suite 220, Boston, MA 02210.

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Judgment Motion")[2] against defendant Defense Logistics Agency (the "DLA" or the "Defendant") and scheduling an expedited hearing thereon. In support of this Motion to Expedite, Noble relies upon and incorporates the *Declaration of Robert Albergotti, Chief Transformation Officer of Noble Equity Holdings, LLC, in Support of Motion of Noble Supply & Logistics, LLC for Summary Judgment with Respect to Pre-Termination Delivery Orders* [Adv. D.I. 5] (the "Albergotti Declaration") and respectfully states as follows:

INTRODUCTION

1. Once again, the DLA is holding these Chapter 11 Cases hostage, this time by refusing to pay for approximately $14.5 million of conforming goods and services it ordered and received before terminating the Debtors' contracts (such orders, the "Pre-Termination Delivery Orders"). The DLA's refusal rests on the untenable position that, because it subsequently terminated those contracts by notice dated August 27, 2026, it no longer has any obligation to validate delivery or provision of, or pay for, goods and services that it ordered and received through the purported termination date. Noble has commenced this Adversary Proceeding to recover amounts due and owing on account of goods and services delivered and received before and after the DLA's purported August 27, 2026 termination.

2. Because the documentary record establishes Noble's entitlement to payment of more than $14.5 million as a matter of law, Noble simultaneously moves for partial summary judgment with respect to the Pre-Termination Delivery Orders and now seeks an expedited briefing schedule that will permit argument no later than October 30, 2026, subject to the Court's availability. The requested relief is necessary because the DLA's continued withholding of these

[2] Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Summary Judgment Motion.

amounts is materially impairing the Debtors' liquidity and threatening their ability to operate during these Chapter 11 Cases beyond the first week of November. Accordingly, Noble respectfully requests an order modifying the briefing schedule for the Summary Judgment Motion to provide that the DLA's answering brief be due on October 20, 2026 at 4:00 p.m. (prevailing Eastern Time), Noble's reply brief be due on October 27, 2026 at 4:00 p.m. (prevailing Eastern Time), and argument be heard at a hearing no later than October 30, 2026.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

4. The statutory and legal bases for the relief requested in this Motion to Expedite are Rule 7012 and Rule 9006 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules") and Rules 7007-1, 7056-1 and 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules").

5. Pursuant to Local Rule 9013-1(f), if it is determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution, Noble consents to the entry of a final order in connection with this Motion to Expedite.

BACKGROUND

6. On August 30, 2026 (the "Petition Date"), each Debtor commenced a case by filing a petition for relief under chapter 11 of the Bankruptcy Code. The Debtors' Chapter 11 Cases are being jointly administered for procedural purposes only. The factual background regarding the Debtors, including their business operations, their capital and debt structures, and the events

leading to the filing of the Chapter 11 Cases, is set forth in the *Declaration of Robert Albergotti, Chief Transformation Officer of Noble Equity Holdings, LLC in Support of the Debtors' Chapter 11 Petitions and First Day Motions* (the "First Day Declaration") [D.I. 15].

7. The Debtors continue to manage and operate their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

8. On September 16, 2026, the Office of the United States Trustee for Region 3 (the "U.S. Trustee") appointed an official committee of unsecured creditors (the "Committee"). *See* D.I. 128.

9. On October 6, 2026, the Debtors filed the Complaint initiating this Adversary Proceeding, along with the Summary Judgment Motion and Albergotti Declaration. As set forth more fully in the Summary Judgment Motion, Noble is entitled to payment on account of the Pre-Termination Delivery Orders as a matter of law.

10. Expedited briefing is necessary because the DLA is presently withholding not less than $14,566,268.02 due and owing to Noble under its contracts with the DLA on account of the Pre-Termination Delivery Orders. Albergotti Dec., ¶ 17. The Debtors' liquidity forecast that underpins the Cash Collateral Order (and related Budget) assumed that a material portion of the $14,566,268.02 in Pre-Termination Delivery Orders would be paid.[3] Albergotti Dec., ¶ 20. Continued delay in payment threatens to impair the Debtors' liquidity, disrupt their business operations, and undermine their restructuring efforts. Absent an expedited resolution of this issue, the Debtors will exhaust their liquidity during the first week of November 2026. *Id.*

[3] The "Budget" shall refer to the budget attached as Exhibit 1 to the *Second Interim Order (I) Authorizing Limited Use of Cash Collateral, (II) Granting Adequate Protection Liens and Superpriority Administrative Expense Claims to Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief* [D.I. 218].

11. Accordingly, Noble requests that the Summary Judgment Motion be heard no later than October 30, 2026 to ensure that the Debtors may obtain relief before the DLA's wrongful nonpayment exhausts the Debtors' remaining liquidity, which may result in conversion of these cases to chapter 7.

RELIEF REQUESTED

12. By this Motion, Noble seeks entry of the Proposed Order, attached hereto as **Exhibit A**, modifying the default briefing schedule to provide that the DLA will file answering briefs in response to the Summary Judgment Motion on or before October 20, 2026 at 4:00 p.m. (prevailing Eastern Time), Noble will file a reply brief in support of the Summary Judgment Motion on or before October 27, 2026 at 4:00 p.m. (prevailing Eastern Time), and argument on the Summary Judgment Motion will be heard at a hearing no later than October 30, 2026.

BASIS FOR RELIEF

13. The Court has the inherent authority to expedite briefing and hearing schedules where the circumstances warrant. *See, e.g.*, *Lacey v. Cessna Aircraft Co.*, 932 F.2d 170, 176 (3d Cir. 1991) (a court has "substantial discretion in managing its own docket"); *Gold v. Johns Manville Sales Corp.*, 723 F.2d 1068, 1077 (3d Cir. 1983) (every court has inherent power to "schedule disposition of the cases on its docket so as to promote fair and efficient adjudication"); *see also* Local Rule 7007-1(a) (providing for default 14-day period to file answering brief "[u]nless otherwise ordered by the Court…."). The Court also has the authority under section 105(a) of the Bankruptcy Code to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code]." 11 U.S.C. § 105(a). "Section 105 specifically codifies what are traditionally called 'inherent powers' to give the bankruptcy courts the necessary

ability to manage the cases on their docket." *Copley Press, Inc. v. Peregrine Sys., Inc. (In re Peregrine Sys., Inc.)*, 311 B.R. 679, 690 (D. Del. 2004) (note omitted).

14. Thus, "[t]he decision to grant or deny a motion for expedited consideration is within the Court's discretion." *In re Tobacco Rd. Assoc., LP*, 2007 WL 966507, at *12 (E.D. Pa. Mar. 30, 2007). In exercising that discretion, the Court may consider the potential prejudice and harm to the parties in expediting proceedings. *See In re Fine Paper Antitrust Litig.*, 685 F.2d 810, 817 (3d Cir. 1982) ("We will not interfere with a trial court's control of its docket except upon the clearest showing that the procedures have resulted in actual and substantial prejudice to the complaining litigant.") (internal quotations and citation removed).

15. Under Bankruptcy Rule 7012, the DLA has 35 days after service of the Complaint to file its answer. Local Rule 7056-1 provides that, when a motion for summary judgment is filed before the non-movant's deadline to answer the complaint, the deadline for the answering brief is the later of (i) 10 days after the non-movant's deadline to answer or (ii) 14 days after service of the opening brief, unless otherwise ordered by the Court. Thereafter, under Local Rule 7007-1(a), Noble has an additional 7 days to reply.

16. Here, Noble served the Complaint and Summary Judgment Motion on October 6, 2026. By operation of Local Rule 7056-1, the DLA has until November 20, 2026 to file its opposition and Noble has until November 27, 2026 to file its reply. The Court should exercise its discretion to expedite this summary judgment schedule for three reasons.

17. *First*, absent expediting the schedule, the Debtors will not have sufficient liquidity to continue operating in chapter 11. The Budget was predicated on the DLA honoring its contractual obligations and settling invoices in the ordinary course for goods delivered and services provided prior to and after the Termination Notices. Albergotti Dec., ¶ 20. The funds owed by

the DLA are vital to the Debtors' ability to operate their business, meet requirements of the Budget, and satisfy the ongoing expenses of these Chapter 11 Cases. Without the DLA's performance, the Debtors will likely exhaust their liquidity during the first week of November 2026. *Id.* Under the briefing schedule contemplated by Local Rules 7056-1 and 7007-1, the Summary Judgment Motion will not be heard until weeks after the Debtors have likely depleted their cash, which may result in conversion of these cases to chapter 7. As such, the Court should exercise its discretion to expedite briefing and provide relief from Local Rule 7056-1 as requested herein.

18. *Second*, the DLA would suffer no cognizable prejudice from expediting the summary judgment schedule. The material facts are not in dispute as to the operative contracts, Noble's delivery of goods and provision of services, and the date of the DLA's Termination Notices. Albergotti Dec., ¶¶ 7, 16, 19. Nor will this Adversary Proceeding catch the DLA by surprise. The DLA is in contact with the Debtors, has been apprised of this Motion to Expedite as set forth in the certification below, and has appeared before this Court as recently as September 18, 2026 to defend its continued refusal to pay Noble. The Summary Judgment Motion thus presents no new or unfamiliar issues to the DLA, but instead places before the Court a dispute in which the DLA is already actively engaged. Expedited briefing of these issues requires the DLA to present its defenses sooner, permits the Court to resolve the issues promptly, and enables the Noble to obtain its property without further delay. Moreover, the requested schedule is not burdensome; it simply applies the briefing timetable that would govern the Summary Judgment Motion absent the filing of the Complaint.

19. *Third*, the Summary Judgment Motion presents an uncomplicated question. The expedited relief sought is limited to the Pre-Termination Delivery Orders. The material facts are established by the documentary record – including the controlling contracts, termination notices,

and the date of delivery. Albergotti Dec., ¶ 19. Providing the DLA 45 days to respond to such a discrete issue, at the expense of the Debtors' survival in chapter 11, would be inequitable to the estates and their creditors – particularly where relief may come too late to preserve the Debtors' business. In these circumstances, the Court should exercise its discretion to expedite the briefing schedule and afford the Debtors a meaningful chance to complete these Chapter 11 Cases, consummate a going-concern sale, and maximize value for parties-in-interest.

CERTIFICATION

20. Pursuant to Local Rule 9006-1(e), prior to filing this Motion to Expedite, Noble notified the U.S. Trustee and counsel at United States Department of Justice (the "DOJ") representing the DLA of the instant request to expedite briefing and a hearing on the Summary Judgment Motion. The U.S. Trustee defers to the position of the DOJ appearing on behalf of the DLA regarding shortened notice. Prior to the filing of this Motion to Expedite, the DLA declined to take a position on taking the Motion to Expedite prior to reviewing the Summary Judgment Motion. Contemporaneously with the filing of this Motion to Expedite, Noble will circulate the Summary Judgment Motion and other pleadings filed in this Adversary Proceeding to the DLA, seek further clarification on the DLA's position and promptly advise the Court.

CONCLUSION

WHEREFORE, Noble respectfully requests that the Court enter the Proposed Order attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as is just, proper and equitable.

Dated: October 6, 2026
Wilmington, Delaware

/s/ G. David Dean

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EXHIBIT A

Proposed Order

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: NOBLE SUPPLY & LOGISTICS, LLC, *et al.*, Debtors.[1]	Chapter 11 Case No. 26-11369 (CTG) (Jointly Administered)
NOBLE SUPPLY & LOGISTICS, LLC, Plaintiff, v. DEFENSE LOGISTICS AGENCY, Defendant.	Adv. Proc. No. 26-50885 (CTG)

ORDER EXPEDITING SUMMARY JUDGMENT SCHEDULE

Upon the motion (the "Motion to Expedite")[2] of plaintiff Noble Supply & Logistics, LLC ("Noble") to expedite the briefing schedule on the *Motion of Noble Supply & Logistics, LLC for Partial Summary Judgment* [Adv. D.I. 3] (the "Summary Judgment Motion"); and upon consideration of the Motion to Expedite and all pleadings related thereto; and due and proper notice of the Motion to Expedite having been given under the circumstances; and it appearing that no other or further notice is required; and it appearing that the Court has jurisdiction to consider the

[1] The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Noble Supply & Logistics, LLC (7926); COTS Solutions, LLC (4477); Federal Resources Supply Company, LLC (3636); FRS Holdings, LLC (2327); K.D. Analytical Consulting, LLC (6637); KDA Acquisition, LLC (5870); Noble Defense Corporation (N/A); Noble Equity Holdings, LLC (0851); Noble.com, LLC (4712); Noble Mission Support, LLC (7908); and Tactical & Survival Specialties, LLC (2266). The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is 1 Marina Park Drive, Suite 220, Boston, MA 02210.

[2] Capitalized terms used herein which are not otherwise defined shall have the meanings ascribed to them in the Motion to Expedite.

Motion to Expedite in accordance with 28 U.S.C. § 1334, and that this matter is a core proceeding within the meaning of 28 U.S.C. § 157; and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion to Expedite being adequate and appropriate under the particular circumstances; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED:

1. The Motion to Expedite is **GRANTED** as set forth herein.

2. The Summary Judgment Motion shall be considered at a hearing on **_____, 2026 at _____ a.m./p.m.**

3. The DLA shall file answering briefs in response to the Summary Judgment Motion on or before **October 20, 2026 at 4:00 p.m. (prevailing Eastern Time)**.

4. Noble shall file a reply brief in support of the Summary Judgment Motion on or before **October 27, 2026 at 4:00 p.m. (prevailing Eastern Time)**.

5. The terms and conditions of this Order shall be effective and enforceable immediately upon its entry.

6. The Court shall retain jurisdiction over all matters arising from or related to the interpretation, implementation, and enforcement of this Order.