



Order Filed on December 7, 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 N. Falk, Esquire
1120 Route 73, Suite 420
Mount Laurel, NJ 08054-5108
Telephone: (856) 795-3300
Facsimile: (856) 482-0504
edmond.george@obermayer.com
michael.vagnoni@obermayer.com turner.falk@obermayer.com

Counsel to the Debtor and Debtor in Possession

FOX ROTHSCHILD LLP

1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401-7212
Michael J. Viscount, Esq.
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
Michael R. Herz, Esq.
mviscount@foxrothschild.com mchovanes@foxrothschild.com
jdipasquale@foxrothschild.com mherz@foxrothschild.com
Telephone: (609) 348-4515
Facsimile: (609) 348-6834

Counsel to the Official Committee of Unsecured Creditors

In Re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

Hon. Jerrold N. Poslusny, Jr.

**AGREED STIPULATION AND CONSENT ORDER AMONG THE DEBTOR AND
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

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

DATED: December 7, 2021

A handwritten signature in dark ink, appearing to be "J. Poslusny", is written over a horizontal line.

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

Aluminum Shapes, LLC (the “Debtor”) and the Official Committee of Unsecured Creditors (the “Committee” together with the Debtor, the “Parties”) through their undersigned counsel stipulate (this “Stipulation”) and agree to the following:

WHEREAS, on August 15, 2021 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of the of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”).

WHEREAS, effective as of August 30, 2021, the Office of the United States Trustee for Region 3 (the “U.S. Trustee”) appointed five members to the Committee pursuant to section 1102(a) of the Bankruptcy Code. The members of the Committee are: (i) Public Service Electric and Gas Company, (ii) Energy Power Investment Company, LLC (EPIC), (iii) Indigo Global, LLP, (iv) Nathan H. Kelman, Inc., and (v) Southeastern Extrusion & Tool, Inc.

WHEREAS, pursuant to section 1121 of the Bankruptcy Code, absent extension, the Debtor’s 120-day exclusive period to file a plan of reorganization expires on December 13, 2021 and its exclusive period to solicit acceptances of a plan would expire on February 11, 2022 (together with the 120-day period, the “Exclusive Periods”).

WHEREAS, on November 23, 2021, the Debtor filed the *Debtor’s Motion for Entry of an Order to Extend Debtor’s Exclusive Time to File A Plan of Reorganization and Solicit Acceptances* (the “Exclusivity Motion”) [D.I. 290] and respectfully submits as follows seeking to extend the Debtor’s exclusive period for an additional sixty (60) days to February 11, 2022, and seeking to extend the exclusive right to solicit acceptances for another sixty (60) days thereafter until April 12, 2022.

WHEREAS, on November 23, 2021, the Debtor also filed an *Application for Order Shortening Time* (the “Application”) [D.I. 291] seeking to have the Exclusivity Motion heard on an expedited basis so that the motion is decided before the Debtor’s exclusivity period expires on December 13, 2021.

WHEREAS, the Court granted the Application and set an objection deadline for the Exclusivity Motion as December 6, 2021 at 3:00 PM (EST) and set a hearing on the Exclusivity Motion for December 7, 2021 (the “Hearing”) [D.I. 292].

WHEREAS, after negotiations and discussions between the Parties, the Exclusivity Periods shall be extended as set forth herein.

IT IS ON THIS 6TH DAY OF DECEMBER, 2021, ORDERED, ADJUDGED, AND DECREED that:

1. Pursuant to section 1121 of the Bankruptcy Code, (i) the Debtor’s 120-day exclusive period to file a plan of reorganization shall be extended through and including January 14, 2022; and (ii) the Debtor’s exclusive period to solicit acceptances of a plan shall be extended through and including March 15, 2022 (the “Extended Exclusivity Periods”).

2. This Stipulation is of no force and effect unless and until this Stipulation is approved by the Bankruptcy Court.

3. Nothing in this Stipulation shall in any way affect, alter, modify, waive, amend, release, or terminate any rights of the Parties, except as expressly set forth herein.

4. The Bankruptcy Court shall retain jurisdiction with respect to all matters arising out of, related to, or in connection with the implementation of this Stipulation and any order thereon.

5. The Debtor reserves the right to seek a further extension of the Exclusivity Periods and the Committee reserves the right to object thereto.

Agreed and Approved this 6th day of December, 2021.

/s/ Joseph J. DiPasquale

FOX ROTHSCHILD LLP

1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401-7212
Michael J. Viscount, Esq.
Martha B. Chovanes, Esq.
Joseph J. DiPasquale, Esq.
Michael R. Herz, Esq.
mviscount@foxrothschild.com
mchovanes@foxrothschild.com
jdipasquale@foxrothschild.com
mherz@foxrothschild.com
Telephone: (609) 348-4515
Facsimile: (609) 348-6834

/s/ Edmond M. George

OBERMAYER REBMANN

MAXWELL & HIPPEL LLP

Edmond M. George, Esq.
Michael D. Vagnoni, Esq. (*pro hac vice*)
Turner N. Falk, Esq.
1120 Route 73, Suite 420
Mount Laurel, NJ 08054-5108
edmond.george@obermayer.com
michael.vagnoni@obermayer.com
turner.falk@obermayer.com
Telephone: (856) 795-3300
Facsimile: (856) 482-0504