



Order Filed on September 29, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)
OBERMAYER REBMANN MAXWELL & HIPPEL LLP

Edmond M. George, Esquire
Michael D. Vagnoni, Esquire (pro hac vice)
Turner Falk, Esquire
1120 Route 73, Suite 420
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Proposed Counsel to the Debtor
and Debtor in Possession

In re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

**CONSENT ORDER PROVIDING ADEQUATE ASSURANCES OF FUTURE
PERFORMANCE UNDER SECTION 366 OF THE BANKRUPTCY CODE TO
ENERGY POWER INVESTMENT COMPANY, LLC**

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

DATED: September 29, 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 Energy Power
Investment Company, LLC

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 upon the consent of the Debtor and EPIC:

1. On or within five (5) business days of the entry of this Order, the Debtor shall provide EPIC with a cash deposit in the amount of \$21,852.62 (reflecting approximately two weeks of the Debtor’s estimated post-petition utility charges from EPIC) (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:

Energy Power Investment Company, LLC
Attn: Steven A. Gabrielle, COO
1605 North Cedar Crest Boulevard, Suite 509
Allentown, PA 18104

2. If the Debtor fails to tender the Deposit payment required by this Settlement Letter, EPIC can terminate service to the Debtor after providing the Debtor and its counsel with written notice of the Deposit payment default, and seven (7) days within which to cure the default (the “Cure Period”). If the Debtor cures the Deposit payment default within the Cure Period, EPIC 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 Energy Power
Investment Company, LLC

Mount Laurel, New Jersey 08054-5108

Email: edmond.george@pbermayer.com,

michael.vagnoni@obermayer.com, turner.falk@obermayer.com;

and simultaneously to:

- b. Douglas Bathauer, COO
Bathauer, Doug 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 EPIC 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 EPIC and request that service be terminated to that account(s).

5. Upon being contacted to close an account, EPIC 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 EPIC 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 EPIC 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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7. The terms of the Final Utility Order shall not apply to EPIC 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.

AGREED TO ON THE DATE INDICATED BELOW:

Obermayer Rebmann Maxwell & Hippel LLP

Archer & Greiner P.C.

By: /s/ Edmond M. George

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: 9/28/2021

By: /s/ Jerrold S. Kulback

Jerrold S. Kulback, Esquire
Three Logan Square
1717 Arch Street, Suite 3500
Philadelphia, PA 19103
Telephone: (215) 246-3162
Facsimile: (215) 963-9999
*Counsel for Energy Power Investment
Company, LLC*

Dated: 9/28/2021

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 29, 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 Oct 01, 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: Oct 01, 2021

Signature: /s/Joseph Speetjens

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 29, 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 29, 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 mortoncraige@cf@gmail.com

Jordan Seth Blask
on behalf of Creditor Cygnus Manufacturing Company jblask@fbtlaw.com agilbert@fbtlaw.com;agilbert@ecf.courtdrive.com

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

Joseph J. DiPasquale
on behalf of Attorney Official Committee of Unsecured Creditors Jdipasquale@foxrothschild.com cbrown@foxrothschild.com

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

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

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rsolomon@foxrothschild.com;ksenese@foxrothschild.com

Michael R. Herz
on behalf of Attorney Official Committee of Unsecured Creditors mherz@foxrothschild.com cbrown@foxrothschild.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

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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: 28