

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
SPEEDCAST INTERNATIONAL	§	
LIMITED, et. al.,	§	CASE NO. 20-32243
	§	
Debtors.	§	Chapter 11
	§	
	§	Jointly Administered

CATHERINE E. YOUNGMAN,	§	
in her capacity as Class 3 Trustee for	§	
the Speedcast SFA Lenders' Litigation	§	
Trust,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	ADV. PRO. 22-03019
PETER SHAPER,	§	
	§	
Defendant.	§	

MOTION FOR ENTRY OF ORDER SEALING
UNREDACTED REPLY IN SUPPORT OF MOTION TO DISMISS

IF YOU OBJECT TO THE RELIEF REQUESTED, YOU MUST RESPOND IN WRITING. UNLESS OTHERWISE DIRECTED BY THE COURT, YOU MUST FILE YOUR RESPONSE ELECTRONICALLY AT <https://ecf.txsb.uscourts.gov/> WITHIN TWENTY-ONE DAYS FROM THE DATE THIS MOTION WAS FILED. IF YOU DO NOT HAVE ELECTRONIC FILING PRIVILEGES, YOU MUST FILE A WRITTEN OBJECTION THAT IS ACTUALLY RECEIVED BY THE CLERK WITHIN TWENTY-ONE DAYS FROM THE DATE THIS MOTION WAS FILED. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND GRANT THE RELIEF REQUESTED.

Pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Rule 9037-1 of the Local Rules, Defendant Peter Shaper requests that he be authorized to



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file an unredacted copy of Defendant Peter Shaper's Reply in Support of His Rule 12(b)(6) Motion to Dismiss ("Reply") under seal.

1. Section 105(a) of the Bankruptcy Code allows the Court to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of the title." 11 U.S.C. § 105(a). Moreover, pursuant to section 107(b)(1) of the Bankruptcy Code, the Court may authorize Defendant Shaper to file the Reply under seal by permitting the issuance of an order that protects entities from potential harm that may result from the disclosure of certain confidential information. See 11 U.S.C. § 107(b).

2. The Reply cites to and quotes from the Original Petition, attached to the Notice of Removal on February 7, 2022. The Original Petition was sealed by this Court on March 2, 2022. Dkt. 17.

3. Because of this, without admitting to the confidentiality of any of the redacted information, Defendant Shaper hereby requests that the Court permit the filing of the unredacted Reply under seal to protect any confidential or sensitive information contained therein.

4. Notice of this Motion will be provided to the Class 3 Trustee.

5. WHEREFORE, Defendant Shaper respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: May 2, 2022

Respectfully submitted,

By: /s/ Ayesha Najam

Ayesha Najam

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Certificate of Service

I hereby certify that copy of the foregoing has been served on all counsel of record on this date, in accordance with the Federal Rules of Civil Procedure.

/s/ Ross MacDonald
Ross MacDonald

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**SPEEDCAST INTERNATIONAL
LIMITED, et. al.,**

Debtors.

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CASE NO. 20-32243

Chapter 11

Jointly Administered

**CATHERINE E. YOUNGMAN,
in her capacity as Class 3 Trustee for
the Speedcast SFA Lenders' Litigation
Trust,**

Plaintiff,

v.

PETER SHAPER,

Defendant.

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ADV. PRO. 22-03019

ORDER GRANTING MOTION TO SEAL

Pending before the Court is Defendant Shaper's Motion to Seal his Reply in Support of his Rule 12(b)(6) Motion to Dismiss (the "**Motion**"). The Court, having considered the Motion and any response or reply thereto, finds that the Motion should be **GRANTED**. IT IS HEREBY ORDERED that:

1. Pursuant to section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018, Defendant is authorized to file the unredacted version of Defendant's Reply in Support of his Rule 12(b)(6) Motion to Dismiss under seal.

2. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon its entry.

3. Defendant is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

4. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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

It is so ORDERED.

Date

THE HONORABLE MARVIN ISGUR
UNITED STATES BANKRUPTCY JUDGE