



Order Filed on October 6, 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)

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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)

**ORDER APPROVING DEBTOR'S MOTION FOR THE ENTRY OF AN ORDER
EXTENDING THE DEADLINE TO ASSUME OR REJECT UNEXPIRED LEASES OF
NONRESIDENTIAL REAL PROPERTY PURSUANT TO SECTION 365(d)(4) OF
THE BANKRUPTCY CODE AND FOR RELATED RELIEF**

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

DATED: October 6, 2021

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

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: Order Extending the Deadline to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Section 365(d)(4) of the Bankruptcy Code.

Upon the motion (the “Motion”)¹ of the above-captioned debtor and debtor in possession (collectively, the “**Debtor**”) for entry of an order (this “**Order**”), (a) extending the time within which the Debtor must assume or reject the Unexpired Leases, and (b) granting related relief, as more fully set forth in the Motion; and upon the First Day Declaration; and this Court having jurisdiction over this matter pursuant to [28 U.S.C. § 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 in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and this Court having found that the Debtor’s notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein; and this Court having determined that the 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 Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

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Debtor: Aluminum Shapes, L.L.C.

Case No. 21-16520 (JNP)

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1. The time period within which the Debtor must assume or reject Unexpired Leases pursuant to section 365(d)(4) of the Bankruptcy Code (as modified by Consolidated Appropriations Act, 2021, Pub. L. No. 115-72, Sec. 1001) is extended an additional 90 days through and including June 11, 2022; *provided* that if the Debtor files a motion to assume or reject an Unexpired Lease prior to such date, the time period within which the Debtor must assume or reject such Unexpired Lease pursuant to section 365(d)(4) of the Bankruptcy Code shall be deemed extended through and including the date that the Court enters an order granting or denying such motion.

2. The entry of this Order shall be without prejudice to the Debtor's right to request further extensions of the time to assume or reject the leases in accordance with the requirements of section 365(d)(4)(B)(ii) of the Bankruptcy Code.

3. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

4. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed: (a) an admission as to the validity of any prepetition claim, interest, or lien against the Debtor; (b) a waiver of the Debtor's or any other party in interest's rights to dispute any prepetition claim, interest, or lien on any grounds; (c) a promise or requirement to pay prepetition claims; (d) a waiver of the obligation of any party in interest to file a proof of claim; (e) an implication or admission that any particular claim, interest,

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or lien is of a type specified or defined in this Motion or any order granting the relief requested by this Motion; (f) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; or (g) a waiver of the Debtor's or any other party in interest's rights under the Bankruptcy Code or any other applicable law.

5. Nothing in the Motion or this Order shall be deemed an approval of the assumption or rejection of any unexpired leases of nonresidential real property or modify any rights and obligations of the Debtor or any landlord, as applicable.

6. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

7. The Debtor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

8. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation or enforcement of this Order.