

**ENTERED**

December 24, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ALAN D. HALPERIN, as Litigation Trustee of  
the Instant Brands Litigation Trust,

Plaintiff,

v.

CORNELL CAPITAL LLC, CORNELL  
CAPITAL PARTNERS LP, CC WK CO-  
INVEST LP, AGATE INFORMATICS CORP.,  
4060288 CANADA INC., 7326998 CANADA  
INC., HENRY CORNELL, JUSTINE CHENG,  
RODRIGO BRAVO, YOUNGHOON PARK,  
ROBERT WANG, YI QIN, CHRISTOPHER  
LAROCQUE, BENOIT GADBOIS,  
NICHOLAS HEWITT, JEFFREY KIST,  
WILLIAM HESS, CATHERINE LANDMAN,  
KENNETH WILKES, LAWRENCE MCRAE,  
and JOHN DUBEL,

Defendants.

Chapter 11

Case No. 23-90716 (MI)

Jointly Administered

Adv. Proc. No. 24-03232 (MI)

**STIPULATION AND AGREED ORDER  
BETWEEN PLAINTIFF ALAN D. HALPERIN AND DEFENDANTS**

This Stipulation and Agreed Order (the “Stipulation and Agreed Order”) is made by and among Alan D. Halperin, as Litigation Trustee of the Instant Brands Litigation Trust (“Plaintiff”), and Cornell Capital LLC, Cornell Capital Partners LP, CC WK Co-Invest LP, Agate Informatics Corp., 4060288 Canada Inc., 7326998 Canada Inc., Henry Cornell, Justine Cheng, Rodrigo Bravo, Robert Wang, Yi Qin, Christopher Larocque, Younghoon Park, Benoit Gadbois, Nicholas Hewitt, Jeffrey Kist, William Hess, Catherine Landman, Kenneth Wilkes, Lawrence McRae, and John Dubel (collectively, the “Defendants” and together with the Plaintiff, the “Parties”).

WHEREAS, on November 13, 2024, Plaintiff filed a Complaint in the above-captioned Adversary Proceeding;


WHEREAS, Plaintiff and the Defendants have agreed to a preliminary case schedule to govern the filing of certain motions and any response thereto;

WHEREAS, the parties have been in contact with the Case Manager of this case, and she has indicated that the Court can move the Rule 7016 Conference currently scheduled for February 3, 2025 to February 18, 2025 to address a scheduling conflict of one of the parties' law firms;

IT IS HEREBY STIPULATED by and between the Parties, through their undersigned counsel, and subject to approval of the Court:

1. Defendants shall file their respective Motions to Dismiss by February 14, 2025;
2. Plaintiffs shall respond to the Motion(s) to Dismiss by April 18, 2025;
3. Defendants shall file any Reply in support of the Motion(s) to Dismiss by May 23, 2025.
4. The Rule 7016 Conference shall be held on February 18, 2025, at 1:30 pm CST.
5. All rights, claims and defenses of the Parties are fully preserved, except that all Defendants agree that they have been properly served with, or accepted service of, the Complaint in this action.

Signed: December 23, 2024



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Marvin Isgur  
United States Bankruptcy Judge

By: /s/ Jason J. Newcomer

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By: /s/ Shari L. Heyen

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Wilkes, Lawrence McRae, and John Dubel*

IT IS SO ORDERED:

Dated: December \_\_, 2024

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HONORABLE MARVIN ISGUR  
U.S. BANKRUPTCY JUDGE