

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

In re:	§	Chapter 11
	§	
SHERWIN ALUMINA COMPANY, LLC, <i>et al.</i> , ¹	§	Case No. 16-20012
	§	
Debtors.	§	(Jointly Administered)
	§	David R. Jones
	§	Re: Docket No. 1673

**CERTIFICATE OF NO OBJECTION FOR THE MOTION OF
CORPUS CHRISTI ALUMINA, LLC TO AUTHORIZE THE FILING OF
MOTIONS FOR SUMMARY JUDGMENT IN PREFERENCE ACTIONS**

Pursuant to the Procedures for Complex Chapter 11 Cases in the Southern District of Texas, the undersigned counsel certifies as follows:

1. On May 28, 2021, Corpus Christi Alumina, LLC (“CCA”) filed the *Motion of Corpus Christi Alumina, LLC to Authorize the Filing of Motions for Summary Judgment in Preference Actions* [Docket No. 1673] (the “Motion”).

2. The deadline for parties to file responses to the relief requested in the Motion was June 22, 2021 (the “Objection Deadline”). No objections or responses were filed on the docket on or before the Objection Deadline. Additionally, no informal responses to the Motion were received.

¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor’s federal tax identification number, are: Sherwin Alumina Company, LLC (2376); and Sherwin Pipeline, Inc. (9047). Sherwin Alumina Company, LLC’s service address is: Sherwin Alumina Company, LLC, c/o Drivetrain, LLC as Plan Administrator, 630 Third Avenue, 21st Floor, New York, New York 10017. Sherwin Pipeline, Inc.’s service address is: 4633 Highway 361, Gregory, Texas 78359.



3. Therefore, CCA respectfully requests that the Court enter the proposed form of order attached hereto as **Exhibit 1**.

Dated: June 24, 2021

Respectfully Submitted,

Nathaniel Peter Holzer

Nathaniel Peter Holzer

Tx. State Bar No. 00793971

S.D. Tx. Adm. 21503

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Counsel for Plaintiff

Certificate of Service

I certify that on June 24, 2021, a true and correct copy of the foregoing document was served via the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas. The foregoing document will be served by First Class Mail to the addresses below on June 25, 2021.

/s/ Grace A. Thompson

Grace A. Thompson

#	Non-Responsive Defendant	Adversary Proceeding Number	Address
1	CLARK PROTECTIVE SERVICES INC.	18-02014	Clark Protective Services Inc. 2125 N. Loop 336 West, Suite 120, Conroe, TX 77304-3621
2	DAHILL OFFICE TECHNOLOGY CORPORATION	18-02092	Dahill Office Technology Corporation 8200 West Interstate 10, Suite 400, San Antonio, TX 78230-3808
3	PROFESSIONAL SERVICE COMPANY, INC.	18-02013	Professional Service Company, Inc., 5528 Penn Ave So, Minneapolis, MN 55419
4	SOUTH TEXAS OVERHEAD CRANES AND HOISTS LLC	18-02095	South Texas Overhead Cranes And Hoists LLC, 14621 Powell Drive, Corpus Christi, TX 78410- 5524

Exhibit 1

Proposed Order

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

In re: SHERWIN ALUMINA COMPANY, LLC, <i>et al.</i> , ¹ Debtors.	§ § § § § § §	Chapter 11 Case No. 16-20012 (Jointly Administered) David R. Jones
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**ORDER GRANTING THE MOTION OF CORPUS CHRISTI ALUMINA, LLC
FOR ENTRY OF AN ORDER AUTHORIZING THE FILING OF MOTIONS FOR
SUMMARY JUDGMENT IN PREFERENCE ACTIONS**

(Relates to Docket No. 1673)

Upon the motion (the “Motion”)² of Corpus Christi Alumina, LLC (“CCA”) for entry of an order (this “Order”) authorizing CCA to file a motion for summary judgment and seek related relief against each of the parties identified in Schedule 1 attached hereto (collectively, the “Non-Responsive Defendants”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is reasonable and appropriate; and this Court having found that notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having determined that the

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² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. CCA is authorized, but not required, to file a motion for summary judgment against each of the Non-Responsive Defendants.
3. CCA is authorized, but not required, to seek assignment and forfeiture of any claims held by the Non-Responsive Defendants against the Debtors' chapter 11 estates in partial satisfaction of any summary judgments obtained.
4. CCA and its representatives are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
5. Notwithstanding anything to the contrary, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order..

Dated: _____, 2021

THE HONORABLE DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

ORDER SUBMITTED AND ENTRY REQUESTED BY:

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Counsel for Plaintiff

Schedule 1

#	Non-Responsive Defendant	Adversary Proceeding Number	Amount of Preference Claims Asserted	Amount of General Unsecured Claim(s) Held by Non-Responsive Defendant
1	CLARK PROTECTIVE SERVICES INC.	18-02014	\$123,709.56	\$0.00
2	DAHILL OFFICE TECHNOLOGY CORPORATION	18-02092	\$20,142.65	\$4,425.95
3	PROFESSIONAL SERVICE COMPANY, INC.	18-02013	\$109,532.50	N/A
4	SOUTH TEXAS OVERHEAD CRANES AND HOISTS LLC	18-02095	\$39,246.41	\$44,939.79