



Order Filed on September 3, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<i>Caption in Compliance with D.N.J. LBR 9004-1(b)</i> <b>OBERMAYER REBMANN MAXWELL &amp; HIPPEL LLP</b> Edmond M. George, Esquire Michael D. Vagnoni, Esquire (pro hac vice) Turner Falk, Esquire 1120 Route 73, Suite 420 Mount Laurel, NJ 08054-5108 Telephone: (856) 795-3300 Facsimile: (856) 482-0504 E-mail: edmond.george@obermayer.com michael.vagnoni@obermayer.com turner.falk@obermayer.com	
Proposed Counsel to the Debtor and Debtor in Possession	
In re:	Chapter 11
ALUMINUM SHAPES, L.L.C.,	Case No. 21-16520-JNP
Debtor.	

**CONSENT ORDER PROVIDING ADEQUATE ASSURANCES OF FUTURE  
PERFORMANCE UNDER SECTION 366 OF THE BANKRUPTCY CODE TO  
PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

The relief set forth on the following pages, numbered two (2) through four (4) is

**ORDERED.**

**DATED: September 3, 2021**

\_\_\_\_\_  
Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

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**Debtor:** Aluminum Shapes, L.L.C.  
**Case No:** 21-16520-JNP  
**Caption of Order:** Consent Order Approving Settlement Agreement with Public Service Electric and Gas Company

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This matter having been brought before the Court by Debtor Aluminum Shapes, L.L.C. (the "Debtor"), pursuant to the Motion of Debtor Aluminum Shapes, L.L.C. Prohibiting Utility Companies from Discontinuing Services, Establishing Procedures for Determining Adequate Assurances and Related Relief, dated August 19, 2021 (Docket No. 43), and the objection filed thereto by Public Service Electric And Gas Company ("PSE&G"), and upon the consent of the Debtor and PSE&G:

1. On or before September 7, 2021, the Debtor shall provide PSE&G with a cash deposit in the amount of \$87,000.00 (reflecting approximately one month of the Debtor's estimated post-petition utility charges from PSE&G) (the "Deposit") as adequate assurance within the meaning of Section 366(c) of the Bankruptcy Code, and send it to the following person and address:

Public Service Electric and Gas Company  
Attn: Vincent Albanito  
80 Park Plaza-T15  
Newark, New Jersey 07102

2. If the Debtor fails to tender the Deposit payment required by this Settlement Letter, PSE&G can terminate service to the Debtor after providing the Debtor and its counsel with written notice of the Deposit payment default, and five (5) business days within which to cure the default (the "Cure Period"). If the Debtor cures the Deposit payment default within the Cure Period, PSE&G cannot terminate service for the Deposit payment default. The notices required by this paragraph shall be sent via email to:

a. Edmond M. George, Esq.  
Michael D. Vagnoni, Esq.  
Turner N. Falk, Esq.  
OBERMAYER REBMANN MAXWELL & HIPPEL, LLP  
1120 Route 73, Suite 420

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**Debtor:** Aluminum Shapes, L.L.C.  
**Case No:** 21-16520-JNP  
**Caption of Order:** Consent Order Approving Settlement Agreement with Public Service  
Electric and Gas Company

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Mount Laurel, New Jersey 08054-5108  
Email: [edmond.george@pbermayer.com](mailto:edmond.george@pbermayer.com),  
[michael.vagnoni@obermayer.com](mailto:michael.vagnoni@obermayer.com), [turner.falk@obermayer.com](mailto:turner.falk@obermayer.com);

and simultaneously to:

b. Douglas Bathauer, COO  
Bathauer, Doug [dbathauer@shapesllc.com](mailto:dbathauer@shapesllc.com)  
c/o Aluminum Shapes, LLC  
9000 River Road,  
Delair, New Jersey 08011

3. The Debtor shall pay all undisputed post-petition bills received from PSE&G for post-petition utility charges on or before the applicable due date on the invoice.

4. If the Debtor no longer requires service at an account for any reason, including the Debtor's termination of services, a sale of the Debtor's assets, the Effective Date of the confirmed plan of reorganization in the Debtor's chapter 11 case or dismissal of the Debtor's chapter 11 case, the Debtor shall promptly contact PSE&G and request that service be terminated to that account(s).

5. Upon being contacted to close an account, PSE&G shall promptly close the account and promptly refund any deposit for that account once all final post-petition charges for that account are satisfied. If the Debtor fails to provide such notice, the Debtor shall remain administratively obligated to pay utility charges until PSE&G receives such written notice of termination of services from the Debtor.

6. The Debtor represents that all post-petition payments, including the Deposit, made to PSE&G are authorized pursuant to the terms and conditions governing the Debtor's use of DIP financing and cash collateral or any budgets in connection with the foregoing.

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**Debtor:** Aluminum Shapes, L.L.C.  
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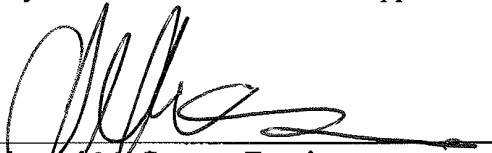
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7. The terms of the Final Utility Order shall not apply to PSE&G to the extent they are in conflict with the terms of this Order. In the event of any inconsistencies between the Final Utility Order and this Consent Order, the terms of the Consent Order shall control. Upon receipt of an executed copy of this Consent Order, PSE&G shall withdraw the Objection of Public Service Electric and Gas Company To the Debtor's Motion Pursuant To 11 U.S.C. §§ 105 and 366 Prohibiting Utilities From Altering, Refusing, or Discontinuing Services On Account of Prepetition Claims, Establishing Procedures For Determining Requests For Additional Adequate Assurance and For Related Relief (the "Objection")(Docket No. 33), as settled.

**AGREED TO ON THE DATE INDICATED BELOW:**

Obermayer Rebmann Maxwell & Hippel LLP

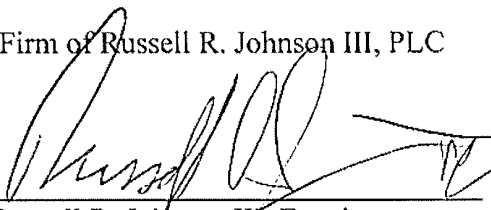
By:

  
Edmond M. George, Esquire  
Michael D. Vagnoni, Esquire (pro hac vice)  
Turner Falk, Esquire  
1120 Route 73, Suite 420  
Mount Laurel, NJ 08054-5108  
Telephone: (856) 795-3300  
Facsimile: (856) 482-0504  
*Proposed Counsel to the Debtor  
and Debtor in Possession*

Dated: 9/1/21

Law Firm of Russell R. Johnson III, PLC

By:

  
Russell R. Johnson III, Esquire  
2258 Wheatlands Drive  
Manakin-Sabot, VA 23103  
Telephone: (804) 749-8861  
Facsimile: (804) 749-8862  
*Counsel for Public Service Electric and  
Gas Company*

Dated: 9/1/21

In re:  
Aluminum Shapes, L.L.C.  
Debtor

Case No. 21-16520-JNP  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Sep 03, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

**Symbol Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 05, 2021:**

Recip ID	Recipient Name and Address
db	+ Aluminum Shapes, L.L.C., 9000 River Road, Delair, NJ 08110-3204
aty	+ Michael D Vagnoni, Obermayer Rebmann Maxwell & Hippel, LLP, 1120 Route 73, Suite 420, Mount Laurel, NJ 08054-5109

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 05, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 3, 2021 at the address(es) listed below:

Name	Email Address
Andrew Katz	on behalf of Defendant Martin J. Walsh katz.andrew@dol.gov
Anthony B. Stumbo	on behalf of Creditor Tiger Finance LLC astumbo@riemerlaw.com
David L. Deratzian	on behalf of Unknown Role Type Nathan H. Kelman Inc. david@employmentlaw-iv.com
Douglas J. Smillie	on behalf of Creditor Talen Energy Marketing LLC dsmillie@flblaw.com, ccharlton@flblaw.com
Edmond M. George	on behalf of Plaintiff Aluminum Shapes L.L.C. edmond.george@obermayer.com, michael.vagnoni@obermayer.com; Lucille.acello@obermayer.com; helen.belair@obermayer.com; turner.falk@obermayer.com; col.een.schmidt@obermayer.com

District/off: 0312-1  
Date Rcvd: Sep 03, 2021

User: admin  
Form ID: pdf903

Page 2 of 2  
Total Noticed: 2

Edmond M. George  
on behalf of Debtor Aluminum Shapes L.L.C. edmond.george@obermayer.com,  
michael.vagnoni@obermayer.com;Lucille.acello@obermayer.com;helen.belair@obermayer.com;turner.falk@obermayer.com;col  
een.schmidt@obermayer.com

Franklin Barbosa, Jr  
on behalf of Creditor Tiger Finance LLC fbarbosa@mccarter.com

Gregory Peterson  
on behalf of Creditor UGI Energy Services Inc. gpeterson@dierpeterson.com

Jeffrey M. Sponder  
on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov jeffrey.m.sponder@usdoj.gov

John R. Morton, Jr.  
on behalf of Creditor Ford Motor Credit Company LLC ecfmail@mortoncraig.com mortoncraigecf@gmail.com

Joseph Lubertazzi, Jr.  
on behalf of Creditor Tiger Finance LLC jlubertazzi@mccarter.com

Joseph S. D'amico, Jr.  
on behalf of Creditor Talen Energy Marketing LLC jsdamico@flblaw.com

Joseph S. D'amico, Jr.  
on behalf of Creditor Public Service Electric and Gas Company jsdamico@flblaw.com

Karl N. McConnell  
on behalf of Creditor Merchantville-Pennsauken Water Commission kmccConnell@mpwc.com jhershey@mpwc.com

Michael Kwiatkowski  
on behalf of Creditor Public Service Electric and Gas Company mkwiatkowski@cullenanddykman.com  
mkwiatkowski@msek.com

Peter C. Hughes  
on behalf of Creditor Dilworth Paxson LLP phughes@dilworthlaw.com cct@dilworthlaw.com

Rebecca K. McDowell  
on behalf of Creditor Eastern Lift Truck Co. Inc. rmcDowell@slgcollect.com

Robert W. Keyser  
on behalf of Creditor BB 316 Investments LLC rkeyser@taylorandkeyser.com

Steven E. Fox  
on behalf of Creditor Tiger Finance LLC sfox@riemerlaw.com, dromanik@riemerlaw.com

Suzanne Demitrio Campbell  
on behalf of Defendant Martin J. Walsh campbell.suzanne@dol.gov

Suzanne Demitrio Campbell  
on behalf of Creditor Martin J. Walsh campbell.suzanne@dol.gov

Turner Falk  
on behalf of Plaintiff Aluminum Shapes L.L.C. turner.falk@obermayer.com, coleen.schmidt@obermayer.com

U.S. Trustee  
USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 23