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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:
PURPLE SHARK, LLC,

Debtor.

Case No.: 25-15717-MKN

Chapter 11

Date: November 12, 2025
Time: 9:30 a.m.

**DEBTORS' APPLICATION FOR ENTRY OF AN ORDER (A) AUTHORIZING THE
RETENTION AND APPOINTMENT OF STRETTO, INC. AS CLAIMS, NOTICING,
AND SOLICITATION AGENT AND (B) GRANTING RELATED RELIEF**

Debtors¹ hereby respectfully submit this motion ("Motion") for entry of an order, substantially in the form attached hereto as **Exhibit "1"**, authorizing and approving of the retention and employment of Stretto, Inc., as claims, noticing, and solicitation agent in the Chapter 11 Cases

¹ The debtors in the affiliated case are: Thrill Intermediate LLC ("Intermediate"), Case No. 25-15714-mkn ("Lead Case"); Thrill Holdings LLC ("Holdings"), Case No. 25-15715-mkn; Superjacket Productions LLC ("Superjacket"), Case No. 25-15716-mkn; Purple Shark, LLC ("Purple Shark"), Case No. 25-15717-mkn; Perfect Feet Productions, LLC ("Perfect Feet"), Case No. 25-15718-mkn; Crown Media Entertainment, LLC ("Crown"), Case No. 25-15719-mkn; Conduit Post, LLC ("Conduit"), Case No. 25-15720-mkn; Nitrocross IP Holdings LLC ("Nitrocross IP"), Case No. 25-15721-mkn; and Nitro Rallycross LLC ("Rallycross"), Case No. 25-15722-mkn (collectively, the "Debtors"). The service address for each of the Debtors in these Chapter 11 Cases is 10801 W. Charleston Boulevard, Suite 600, Las Vegas, NV 89135. Copies of this Motion have been filed on the respective dockets of each of the Debtors in these Chapter 11 Cases.

of *In re: Thrill Intermediate LLC*, Case No. 25-15714-MKN; *In re: Thrill Holdings LLC*, Case No. 25-15715-MKN; *In re: Superjacket Productions LLC*, Case No. 25-15716-MKN; *In re: Purple Shark, LLC*, Case No. 25-15717-MKN; *In re: Perfect Feet Productions, LLC*, Case No. 25-15718-MKN; *In re: Crown Media Entertainment, LLC*, Case No. 25-15719-MKN; *In re: Conduit Post, LLC*, Case No. 25-15720-MKN; *In re: Nitrocross IP Holdings LLC*, Case No. 25-15721-MKN; and *In re: Nitro Rallycross LLC*, Case No. 25-15722-MKN (collectively, the “Chapter 11 Cases”). As joint administration of the Debtors’ Chapter 11 Cases is pending pursuant to the Debtors’ motion(s) requesting procedural consolidation and joint administration pursuant to Bankruptcy Rule 1015(b), a substantially similar motion has been filed in each of the Chapter 11 Cases.

This Motion² is made and based upon the following Memorandum of Points and Authorities; the *Declaration of Sheryl Betance in Support of Debtors’ Application for Entry of an Order (a) Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation Agent and (b) Granting Related Relief* (the “Betance Decl.”) filed concurrently herewith; the *Declaration of Jeremy Rosenthal in Support of Debtors’ Application for Entry of an Order (a) Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation Agent and (b) Granting Related Relief* (the “Rosenthal Decl.”); the papers and pleadings on file herein and in the Chapter 11 Cases, judicial notice of which is hereby respectfully requested pursuant to FED. R. EVID. 201(b) and (c) and 1101(a) and (b); and any argument and evidence presented at the time of the hearing on this Motion.

I. RELIEF REQUESTED

1. The Debtors seek entry of an order, substantially in the form attached hereto as **Exhibit “1”** (the “Order”): (a) authorizing the Debtors to retain and appoint Stretto, Inc. (“Stretto”) as claims, noticing, and solicitation agent (the “Claims and Noticing Agent”) in the Debtors’ Chapter 11 Cases; and (b) granting related relief. Specifically, the Debtors request entry

² Unless otherwise stated, all references to “Section” herein shall be to the Bankruptcy Code appearing in Title 11 of the U.S. Code; all references to “Bankruptcy Rule” shall refer to the Federal Rules of Bankruptcy Procedure; and all references to a “Local Rule” shall refer to the Local Rules of Bankruptcy Practice of the United States Bankruptcy Court for the District of Nevada.

1 of an order authorizing the Debtors to retain and appoint the Claims and Noticing Agent to, among
 2 other tasks: (a) serve as the noticing agent to mail notices to the estates' creditors, equity security
 3 holders, and other parties in interest; (b) provide computerized claims, objection, solicitation, and
 4 balloting-related services; and (c) provide expertise, consultation, and assistance in claim and
 5 ballot processing and other administrative services with respect to these Chapter 11 Cases.

6 **II. JURISDICTION AND VENUE**

7 2. The United States Bankruptcy Court for the District of Nevada (the "Court") has
 8 jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Local Rule
 9 1001(b)(1). This Motion is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), (M), and
 10 (O). Venue of the Chapter 11 Cases in this District is proper pursuant to 28 U.S.C. §§ 1408 and
 11 1409. This Motion is a "core proceeding" over which the Court has jurisdiction to render a
 12 decision.

13 3. The Debtors are operating their business and managing their property as a debtor-in-
 14 possession under Sections 1107(a) and 1108.

15 4. Pursuant to Local Rule 9014.2, Debtors consent to entry of final order(s) or
 16 judgment(s) by the bankruptcy judge if it is determined that the bankruptcy judge, absent consent
 17 of the parties, cannot enter final orders for judgment consistent with Article III of the United States
 18 Constitution.

19 5. The statutory predicates for the relief sought herein are 28 U.S.C. § 156(c), 11
 20 U.S.C. § 105, 11 U.S.C. § 327, and Bankruptcy Rules 2002, 2014(a), and 2016.

21 **III. BACKGROUND**

22 6. On September 28 and 29, 2025, each of the Debtors filed a voluntary petition under
 23 Chapter 11 of the Bankruptcy Code, thereby commencing the Chapter 11 Cases. *See, e.g.*, ECF
 24 No. 1 in each of the Chapter 11 Cases.

25 7. A detailed description surrounding the facts and circumstances of these Chapter 11
 26 Cases is set forth in the *Omnibus Declaration of Jeremy Rosenthal in Support of Debtors' Chapter*
 27 *11 Cases* (the "First Day Declaration"), filed contemporaneously herewith and incorporated by
 28 herein by this reference.

1 IV. BASIS FOR RELIEF

2 8. The Debtors request entry of the order (a) authorizing the retention and appointment
 3 of Stretto as the Claims and Noticing Agent for the Debtors and their Chapter 11 Cases, to, among
 4 other tasks: (i) serve as the noticing agent to mail notices to the estates' creditors, equity security
 5 holders, and parties in interest; (ii) provide computerized claims, objection, solicitation, and
 6 balloting database services; and (iii) provide expertise, consultation, and assistance in claim and
 7 ballot processing and other administrative services with respect to the Debtors' Chapter 11 Cases.
 8 The Debtors' selection of Stretto to act as the Claims and Noticing Agent is appropriate under the
 9 circumstances and in the best interest of the estates. *See* Rosenthal Decl. ¶ 3. Moreover, the
 10 Debtors submit that Stretto's rates are competitive and reasonable given the competitive market
 11 for Stretto's services and the quality and expertise that Stretto provides. *See* Rosenthal Decl. ¶ 4.
 12 The terms of Stretto's retention are set forth in the engagement agreement attached to the Rosenthal
 13 Decl. as **Exhibit "1"** (the "Engagement Agreement").

14 9. Although the Debtors have not yet all filed their schedules of assets and liabilities
 15 and statements of financial affairs (collectively, the "Schedules"), at this time the Debtors
 16 anticipate that there will be over fifteen thousand parties to be noticed in these Chapter 11 Cases.
 17 *See* Rosenthal Decl. ¶ 6.

18 10. In view of the number of anticipated notice parties and the complexity of the
 19 Debtors' businesses, the Debtors submit that the appointment of a claims and noticing agent will
 20 provide the most effective and efficient means of, and relieve the Debtors and/or the Office of the
 21 Clerk of the Bankruptcy Court (the "Clerk") of the administrative burden of, noticing,
 22 administering claims, and soliciting and tabulating votes, and therefore the retention of Stretto as
 23 the Debtors' Claims and Noticing Agent is in the best interests of the Debtors' estates, creditors,
 24 and parties-in-interest. *See* Rosenthal Decl. ¶ 7.

25 V. STRETTO'S QUALIFICATIONS

26 11. Stretto is a chapter 11 administrator comprised of leading industry professionals
 27 with significant experience in both the legal and administrative aspects of large, complex chapter
 28 11 cases. Stretto's professionals have experience in noticing, claims administration, solicitation,

balloting, and facilitating other administrative aspects of chapter 11 cases and experience in matters of this size and complexity. Stretto's professionals have acted as official claims and noticing agent in many large bankruptcy cases in this District and in other Districts nationwide. Stretto has developed efficient and cost-effective methods to handle the voluminous mailings associated with the noticing and claims processing portions of chapter 11 cases to ensure the efficient, orderly and fair treatment of creditors, equity security holders, and all parties in interest. Stretto's active and former cases include: *In re Rawhide Mining LLC*, Case No. 24-50005 (HLB) (Bankr. D. Nev. Feb. 7, 2024); *In re Cash Cloud, Inc.*, Case No. 23-10423 (MKN) (Bankr. D. Nev. Mar. 21, 2023); *In re Musclepharm Corp.*, Case No. 22-14422 (NMC) (Bankr. D. Nev. Jan. 30, 2023); *In re Basic Water Co.*, Case No. 22-13252 (MKN) (Bankr. D. Nev. Jan. 12, 2023); *In re Front Sight Mgmt. LLC*, Case No. 22-11824 (ABL) (Bankr. D. Nev. June 1, 2022); *In re Splash News & Picture Agency, LLC*, Case No. 21-11377 (ABL) (Bankr. D. Nev. Apr. 19, 2021); *In re Alpha Guardian Corp.*, Case No. 20-11016 (MKN) (Bankr. D. Nev. Feb. 25, 2020); *In re REVA Medical, Inc.*, Case No. 20-10072 (JTD) (Bankr. D. Del. Jan. 16, 2020); *In re Seabras 1 USA, LLC*, Case No. 19-14006 (SMB) (Bankr. S.D.N.Y. Dec. 27, 2019); and *In re Clover Technologies Group, LLC*, Case No. 19-12680 (KBO) (Bankr. D. Del. Dec. 23, 2019). *See* Betance Decl. ¶ 3.³

VI. SERVICES TO BE PROVIDED

12. This Motion pertains to the work to be performed by Stretto under the Clerk's delegation of duties permitted by 28 U.S.C. § 156(c). Stretto will perform the following services (collectively, the "Services"), as the Claims and Noticing Agent, at the request of the Debtors or the Clerk:

- a. prepare and serve required notices and documents in these Chapter 11 Cases in accordance with the Bankruptcy Code and the Bankruptcy Rules in the form and manner directed by the Debtors and/or the Court, including: (i) notice of the commencement of these Chapter 11 Cases and the initial meeting of creditors under Bankruptcy Code section 341(a); (ii) notice of any claims bar date; (iii) notices of transfers of claims; (iv) notices of objections to claims and objections to transfers of claims; (v) notices of any hearings on a disclosure statement and confirmation of the Debtors' plan or plans of reorganization, including under Bankruptcy Rule 3017(d); (vi)

³ Because of the voluminous nature of the orders cited herein, such orders have not been attached to this Motion. Copies of these cited orders are available upon request to the Debtors' proposed counsel.

- notice of the effective date of any plan; and (vii) all other notices, orders, pleadings, publications and other documents as the Debtors, Court, or Clerk may deem necessary or appropriate for an orderly administration of these Chapter 11 Cases including those enumerated in FED. R. BANKR. PROC. 2002(a), as appropriate to these Chapter 11 Cases;
- b. maintain an official copy of the Debtors' Schedules, listing the Debtors' known creditors and the amounts owed thereto;
 - c. maintain (i) a list of all potential creditors, equity holders and other parties-in-interest, and (ii) a "core" mailing list consisting of all parties described in Bankruptcy Rules 2002(i), (j), and (k) plus those parties that have filed a notice of appearance pursuant to Bankruptcy Rule 9010, and update and make said lists available upon request by a party-in-interest or the Clerk;
 - d. furnish a notice to all potential creditors of the last date for filing proofs of claim and make available a form for filing a proof of claim, as notice and form are approved by the Court;
 - e. maintain a post office box or address for the purpose of receiving claims and returned mail, and process all mail received;
 - f. maintain an electronic platform for purposes of filing proofs of claim;
 - g. for all notices, motions, orders, or other pleadings or documents served, prepare and file or cause to be filed with the Clerk an affidavit or certificate of service within seven business days of service which includes: (i) either a copy of the notice served or the docket number(s) and title(s) of the pleading(s) served; (ii) a list of persons to whom it was mailed (in alphabetical order), with their addresses; (iii) the manner of service; and (iv) the date served;
 - h. process all proofs of claim received, including those received by the Clerk, check said processing for accuracy, and maintain the original proofs of claim in a secure area;
 - i. maintain the official claims register for each Debtor (collectively, the "Claims Registers") on behalf of the Clerk; upon the Clerk's request, provide the Clerk with certified, duplicate unofficial Claims Registers; and specify in the Claims Registers the following information for each claim docketed: (i) the claim number assigned; (ii) the date received; (iii) the name and address of the claimant and agent, if applicable, who filed the claim; (iv) the amount asserted; (v) the asserted classification(s) of the claim (e.g., secured, unsecured, priority, etc.); (vi) the applicable Debtor; and (vii) any disposition of the claim;
 - j. provide public access to the Claims Registers, including complete proofs of claim with attachments, if any, without charge;
 - k. implement necessary security measures to ensure the completeness and integrity of the Claims Registers and the safekeeping of the original claims;
 - l. record all transfers of claims and provide any notices of such transfers as required by Bankruptcy Rule 3001(e);

- m. relocate, by messenger or overnight delivery, all of the Court-filed proofs of claim to the offices of Stretto not less frequently than weekly;
- n. upon completion of the docketing process for all claims received to date for each of the Chapter 11 Cases, and upon the Clerk's request, turn over to the Clerk copies of the Claims Registers for the Clerk's review;
- o. monitor the Court's docket for all notices of appearance, address changes, and claims-related pleadings and orders filed, and make necessary notations on and/or changes to the applicable Claims Register(s) and any service or mailing lists, including to identify and eliminate duplicative names and addresses from such lists;
- p. identify and correct any incomplete or incorrect addresses in any mailing or service lists (to the extent such information is available);
- q. assist in the dissemination of information to the public and respond to requests for administrative information regarding these Chapter 11 Cases as directed by the Debtors or the Court, including through the use of a case website and/or call center;
- r. provide docket updates via email to parties who subscribe for such service on the Debtors' case website maintained by Stretto;
- s. comply with applicable federal, state, municipal, and local statutes, ordinances, rules, regulations, orders, and other requirements in connection with the Services;
- t. if these Chapter 11 Cases are converted to cases under chapter 7 of the Bankruptcy Code, contact the Clerk within three days of notice to Stretto of the entry of the order converting the cases;
- u. thirty days prior to the close of these Chapter 11 Cases, to the extent practicable, request that the Debtors submit to the Court a proposed order dismissing Stretto as claims, noticing, and solicitation agent and terminating its services in such capacity upon completion of its duties and responsibilities and upon the closing of these Chapter 11 Cases;
- v. within seven days of notice to Stretto of entry of an order closing these Chapter 11 Cases, provide to the Court the final version of the Claims Registers as of the date immediately before the close of the Chapter 11 Cases;
- w. at the close of these Chapter 11 Cases: (i) box and transport all original documents, in proper format, as provided by the Clerk, to (A) the Federal Archives Record Administration, or (B) any other location requested by the Clerk; and (ii) docket a completed SF-135 Form indicating the accession and location numbers of the archived claims;
- x. assist the Debtors with, *inter alia*, plan solicitation services including: (i) balloting; (ii) distribution of applicable solicitation materials; (iii) tabulation and calculation of votes; (iv) determining with respect to each ballot cast, its timeliness and its compliance with the Bankruptcy Code, Bankruptcy Rules, and procedures ordered by this Court; (v) preparing an official ballot certification and testifying, if necessary, in support of the ballot tabulation

results; and (vi) in connection with the foregoing services, process requests for documents from parties-in-interest;

y. if requested, assist with the preparation of the Debtors' Schedules and gather data in conjunction therewith;

z. coordinate publication of certain notices in periodicals and other media to the extent required in these Chapter 11 Cases; and

aa. manage and coordinate any distributions pursuant to any confirmed chapter 11 plan(s) proposed by one or more of the Debtors.

See Betance Decl. ¶ 4.

VII. PROFESSIONAL COMPENSATION

13. The Debtors request that the undisputed fees and expenses incurred by Stretto in the performance of the Services be treated as administrative expenses of the Debtors' chapter 11 estates pursuant to 28 U.S.C. § 156(c) and 11 U.S.C. § 503(b)(1)(A) and be paid in the ordinary course of business pursuant to the Engagement Agreement without further application to or order of this Court.

14. Stretto agrees to maintain records of all services showing dates, categories of services, fees charged, and expenses incurred, and to serve, no less frequently than monthly, invoices on the Debtors, the Office of the United States Trustee, counsel for the Debtors, counsel for any official committee monitoring the expenses of the Debtors, and any party-in-interest who specifically requests service of the monthly invoices. *See Betance Decl. ¶ 6.* If any dispute arises relating to the Engagement Agreement or monthly invoices, the Debtors, Stretto, and the Office of the United States Trustee for Region 17 shall meet and confer in an attempt to resolve the dispute. If resolution is not achieved, the parties may seek resolution of the matter from this Court.

15. Prior to the Petition Date, the Debtors did not provide Stretto with an advance or retainer. *See Betance Decl. ¶ 7.*

16. Under the terms of the Engagement Agreement, the Debtors have agreed to indemnify, defend, and hold harmless Stretto and its members, directors, officers, employees, representatives, affiliates, consultants, subcontractors, and agents under certain circumstances specified in the Engagement Agreement, except in circumstances resulting from Stretto's bad faith, gross negligence, willful misconduct, or as otherwise provided in the proposed form of Order

1 attached hereto as **Exhibit “1”**.

2 17. The Debtors believe that such an indemnification obligation is customary,
3 reasonable, and necessary to retain the services of a Claims and Noticing Agent in these Chapter
4 11 Cases.

5 **VIII. DISINTERESTEDNESS**

6 18. Stretto has reviewed its electronic database to determine whether it has any
7 relationships with the creditors and parties-in-interest provided by the Debtors, and, to the best of
8 Stretto’s knowledge, information, and belief, and except as disclosed in the Betance Decl., Stretto
9 has represented that it neither holds nor represents any interest materially adverse to the Debtors’
10 estates in connection with any matter on which it would be employed. *See* Betance Decl. ¶¶ 8-20.

11 19. The Debtors therefore believe Stretto is a “disinterested person” as that term is
12 defined in Section 101(14) of the Bankruptcy Code, as modified by Section 1107(b) of the
13 Bankruptcy Code, as Stretto represents in the Betance Decl., among other things, that:

- 14 a. Stretto is not a creditor of the Debtors;
- 15 b. Stretto will not consider itself employed by the United States government
16 and shall not seek any compensation from the United States government in
its capacity as the Claims and Noticing Agent in these Chapter 11 Cases;
- 17 c. By accepting employment in these Chapter 11 Cases, Stretto waives any
18 rights to receive compensation from the United States government in
connection with these Chapter 11 Cases;
- 19 d. In its capacity as the Claims and Noticing Agent in these Chapter 11 Cases,
20 Stretto will not be an agent of the United States and will not act on behalf
21 of the United States;
- 22 e. Stretto will not employ any past or present employees of the Debtors in
23 connection with its work as the Claims and Noticing Agent in these Chapter
11 Cases;
- 24 f. Stretto is a “disinterested person” as that term is defined in Section 101(14)
25 of the Bankruptcy Code with respect to the matters upon which it is to be
engaged;
- 26 g. In its capacity as Claims and Noticing Agent in these Chapter 11 Cases,
27 Stretto will not intentionally misrepresent any fact to any person;

- h. Stretto shall be under the supervision and control of the Clerk with respect to the receipt and recordation of claims and claim transfers;
- i. Stretto will comply with all requests of the Clerk and the guidelines promulgated by the Judicial Conference of the United States for the implementation of 28 U.S.C. § 156(c); and
- j. None of the services provided by Stretto as Claims and Noticing Agent in these Chapter 11 Cases shall be at the expense of the Clerk.

See Betance Decl. ¶¶ 8-20.

20. Stretto will supplement its disclosure to the Court if any facts or circumstances are discovered that would require such additional disclosure. *See Betance Decl. ¶¶ 8-20.*

21. To the extent that there is any inconsistency between this Motion, the order granting this Motion, and the Engagement Agreement, the terms of the Order approving of this Motion shall govern.

IX. NOTICE

Notice of the hearing on the relief requested in this Motion will be provided by the Debtors in accordance and compliance with Bankruptcy Rules 4001 and 9014, as well as the Local Rules, and is sufficient under the circumstances. Without limiting the foregoing, due notice will be afforded to parties-in-interest, including (a) the Office of the U.S. Trustee for the District of Nevada; (b) entities listed as holding the 50 largest unsecured claims against the Debtors on a consolidated basis; (c) the Internal Revenue Service; (d) the United States Securities and Exchange Commission; (e) those governmental units listed on this Court's Register of Mailing Addresses of Federal and State Governmental Units⁴; and (f) any party that has requested notice pursuant to Bankruptcy Rule 2002. The Debtors submit that, in light of the nature of the relief requested, no other or further notice need be given.

X. CONCLUSION

WHEREFORE, the Debtors respectfully request that the Court grant this Motion and enter the Order attached hereto as **Exhibit "1"**, approving of the relief requested in this Motion and

⁴ Available at <https://www.nvb.uscourts.gov/filing/bankruptcy-basics/register-government-units/> as of the date such page was last accessed, Oct. 11, 2025.

1 granting such other and further relief as is appropriate under the circumstances.

2 DATED this 13th, day of October, 2025.

3
4 GARMAN TURNER GORDON LLP

5 By: /s/ Gregory Garman
6 GREGORY E. GARMAN, ESQ.
7 WILLIAM M. NOALL, ESQ.
8 TALITHA GRAY KOZLOWSKI, ESQ.
9 TERESA M. PILATOWICZ, ESQ.
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EXHIBIT 1

EXHIBIT 1

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[Proposed] *Counsel to the Debtor*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re: PURPLE SHARK, LLC, Debtor.	Case No.: 25-15717-MKN Chapter 11 Date: November 12, 2025 Time: 9:30 a.m.
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**ORDER (A) AUTHORIZING THE RETENTION AND APPOINTMENT OF STRETTO,
INC. AS CLAIMS, NOTICING, AND SOLICITATION AGENT AND (B) GRANTING
RELATED RELIEF**

1 The Debtors each submitted a *Debtors' Emergency Application for Entry of an Order (A)*
 2 *Authorizing the Employment and Retention of Stretto, Inc. as Claims, Noticing, and Solicitation*
 3 *Agent and (B) Granting Related Relief* [ECF No. ____] ("Motion") on October 13, 2025.¹

4 The Motion came on for hearing before the above-captioned Court on November 12, 2025,
 5 at 9:30 a.m. (the "Hearing"). Debtors appeared by and through their proposed counsel, the law
 6 firm of Garman Turner Gordon LLP, and all other appearances were noted on the record at the
 7 Hearing.

8 The Court having read and reviewed the Motion, and the other papers, pleadings, and
 9 declarations filed in support of and response to the Motion, as well as the papers and pleadings on
 10 file in the Chapter 11 Cases and all other matters identified by the Court at the Hearing; and the
 11 Court having also heard the oral argument of those who appeared on the record at the Hearing; it
 12 appearing and this Court having found that the Debtors' notice of the Motion and opportunity for
 13 a hearing on the Motion were appropriate under the circumstances surrounding these Chapter 11
 14 Cases and no other or further notice need be provided; and it appearing that the Court has
 15 jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this
 16 matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and this Court having
 17 found that it may enter a final order consistent with Article III of the United States Constitution;
 18 and this Court having found that venue of this proceeding and the Motion in this District is proper
 19 pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in
 20 the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in
 21 interest; and this Court having determined that the legal and factual bases set forth in the Motion
 22 and at the Hearing establish just cause for the relief granted herein; and based upon the findings of
 23 fact and conclusions of law placed on the record at the Hearing, which are hereby expressly
 24 incorporated pursuant to FED. R. BANKR. P. 9014(a) and (c) and 7052, and after due deliberation,
 25 and good cause appearing therefor:

26 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that:

27
 28 ¹ All undefined, capitalized terms used herein shall have the meanings ascribed to them in the Motion.

1 1. The Motion in its entirety as set forth herein.

2 2. The Debtors are authorized to retain and appoint Stretto as Claims and Noticing
3 Agent, and Stretto is authorized and directed to perform noticing and balloting services and to
4 receive, maintain, record, and otherwise administer the proofs of claim filed in these Chapter 11
5 Cases, and other related tasks as described in the Motion. The Clerk of Court shall provide Stretto
6 with ECF credentials that allow Stretto to receive ECF notifications and file certificates of service.

7 3. Stretto shall serve as the custodian of court records and shall be designated as the
8 authorized repository for all proofs of claim filed in these Chapter 11 Cases and is authorized and
9 directed to maintain official Claims Registers for each of the Debtors and to provide the Clerk of
10 Court with a certified duplicate thereof upon the request of the Clerk of Court.

11 4. Stretto is authorized and directed to provide an electronic interface for the filing of
12 proofs of claim and to obtain a post office box or address for the receipt of proofs of claim. Stretto
13 shall provide public access to the Claims Registers, including complete proofs of claim with
14 attachments, if any, without charge.

15 5. Stretto is authorized to take such other action to comply with all duties and Services
16 set forth in the Motion, pursuant to this Order and the guidelines attached hereto as Exhibit 1, or
17 as set forth in any other Order of this Court.

18 6. Notwithstanding Sections 330 and 331 of the Bankruptcy Code and Bankruptcy
19 Rule 2016, the Debtors are authorized to compensate Stretto in accordance with the terms of the
20 Engagement Agreement upon the receipt of reasonably detailed invoices setting forth the services
21 provided by Stretto and the rates charged for each, and to reimburse Stretto for all reasonable and
22 necessary expenses it may incur, upon the presentation of appropriate documentation, without the
23 need for Stretto to file fee applications or otherwise seek Court approval for the compensation of
24 its services and reimbursement of its expenses.

25 7. Stretto shall maintain records of all services showing dates, categories of services,
26 fees charged, and expenses incurred. With respect to services provided prior to the entry of an
27 order confirming a chapter 11 plan in these Chapter 11 Cases, Stretto shall serve monthly invoices
28 on the Debtors, the Office of the United States Trustee, counsel for the Debtors, counsel for any

1 official committee monitoring the expenses of the Debtors, and any party in interest who
2 specifically requests in writing to receive service of the monthly invoices.

3 8. The Debtors and Stretto shall meet and confer in an attempt to resolve any dispute
4 that may arise relating to the Engagement Agreement or monthly invoices; provided that the
5 Debtors, Stretto, and/or the Office of the United States Trustee may seek resolution from the Court
6 if resolution is not achieved consensually between and/or among them.

7 9. Without further order of the Court, pursuant to Section 503(b)(1)(A) of the
8 Bankruptcy Code, the fees and expenses of Stretto in connection with its Engagement Agreement
9 as approved by this Order shall be an allowed administrative expense of the Debtors' estates.

10 10. The Debtors shall indemnify the Indemnified Parties (as defined in the Engagement
11 Agreement) under the terms of the Engagement Agreement, as modified pursuant to this Order.

12 11. The Indemnified Parties shall not be entitled to indemnification, contribution, or
13 reimbursement pursuant to the Engagement Agreement for services other than the services
14 provided under the Engagement Agreement, unless such services and the indemnification,
15 contribution, or reimbursement therefor, are approved by this Court.

16 12. Notwithstanding anything to the contrary in the Engagement Agreement, the
17 Debtors shall have no obligation to indemnify the Indemnified Parties, or provide contribution or
18 reimbursement to the Indemnified Parties, for any claim or expense that is: (a) judicially
19 determined (the determination having become final) to have arisen solely from the Indemnified
20 Parties' gross negligence, willful misconduct, fraud, bad faith, self-dealing, or breach of fiduciary
21 duty (if any); (b) for a contractual dispute in which the Debtors allege the breach of the Indemnified
22 Parties' contractual obligations should this Court determine that indemnification, contribution, or
23 reimbursement would not be permissible under applicable law; (c) of any type for which the Court
24 determines that indemnification, contribution, or reimbursement would not be permissible
25 pursuant to applicable law; or (d) settled prior to a judicial determination under (a) or (b), but
26 determined by this Court, after notice and a hearing, to be a claim or expense for which the
27 Indemnified Parties should not receive indemnity, contribution, or reimbursement under the terms
28 of the Engagement Agreement as modified by this Order.

1 13. If, before the earlier of (a) the entry of an order confirming a chapter 11 plan in
2 these Chapter 11 Cases (that order having become a final order no longer subject to appeal), or (b)
3 the entry of an order closing these Chapter 11 Cases, the Indemnified Parties believe that they are
4 entitled to the payment of any amounts by the Debtors on account of the Debtors' indemnification,
5 contribution, and/or reimbursement obligations under the Engagement Agreement (as modified by
6 this Order), including the advancement of defense costs, the Indemnified Parties must file an
7 application therefor in this Court, and the Debtors may not pay any such amounts to the
8 Indemnified Parties before the entry of an order by this Court approving such payment. If the
9 Indemnified Parties seek reimbursement from the Debtors for attorneys' fees and expenses in
10 connection with the payment of an indemnity claim pursuant to the Engagement Agreement, the
11 invoices and supporting time records for the attorneys' fees and expenses shall be included in the
12 Indemnified Parties' own applications, both interim and final, but determined by this Court after
13 notice and a hearing. This paragraph is intended only to specify the period of time under which
14 the Court shall have jurisdiction over any request for fees and expenses by the Indemnified Parties
15 for indemnification, contribution, or reimbursement, and not a provision limiting the duration of
16 the Debtors' obligation to indemnify the Indemnified Parties. All parties in interest shall retain
17 the right to object to any demand by the Indemnified Parties for indemnification, contribution, or
18 reimbursement.

19 14. In the event Stretto is unable to provide the Services subject of this Order, Stretto
20 will immediately notify the Clerk of Court, the Debtors, and Debtors' counsel Garman Turner
21 Gordon LLP in writing, and, upon approval of this Court, Stretto shall cause to have all original
22 proofs of claim and computer information turned over to (i) the Clerk of Court, or (ii) another
23 claims and noticing agent identified by the Debtors.

24 15. After entry of an order terminating Stretto's services, upon the closing of these
25 Chapter 11 Cases, or the termination of Stretto for any other reason, Stretto shall be responsible
26 for archiving all proofs of claim with the Federal Archives Record Administration, if applicable,
27 and shall be compensated by the Debtors in connection therewith.

28

1 16. Stretto shall not cease providing claims processing services during the Chapter 11
2 Cases for any reason, including nonpayment, without an order of this Court.

3 17. In the event of any inconsistency between the Engagement Agreement, the Motion,
4 and this Order, this Order shall govern.

5 18. All time periods set forth in this Order shall be calculated in accordance with FED.
6 R. BANKR. P. 9006(a).

7 19. Notwithstanding FED. R. BANKR. P. 6004(h), the terms and conditions of this Order
8 are immediately effective and enforceable upon its entry.

9 20. The Debtors and Stretto are authorized to take all actions necessary to effectuate
10 the relief granted in this Order.

11 21. This Court retains exclusive jurisdiction with respect to all matters arising from or
12 related to the implementation, interpretation, and enforcement of this Order.

13 **IT IS SO ORDERED.**

14 PREPARED AND SUBMITTED BY:

15 GARMAN TURNER GORDON LLP

16
17 By: /s/
18 GREGORY E. GARMAN, ESQ.
19 WILLIAM M. NOALL, ESQ.
20 TALITHA GRAY KOZLOWSKI, ESQ.
21 TERESA M. PILATOWICZ, ESQ.
22 7251 Amigo Street, Suite 210
23 Las Vegas, Nevada 89119
24 [Proposed] *Counsel to the Debtor*
25
26
27
28

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- ☐ The court waived the requirement of approval under LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.
- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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EXHIBIT 1

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

GUIDELINES FOR A CLAIMS AND NOTICING AGENT
Updated April 2025

Appointment of a Claims, Noticing and Balloting Agent (the “Claims Agent”) is required if there are 1,000 or more creditors in a case and may be required by the court in other circumstances.

- A. Upon application and order, the services of a claims agent may be employed by the Debtor’s estate pursuant to 28 U.S.C. §156(c) to perform services for the court under the direction of the Clerk of the Bankruptcy Court (“Clerk”) to include among other things:
1. Serve as the court’s notice agent to mail notices to the estates’ creditors and parties in interest.
 2. Provide expertise, consultation and assistance in claim and ballot processing and with other administrative matters with respect to the debtor’s bankruptcy cases.
 3. Provide expertise, consultation and assistance with the preparation of schedules, statements of financial affairs and master creditor lists, if necessary, and any amendments thereto.
 4. Process, image and docket all proofs of claim filed in the debtor’s case(s) **ONLY** on the court’s electronic docketing system or the court’s Electronic Proof of Claim (ePOC) system a within 48 hours of receipt (the same standard used in the Clerk’s office). **The Court’s claim register and claim numbers serve as the OFFICIAL court record, and language to this effect should also be posted on the claims agent’s website.** The Court’s assigned claim numbers should be the only claim numbers used in reference to court pleadings.
 - a. All proofs of claim should be electronically docketed and images attached to such docket entries using the court’s Case Management/Electronic Case Filing system (CM/ECF) or the court’s ePOC system to ensure that all claims received and filed in the debtor’s case(s) are recorded and available for public reference.

- B. The second phase of claims processing is reconciliation of the claims to the debtor-provided creditor information. To ensure that the creditors are treated fairly, the claims agent handling the docketing of proofs of claim will be an independent party not providing legal or financial advice about the interpretation or settlement of the claims.
- C. Since the Clerk is responsible for the security and integrity of all of the bankruptcy court's records and dockets, including claims registers, mailing matrices, and other case papers maintained by the outside claims agents, the following guidelines are set forth to help assure the security of official information.

The outside claims agent shall:

1. Relieve the Clerk's office of all noticing under any applicable bankruptcy rules and processing of claims. This language must be included in the order authorizing the claims agent, and a copy of these Guidelines must be attached to the order.
2. At any time, upon request, satisfy the court that the outside claims agent has the capability to efficiently and effectively notice, image proofs of claim, docket (in the court's CM/ECF system or the court's ePOC system) and securely maintain the proofs of claim.
3. Prepare and serve required notices in the above captioned case(s), including but not limited to:
 - a. notice of all creditors of the filing of the bankruptcy petition and of the setting of the first meeting of creditors, pursuant to 11 U.S.C. Section 341(a), under the proper provision of the Bankruptcy Code;
 - b. notice of the claims bar date;
 - c. notices of objections to claim;
 - d. notices of any hearings on a disclosure statement and confirmation of a plan of reorganization;
 - e. notice of filing official transcript;
 - f. notice of judgments or orders pursuant to local rule 9022; and
 - g. notice any other matters as required by the order retaining the claims agent.
4. Furnish a last date for the filing of a proof of claim and a form for filing a proof of claim to each creditor notified of the filing.

5. **Maintain an up-to-date copy of debtor's schedules that list the creditors and the amounts owed, and maintain an accurate and up-to-date mailing list.**
6. Provide the creditor with the scheduled amount and classification. In jointly administered cases, the entity in which the creditor is scheduled should also be provided.
7. File with the Clerk a certificate of service within 10 days, which includes a copy of the notice, a list of persons to whom it was mailed (in alphabetical order by last name or company name), and date mailed.
8. Image the proofs of claim and all attachments in PDF format (not to exceed 5 MG in size per image), make the electronic docket entry into the court's CM/ECF docketing system of each proof of claim including the entry of the creditor's name and address, if necessary, and attach that image to the appropriate proof of claim docket entry to enable the electronic viewing of the documents by court personnel, counsel, and the public.
9. Have all proofs of claim and transfer of claims forwarded from the office of the Clerk to the outside claims agent through a messenger service or postage paid envelopes. Pre-addressed, postage paid envelopes can be mailed to the Clerk's office where the case is filed:

Attn. Supervisor
U.S. Bankruptcy Court or
300 Las Vegas Blvd. South
Las Vegas, NV 89101

Attn. Supervisor
U.S. Bankruptcy Court
300 Booth Street
Reno, NV 89509

10. Once imaged, maintain any hard copies of proofs of claim originally received in paper format for the life of the case, or until otherwise ordered by the court:
 - a. in correct claim number order;
 - a. in an environmentally secure area to protect the integrity of these original documents from theft and/or alteration.
11. Maintain an official claims register in CM/ECF by docketing all proofs of claim on a claims register including but not limited to, the following information:
 - a. the name and address of claimant and the agent, if agent filed proof of claim;
 - b. the date received;

- c. the claim number assigned (CM/ECF assigns a claim number automatically; the assigned claim number is to be written on the hard copy of the claim in the lower right hand corner); and
 - d. the amount and classification asserted by such claimant.
- 12. Have the option to send at the discretion of the debtor or Clerk, an acknowledgment letter to the creditor when its claim is processed.
- 13. Maintain a telephone staff to handle inquiries related to procedures about filing proofs of claim.
- 14. Ensure electronic filing (in court's CM/ECF docketing system) and processing of all Assignment and Transfer of Claim pursuant to FRBP 3001(e):
 - a. by electronically filing and docketing all transfers of claim in the court's CM/ECF docketing system;
 - b. provide notice of the transfer as required by FRBP 3001(e) and electronically file and docket the notice of transfer;
 - c. after said electronic docketing, write the document number in the lower right hand corner of the document, and deliver the original document to the Clerk's office by hand delivery or by mail for filing with other original non-proof of claim paper document.
- 15. Make changes in claims register pursuant to court order.
- 16. Make all original documents available to the Clerk on an expedited immediate basis.
- 17. Not employ any past or present employees of the debtor for work on the particular case involving that debtor.
- 18. Provide notices, at the expense of the debtor's estate, to any entities, not limited to creditors, that the debtor or the court deems necessary for an orderly administration of the above captioned bankruptcy case(s).
- 19. At the end of a case, case conversion, or when the claims agent is terminated for any reason:
 - a. The claims agent will file a Notice of Termination of Claims Agent, using the approved local form available on the court's website. If the claims agent is terminated, the order terminating their services should be attached to the Notice of Termination of Claims Agent.

- b. There is a need for the Clerk's office to assume responsibility of the claims register using the claims register functionality in CM/ECF. The Clerk's office may use a mass claims upload feature, but the claims agent may have to first make some formatting modifications to the claims register before turning it over to the Clerk's office for uploading.
 - c. The claims agent will send the court the final version of the claims register in PDF format so the final version can be docketed in the lead case in CM/ECF.
 - d. The claims agent will box and ship all original documents in proper format, as provided by the Clerk's office, to the office address of the Clerk. Documents must not be sent to the National Archives and Record Administration.
 - e. Failure to do the steps listed above may result in an Order to Show Cause.
- 20. Ensure that no notices or forms are sent on behalf of the debtor without prior approval of the Clerk.
- 21. Be responsible for regular contact with the debtor's counsel to insure any changes in the claims that appear on the docket, i.e., withdrawals, transfers, etc. be transmitted to the claims agent for electronic recordation on the claims register and the case docket, as appropriate.
- D. In the exercise of any authority granted by these guidelines, the outside claims agent shall comply with all applicable provisions of Title 11 of the U.S. Code the Federal Rules of Bankruptcy Procedure and any other applicable bankruptcy and non-bankruptcy laws or regulations of other appropriate governmental agencies.
- E. The outside claims agent shall promptly comply with such further conditions and requirements as the Clerk may hereafter prescribe.
- F. The outside claims agent is not employed by the federal government or U.S. Bankruptcy Court. Any appointed outside claims agent is not an official representative of the United States and is not acting on behalf of the United States. Any appointed claims agent shall not misrepresent its authority to any person, entity or government agency.
- G. Orders to Show Cause may be issued against the debtor for failure to monitor the claims agent following these Guidelines.