



Order Filed on January 14, 2022  
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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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 EXTENDING PERIOD  
WITHIN WHICH DEBTOR SHALL HAVE THE EXCLUSIVE RIGHT TO FILE A  
DATED: January 14, 2022 PLAN PURSUANT TO 11 U.S.C. § 1121**

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

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 hereby 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, 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] 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, the Parties agreed to extend the Debtor’s exclusive period to file a plan to January 14, 2022 and solicit acceptances to March 15, 2022 and on or about December 7, 2021, the Bankruptcy Court entered an Agreed Stipulation and Consent Order Among the Debtor and the Committee so extending the Exclusivity Periods (the “Extended Exclusivity Periods”) [D.I. 313].

WHEREAS, after further negotiations and discussions between the Parties including extensive discussions in an effort to draft a joint Plan and Disclosure Statement, the Parties have agreed that the Exclusivity Periods shall be further extended as set forth herein.

**IT IS ON THIS 14<sup>TH</sup> DAY OF JANUARY, 2022, ORDERED, ADJUDGED, AND DECREED that:**

1. Pursuant to section 1121 of the Bankruptcy Code, (i) the Debtor’s 120-day exclusive period within which the Debtor has the exclusive right to file a plan of reorganization shall be further extended through and including January 28, 2022; and (ii) the Debtor’s exclusive period to solicit acceptances of a plan shall be further extended through and including March 29, 2022 (the “Further 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 14<sup>th</sup> day of  
January, 2022.

/s/ Joseph J. DiPasquale

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