

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

In re:

GLOBAL CLEAN ENERGY
HOLDINGS, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 25-90113 (ARP)
)
)
) (Joint Administration Requested)
) (Emergency Hearing Requested)

**DEBTORS' EMERGENCY MOTION
FOR ENTRY OF AN ORDER (I) AUTHORIZING
THE DEBTORS TO REDACT CERTAIN PERSONALLY
IDENTIFIABLE INFORMATION OF NATURAL PERSONS,
(II) WAIVING THE REQUIREMENT TO FILE A LIST OF EQUITY
SECURITY HOLDERS, (III) APPROVING THE FORM AND MANNER OF
NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE CHAPTER 11
CASES AND OTHER INFORMATION, AND (IV) GRANTING RELATED RELIEF**

Emergency relief has been requested. Relief is requested not later than 11:00 a.m. (prevailing Central Time) on April 16, 2025.

If you object to the relief requested or you believe that emergency consideration is not warranted, you must appear at the hearing if one is set, or file a written response prior to the date that relief is requested in the preceding paragraph. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

A hearing will be conducted on this matter on April 16, 2025, at 11:00 a.m. (prevailing Central Time) in Courtroom 400, 4th floor, 515 Rusk Street, Houston, Texas 77002.

Participation at the hearing will only be permitted by an audio and video connection.

Audio communication will be by use of the Court's dial-in facility. You may access the facility at (832) 917-1510. Once connected, you will be asked to enter the conference room number. Judge Perez's conference room number is 282694. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Perez's home page. The meeting code is "JudgePerez". Click the settings icon in the upper right corner and enter your name under the personal information setting.

Hearing appearances must be made electronically in advance of both electronic and in-person hearings. To make your appearance, click the "Electronic Appearance" link on Judge Perez's homepage. Select the case name, complete the required fields, and click "Submit" to complete your appearance.

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://dm.epiq11.com/GCEHoldings>. The location of Debtor Global Clean Energy Holdings, Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is: 6451 Rosedale Highway, Bakersfield, California 93308.

The above-captioned debtors and debtors in possession (collectively, the “Debtors”) state the following in support of this motion (this “Motion”):²

Relief Requested

1. The Debtors seek entry of an order, substantially in the form attached hereto (the “Order”): (a) authorizing the Debtors to redact certain personally identifiable information of natural persons; (b) waiving the requirement to file a list of, and provide notice directly to, certain equity security holders of Debtor Global Clean Energy Holdings, Inc. (“GCEH”); (c) approving the form and manner of notifying creditors of the commencement of these chapter 11 cases and other information; and (d) granting related relief.

Jurisdiction and Venue

2. The United States Bankruptcy Court for the Southern District of Texas (the “Court”) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Order of Reference to Bankruptcy Judges* from the United States District Court for the Southern District of Texas, entered May 24, 2012. This is a core proceeding pursuant to 28 U.S.C. § 157(b). The Debtors confirm their consent to the Court’s entry of a final order in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments in connection herewith consistent with Article III of the United States Constitution.

3. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

² A detailed description of the Debtors and their businesses, including the facts and circumstances giving rise to the Debtors’ chapter 11 cases, is set forth in the *Declaration of Noah Verleun, Chief Executive Officer of Global Clean Energy Holdings, Inc., in Support of the Debtors’ Chapter 11 Petitions* (the “Verleun First Day Declaration”) and the *Declaration of John Walsh, Managing Director of Alvarez & Marsal North America, LLC, in Support of the Debtors’ First Day Motions* (the “Walsh First Day Declaration”) and, together with the Verleun First Day Declaration, the “First Day Declarations”), filed contemporaneously herewith and incorporated by reference herein. Capitalized terms used but not otherwise defined in this Application shall have the meanings ascribed to them in the First Day Declarations.

4. The bases for the relief requested herein are sections 105(a), 107(c), and 521 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”), rules 1007, 2002, 6003, 9007, and 9037 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), rules 1075-1, 9013-1(i), and 9037-1(b) of the Bankruptcy Local Rules for the Southern District of Texas (the “Bankruptcy Local Rules”), and Sections E and F of the *Procedures for Complex Cases in the Southern District of Texas* (the “Complex Case Procedures”).

Background

5. Global Clean Energy Holdings, Inc. (together with its Debtor and non-Debtor subsidiaries, “Global Clean” or the “Company”) is a vertically integrated company focused on producing ultra-low carbon renewable fuels from its patented varieties of *Camelina sativa* (“Camelina”), a nonfood feedstock. This unique “farm-to-fuel” business model allows Global Clean to achieve greater efficiencies throughout the value chain, lower the carbon intensity of its finished product, and provide a solution to the “food versus fuel” dilemma through its focus on a feedstock that does not compete with food. Global Clean currently owns the world’s largest portfolio of patented Camelina genetics and has established operations across the globe to plant, process, transport, and refine their Camelina into biomass feedstock, biofuel oil, and renewable fuel, including at its state-of-the-art renewable fuels facility in Bakersfield, California (the “Bakersfield Facility”). Global Clean employs or retains over 150 people and, in 2024, managed contracts with hundreds of growers around the world that planted more than 124,000 acres of Camelina in support of its worldwide operations.

6. On April 16, 2025 (the “Petition Date”), each Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. A detailed description of the Debtors, their businesses, and the facts and circumstances supporting the Debtors’ chapter 11 cases is set forth

in greater detail in the First Day Declarations, filed contemporaneously herewith and incorporated by reference herein.

7. The Debtors have filed a motion contemporaneously herewith requesting procedural consolidation and joint administration of these chapter 11 cases pursuant to Bankruptcy Rule 1015(b) and Bankruptcy Local Rule 1015-1. The Debtors are operating their businesses and managing their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in these chapter 11 cases, and no official committees have been appointed or designated.

Basis for Relief

I. Authorizing the Debtors to Redact Certain Personally Identifiable Information Is Warranted Under the Circumstances of These Chapter 11 Cases.

8. Section 107(c)(1) of the Bankruptcy Code provides that the Court:

[F]or cause, may protect an individual, with respect to the following types of information to the extent the court finds that disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual or the individual's property:

(A) Any means of identification . . . contained in a paper filed, or to be filed, in a case under [the Bankruptcy Code].

(B) Other information contained in a paper described in subparagraph (A).

11 U.S.C. § 107(c)(1).

9. Bankruptcy Local Rule 9037-1(b) further recognizes that “[c]ertain documents are routinely redacted to remove personal identifying information or other content that is not relevant to a decision by the Court.” This rule provides that: “[i]n those instances, (i) the document may be filed in redacted form only; (ii) no document should be filed that contains the redacted

information; and (iii) the balance of this Rule 5003-1 [sic] does not apply.” Bankruptcy Local Rule 9037-1(b).

10. In addition, privacy and data protection regulations have been enacted in the key jurisdictions in which the Debtors and their non-debtor affiliates do business. For example, the state of California—the location of the Debtors’ principal place of business—enacted the California Consumer Privacy Act of 2018 (the “CCPA”),³ which provides individuals domiciled in California the right to, among other things, request their collected personal information, including postal addresses, be deleted by entities subject to the regulation and opt out of the sale of personal information by such entities to third parties. Violators risk injunctions and civil penalties of up to \$2,500 for each violation and up to \$7,500 for each intentional violation. Cal. Civ. Code § 1798.155. The CCPA applies to all for-profit entities doing business in California (“CCPA Entities”) that collect and process consumers’ personal data and satisfy one of the following criteria: (a) annual gross revenue in excess of \$25 million; (b) buys, shares, receives, or sells the personal information of more than 100,000 consumers, households, or devices for commercial purposes; or (c) receives fifty percent or more of their annual revenues from selling

³ Many other states have enacted similar privacy laws. *See also* the Virginia Consumer Data Protection Act, Va. Code §§ 59.1-575-59.1-585 (effective on Jan. 1, 2023), the Connecticut Act Concerning Personal Data Privacy and Online Monitoring, Conn. Pub. Act § 22-15 (effective on July 1, 2023), the Colorado Privacy Act, Colo. Rev. Stat. § 6-1 (effective on July 1, 2023), the Utah Consumer Privacy Act, Utah Code § 13-61 (effective on Dec. 31, 2023), the Florida Digital Bill of Rights, Fla. Stat. § 501.701 (effective on July 1, 2024), the Oregon Consumer Privacy Act, Or. Rev. Stat. § 1.13 (effective on Jan. 1, 2024), the Texas Data Privacy and Security Act, Tex. Bus. & Com. Code Ann. § 541 (effective on July 1, 2024), the Montana Consumer Data Privacy Act, Mont. Code Ann. § 35 (effective on Oct. 1, 2024), the Delaware Personal Data Privacy Act, Del. Code Ann. tit. 6 § 12D-102 (effective on Jan. 1, 2025), the Iowa Data Privacy Law, Iowa Code § 715D.1 (effective on Jan. 1, 2025), the New Hampshire Privacy Law, N.H. Rev. Stat. Ann. § 507-H:1 (effective on Jan. 1, 2025), the Nebraska Data Privacy Act, Neb. Rev. Stat. §§ 87-1101 to 87-1130 (effective on Jan. 1, 2025), the New Jersey Data Privacy Act, N.J. Rev. Stat. § 56:1 (effective on Jan. 15, 2025), the Tennessee Information Protection Act, Tenn. Code Ann. § 47-18 (effective on July 1, 2025), the Minnesota Consumer Data Privacy Act, Min. Stat. Ann. § 325O (effective on July 31, 2025), the Rhode Island Data Transparency and Privacy Protection Act, R.I. Gen. Laws § 6-48.1-1 (effective on Jan. 1, 2026), the Indiana Data Privacy Law, Ind. Code § 24-15 (effective on Jan. 1, 2026), and the Kentucky Consumer Data Protection Act, Ky. Rev. Stat. Ann. § 367.3611 (effective on Jan. 1, 2026).

consumers' personal information. Cal. Civ. Code § 1798.140(d)(1). The Debtors qualify as CCPA Entities because the Debtors' annual gross revenue for 2024 of \$31.2 million exceeded \$25 million.

11. In addition, the European General Data Protection Regulation (the "EU GDPR") and similar laws in other jurisdictions impose significant constraints on the processing (which includes the transferring or disclosing) of information relating to identified or identifiable individuals (which includes names and home addresses of individuals and individual business contacts) ("Personal Data"). The EU GDPR applies to the processing of Personal Data in the context of an establishment of a controller or processor in the European Economic Area regardless of whether the processing takes place in the European Economic Area (and, in some circumstances, organizations established in other countries when processing Personal Data relating to individuals located in the European Economic Area).

12. The EU GDPR requires a legal basis for all processing (including the disclosure) of Personal Data. The only possible legal basis that may apply for disclosing the Personal Data in this instance would be the "legitimate interests" ground. *See* Article 6(1)(f) EU GDPR. The "legitimate interests" ground, however, can only be relied on as a legal basis if the processing is necessary to achieve the relevant purpose, and if the same result can reasonably be achieved in a less intrusive way, the legitimate interest exception no longer applies. Nor can the legitimate interest assessment serve as a legal basis if the rights and freedoms of the relevant individuals override the legitimate interest in question. Moreover, the legal basis of "compliance with a legal

obligation,” Article 6(1)(c) EU GDPR, would not be applicable here, since it is restricted to legal obligations under EU law, and not foreign laws such as the Bankruptcy Code.

13. Violators of the EU GDPR risk severe penalties. If an organization is found to have processed information in breach of the EU GDPR, the organization may be fined up to the higher of €20,000,000 or 4 percent of worldwide annual turnover—*i.e.*, total annual revenues—of the preceding financial year. *See* General Data Protection Regulation (EU) 2016/679, art. 83(5).⁴ The EU GDPR may apply, as non-Debtor affiliate Camelina Company España, S.L. is located in Spain, a member of the European Economic Area. In the ordinary course of business, the Debtors may process data in connection with, among other things, employees, contractors, and suppliers in Spain.

14. The EU GDPR does not supersede the Bankruptcy Code, but rather, the Debtors must meet their obligations under section 107(c) of the Bankruptcy Code in conjunction with respecting the EU GDPR, especially because non-Debtor affiliates operate and are domiciled in jurisdictions governed by the EU GDPR. Compliance with the EU GDPR is the only way the Debtors can ensure that privacy rights of the individuals subject to the regulations, and such individuals’ reasonable expectations with respect to their privacy rights, are protected. The Debtors must also comply with the CCPA for the same reasons. Section 107(c) of the Bankruptcy Code, by incorporating 18 U.S.C. § 1028(d), contemplates that courts may, for cause, protect an

⁴ Indeed, on August 26, 2024, the Dutch Data Protection Authority fined Uber €290 million for transferring the personal data of European drivers to United States servers in violation of the EU GDPR; *see* Dutch DPA Imposes a Fine of 290 Million Euro on Uber Because of Transfers of Drivers’ Data to the US, AUTORITEIT PERSOONSgegevens [DUTCH DATA PROT. AUTH.] (Aug. 26, 2024), <https://www.autoriteitpersoonsgegevens.nl/en/current/dutch-dpa-imposes-a-fine-of-290-million-euro-on-uberbecause-of-transfers-of-drivers-data-to-the-us>. And, on May 12, 2023, the Data Protection Commission of Ireland fined Facebook (Meta Ireland) €1.2 billion for improperly transferring data to the United States under the EU GDPR. *See* In re Meta Platforms Ireland Ltd., Reference No. IN-20-8-1 (Ir. Data Prot. Comm’n May 12, 2023).

individual’s identifying information (defining “means of identification” as “any name or number that may be used, alone, or in conjunction with any other information, to identify a specific individual”). 18 U.S.C. § 1028(d)(7). Thus, by redacting personally identifiable information on the public docket, the Debtors are complying with their obligations under the Bankruptcy Code, protecting individuals’ interests and rights to privacy, complying with the CCPA, and abiding by one of the foundational principles of the EU GDPR by opting for the least intrusive way to reasonably achieve the desired purpose. *See* EU GDPR Art. 5(1)(c).⁵

15. The Debtors therefore request authority to redact from any paper filed or to be filed with this Court in these chapter 11 cases, including, but not limited to, the consolidated creditor matrix (the “Consolidated Creditor Matrix”),⁶ the Debtors’ schedules of assets and liabilities and statements of financial affairs (the “Schedules and Statements”), proofs of claim, and any related affidavits of service, the names, home and email addresses, and other personally identifiable information of all natural persons—including the Debtors’ current and former employees and individual equity holders. This relief is requested because (a) such personally identifiable information can be used to perpetrate identity theft⁷ and phishing scams or to locate survivors of

⁵ Article 5(1)(c) EU GDPR (“Personal data shall be: . . . (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’).”).

⁶ Pursuant to Section E Rule 11 and Section F Rule 14(a) of the Complex Case Procedures, in a complex chapter 11 bankruptcy case, the debtors must maintain a consolidated creditor matrix and must file a single consolidated list of the 30 largest unsecured creditors (the “Top 30 Creditors List”) of all the jointly administered debtors.

⁷ *See In re Endo Int’l PLC*, No. 22-22549 (JLG), 2022 WL 16640880, at *7, 11, 12 (Bankr. S.D.N.Y. Nov. 2, 2022) (taking “judicial notice of the fact that identity theft is a world-wide problem,” recognizing that the right of public access to judicial records “is not absolute,” and authorizing the debtors to redact the names, home addresses, and e-mail addresses of certain litigation claimants located in the US, EU, UK, and Australia from any paper filed with that court and/or otherwise made publicly available by the debtors and the claims and noticing agent thereof); *see also In re FTX Trading Ltd.*, Civ. No. 23-682 (CFC), 2024 WL 4948827 at *11 (D. Del. Dec. 3, 2024) (affirming the bankruptcy court’s ruling to permanently redact the names, home addresses, and email addresses of natural persons finding that “[t]hese millions of customers would, absent the relief granted by the Bankruptcy Court, have their identities revealed without their consent (and in many cases without their knowledge).”); *In re Genesis Glob. Holdco, LLC*, 652 B.R. 618, 636–37 (Bankr. S.D.N.Y. 2023) (quoting *Endo* and finding that “[h]ome addresses fall within that category of information, as it is taken as a ‘given’ that they constitute personally

(Continued)

domestic violence, harassment, or stalking under section 107(c)(1) of the Bankruptcy Code and (b) disclosure of such personally identifiable information or Personal Data risks violating the EU GDPR, the CCPA, and other data and privacy laws and regulations, thereby exposing the Debtors to potential civil liability and significant financial penalties.

16. Redaction is necessary to protect information that would create an “undue risk of identity theft or other unlawful injury to the individual or the individual’s property.” 11 U.S.C. § 107(c)(1). The risk described in section 107(c)(1) of the Bankruptcy Code is real and not merely speculative. In one chapter 11 case in Delaware, the abusive former partner of a debtor’s employee used the publicly accessible creditor and employee information filed in the chapter 11 case to track the employee at her new address that was previously not publicly available, forcing the employee to change addresses again.⁸ More recently, in a chapter 11 case in the Southern District of New York, at least fifteen phishing scams have been uncovered.⁹ These phishing incidents targeted individuals whose names were publicized in the creditor matrix, including one in which scammers modified a court order and sent it to individuals whose names were disclosed, two where scammers posed as associates of debtors’ counsel using fake e-mail accounts purportedly from debtors’ counsel and requested that individual creditors reply with their account and other personal information, and many where scammers posed as the debtors’ claims agent and requested the same information from individual creditors. These scams took place even

identifiable information that is vital information to perpetrators of identity theft, stalking and intimate partner violence alike, and that publishing such information facilitates an identity thief’s search for data and a stalker’s or abuser’s ability to find his or her target”). *Id.*

⁸ The incident, which took place during the first Charming Charlie chapter 11 case in 2017, is described in the “creditor matrix motion” filed in *Charming Charlie Holdings Inc.*, No. 19-11534 (CSS) (Bankr. D. Del. Jul. 11, 2019), Docket No. 4.

⁹ See *In re Celsius Network, LLC*, No. 22-10964 (MG), Docket Nos. 1527, 1681, 1904, 1992, 2082, 2896, 3121, 3251, 3422, 3722, 3932, 4070, 4763, 7729, and 7886.

though the bankruptcy court authorized the redaction of creditor e-mails. The scammers appear to have used solely creditors' names, without access to other personally identifiable information, and cross-referenced such names with other data leaks to obtain the email addresses used to contact those creditors. These events suggest that disclosure of personal data of individuals would not satisfy a legitimate interest assessment and would not be compliant with the minimization principle under the EU GDPR.

17. Courts in this jurisdiction have granted the relief requested herein in comparable chapter 11 cases. *See, e.g., In re Northvolt AB*, No. 24-90577 (ARP) (Bankr. S.D. Tex. Nov. 21, 2024) (authorizing the debtors to redact personally identifiable information, including the names, home addresses, and personal email addresses, of individuals listed on the creditor matrix or other documents filed with the court); *In re Vertex Energy, Inc.*, No. 24-90507 (CML) (Bankr. S.D. Tex. Sept. 25, 2024) (same); *In re Digit. Media Sols., Inc.*, No. 24-90468 (ARP) (Bankr. S.D. Tex. Sept. 12, 2024) (same); *In re Center for Autism and Related Disorders, LLC*, No. 23-90709 (DRJ) (Bankr. S.D. Tex. June 12, 2023) (same); *In re SmileDirectClub, Inc.*, No. 23-90786 (CML) (Bankr. S.D. Tex. Oct. 2, 2023) (same).¹⁰

18. For these reasons, the Debtors submit that cause exists to authorize the Debtors to redact, pursuant to section 107(c)(1) of the Bankruptcy Code, and in compliance with applicable privacy or data protection laws and regulations, the names, home addresses, and email addresses of natural persons listed on the Consolidated Creditor Matrix, Schedules and Statements, proofs of claim, any related affidavits of service, or any other document filed with the Court. Absent such relief, the Debtors (a) may be in violation of applicable privacy or data protection laws, thereby exposing the Debtors to severe monetary penalties which could threaten the Debtors' operations

¹⁰ Because of the voluminous nature of the orders cited herein, such orders have not been attached to this Motion. Copies of these orders are available upon request to the Debtors' proposed counsel.

during this sensitive stage of their restructuring, (b) would unnecessarily render individuals more susceptible to identity theft and phishing scams, and (c) could jeopardize the safety of individuals who, unbeknownst to the Debtors, are survivors of domestic violence, harassment, or stalking by publishing their home and e-mail addresses without any advance notice or opportunity to opt out or take protective measures.

19. The Debtors propose to provide unredacted versions of the Consolidated Creditor Matrix, Schedules and Statements, proofs of claim, any related affidavits of service, and any other filings redacted pursuant to the proposed order to (a) the Court, (b) the United States Trustee for the Southern District of Texas (the “U.S. Trustee”), (c) counsel to any official committee appointed in these chapter 11 cases, (d) Epiq Corporate Restructuring LLC (“Epiq”), the proposed claims, noticing, and solicitation agent, and (e) any party in interest upon a request to the Debtors (email being sufficient) or to the Court that is reasonably related to these chapter 11 cases and that represents that the unredacted version(s) will be maintained in confidence. In each case, this would be subject to a review of whether such disclosure, on a case-by-case basis, would violate any obligation under any other privacy or data protection law or regulation. Nothing requested herein is intended to preclude a party in interest’s right to file a motion requesting that the Court unseal the information redacted by the Order. The Debtors will also distribute, as applicable, any notices that are received at the Debtors’ corporate headquarters and that are intended for a current employee.

II. Waiver of the Requirement to File a List of the Equity Security Holders Is Warranted Under the Circumstances of These Chapter 11 Cases.

20. The Bankruptcy Rules contain certain requirements with respect to a debtor’s equity security holders. Bankruptcy Rule 1007(a)(3) requires a debtor to file, within fourteen (14) days after the petition date, a list of the debtor’s equity security holders. Bankruptcy Rule 2002(d),

in turn, requires that equity security holders be provided notice of, among other things, the commencement of the bankruptcy case and the confirmation hearing. Bankruptcy courts have authority to modify or waive the requirements under both rules. *See* Fed. R. Bankr. P. 1007(a)(3) (“[U]nless the court orders otherwise, a chapter 11 debtor must . . . file a list of the debtor’s equity security holders”); Fed. R. Bankr. P. 2002(d) (“[U]nless the court orders otherwise, in a Chapter 11 case the clerk or the court’s designee must give notice . . . to the equity security holders”); *see also* 11 U.S.C. § 105(a) (“The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.”); Fed. R. Bankr. P. 9007 (“Unless these rules provide otherwise, when notice is to be given, the court must designate (1) the deadline for giving it; (2) the entities to whom it must be given; and (3) the form and manner of giving it.”).

21. The requirements to file a list of, and to provide notice directly to, equity security holders should be waived as to GCEH. GCEH’s common stock is traded over-the-counter with approximately 50,219,640 shares of common stock outstanding as of the Petition Date, a significant amount of which cannot be readily traced to specific individual holders. Specifically, GCEH’s common stock is traded on the OTCQB, under the ticker symbol “GCEH.” GCEH must therefore obtain the names and addresses of its widely-dispersed equity security holders from a securities agent. Preparing and submitting such a list with last-known addresses for each equity security holder and sending notices to all such parties would create undue expense and an administrative burden with limited corresponding benefit to the estates or parties in interest.

22. GCEH has taken, or will take, several actions to inform its equity security holders of the commencement of these chapter 11 cases. With its petition, GCEH filed a list of persons and entities which hold 5% or more of its outstanding common stock. On or about the date hereof, GCEH will issue a press release and file an 8-K with the U.S. Securities and Exchange Commission

announcing the chapter 11 filing. Additionally, as soon as practicable following the date hereof, GCEH will send notices to public equity security holders through the Depository Trust Company (the “DTC”) to meet the noticing requirements under Bankruptcy Rule 2002(d).

23. For these reasons, the Debtors request that the Court waive the requirements to file a list of, and to provide notice directly to, GCEH’s equity security holders (other than registered holders), as courts in this jurisdiction have done in comparable chapter 11 cases. *See e.g., In re Vertex Energy, Inc.*, No. 24-90507 (CML) (Bankr. S.D. Tex. Sept. 25, 2024) (waiving the requirement that the debtors file a list of equity security holders pursuant to Bankruptcy Rule 1007(a)(3)); *In re Digit. Media Sols., Inc.*, No. 24-90468 (ARP) (Bankr. S.D. Tex. Sept 12, 2024) (same); *In re SmileDirectClub, Inc.*, No. 23-90786 (CML) (Bankr. S.D. Tex. Oct. 2, 2023) (same); *In re QualTek Servs. Inc.*, No. 23-90584 (CML) (Bankr. S.D. Tex. May 24, 2023) (same); *In re Cineworld Group PLC*, No. 22-90168 (MI) (Bankr. S. D. Tex. Sept. 9, 2022) (same).¹¹

III. Service of Required Notices to Creditors Is Appropriate and Should Be Approved.

24. Although the Bankruptcy Rules generally require notices to be served on creditors at their addresses, they give significant latitude to bankruptcy courts for modifying the general rule. *See* Fed. R. Bankr. P. 2002(m) and 9007. Bankruptcy courts have explicit authority to modify the manner in which notice is given. Fed. R. Bankr. P. 2002(m). In other large chapter 11 cases, courts in this district have allowed debtors to distribute notices to parties in interest via e-mail in lieu of mailing. *See, e.g., In re Northvolt AB*, No. 24-90577 (ARP) (Bankr. S.D. Tex. Nov. 21, 2024) (authorizing the debtors to distribute notices to parties in interest via e-mail in lieu of mail); *In re Vertex Energy, Inc.*, No. 24-90507 (CML) (Bankr. S.D. Tex. Sept. 25, 2024) (same); *In re Digit. Media Sols.*, No. 24-90468 (ARP) (Bankr. S.D. Tex. Sept 12, 2024) (same);

¹¹ Because of the voluminous nature of the orders cited herein, such orders have not been attached to this Motion. Copies of these orders are available upon request to the Debtors’ proposed counsel.

In re SmileDirectClub, Inc., No. 23-90786 (CML) (Bankr. S.D. Tex. Oct. 2, 2023) (same); *In re QualTek Servs. Inc.*, No 23-90584 (CML) Bankr. S.D. Tex. May 24, 2023) (same).

25. The Debtors have a significant number of parties in interest in these chapter 11 cases. The cost of traditional mail service would impose a significant financial burden on the Debtors. Also, the Debtors do not maintain records of mailing addresses for many of these contacts. Email service is the most efficient and cost-effective manner to complete service of all interested parties, and service of notices via e-mail to such parties is warranted under the circumstances and will alleviate an administrative burden otherwise imposed on the Debtors. In the event the Debtors do not have an email for a party in interest, the Debtors will proceed with mailing in lieu of email.

26. Additionally, Bankruptcy Rule 2002(a) provides, in relevant part, that “the clerk or some other person as the court may direct, shall give the debtor, the trustee, all creditors, and all indenture trustees at least 21 days’ notice by mail of: (1) the meeting of creditors under § 341 or § 1104(b) of the Code. . . .” Fed. R. Bankr. P. 2002(a). The Debtors propose that Epiq undertake all mailings and email service, as applicable, directed by the Court or the U.S. Trustee or as required in section 342(a) of the Bankruptcy Code and Bankruptcy Rule 2002(a) and (f), including the notice of commencement of these chapter 11 cases, substantially in the form attached to the Order as Exhibit A (the “Notice of Commencement”), on all parties listed on the Consolidated Creditor Matrix to advise them of the meeting of creditors under section 341 of the Bankruptcy Code. Service of the Notice of Commencement on the Consolidated Creditor Matrix will not only avoid confusion among creditors but also will prevent the Debtors’ estates from incurring unnecessary costs associated with serving multiple notices to the parties listed on the Debtors’

voluminous Consolidated Creditor Matrix. Accordingly, service of the Notice of Commencement is warranted.

27. The Debtors believe that using Epiq to promptly provide notices to all applicable parties will maximize efficiency in administering these chapter 11 cases and will ease administrative burdens that would otherwise fall upon the Court and the U.S. Trustee. Additionally, Epiq will assist the Debtors in preparing creditor lists and mailing or electronically mailing initial notices. Therefore, it is more efficient to authorize Epiq to undertake the mailing or email service, as applicable, of the Notice of Commencement of these chapter 11 cases. Accordingly, the Court should authorize Epiq to undertake such mailings and email service, as applicable, as courts in this jurisdiction have done in other comparable chapter 11 cases. *See, e.g., In re Northvolt AB*, No. 24-90577 (ARP) (Bankr. S.D. Tex. Nov. 21, 2024) (authorizing the debtors' claims agent to notify creditors of the commencement of the chapter 11 cases and other information); *In re Vertex Energy, Inc.*, No. 24-90507 (CML) (Bankr. S.D. Tex. Sept. 25, 2024) (same); *In re Digit. Media Sols.*, No. 24-90468 (ARP) (Bankr. S.D. Tex. Sept 12, 2024) (same); *In re SmileDirectClub, Inc.*, No. 23-90786 (CML) (Bankr. S.D. Tex. Oct. 2, 2023) (same); *In re QualTek Servs. Inc.*, No. 23-90584 (CML) (Bankr. S.D. Tex. May 24, 2023) (same).¹²

Emergency Consideration

28. Pursuant to Bankruptcy Local Rule 9013-1, the Debtors request emergency consideration of this Motion. This Motion requests relief from procedural rules and requirements that pertain to matters of immediate significance or which involve deadlines sooner than twenty-one (21) days following the Petition Date. The relief will save costs and avoid undue

¹² Because of the voluminous nature of the orders cited herein, such orders have not been attached to this Motion. Copies of these orders are available upon request to the Debtors' proposed counsel.

administrative burden and confusion only if granted immediately. The Debtors therefore request that the Court approve the relief requested in this Motion on an emergency basis.

Notice

29. The Debtors will provide notice of this Motion to the following parties or their respective counsel: (a) the U.S. Trustee; (b) the holders of the 30 largest unsecured claims against the Debtors (on a consolidated basis); (c) the agents under the Debtors' DIP Facilities and counsel thereto; (d) counsel to the RCF Lenders and Vitol; (e) counsel to the Prepetition Term Loan Agent; (f) counsel to CTCI; (g) the United States Attorney's Office for the Southern District of Texas; (h) the Internal Revenue Service; (i) the Environmental Protection Agency; (j) the United States Securities and Exchange Commission; (k) the state attorneys general for states in which the Debtors conduct business; and (l) any party that has requested notice pursuant to Bankruptcy Rule 2002. In light of the nature of the relief requested, no other or further notice need be given.

[Remainder of page intentionally left blank.]

WHEREFORE, the Debtors request that the Court enter the Order granting the relief requested herein and such other relief as the Court deems appropriate under the circumstances.

Houston, Texas
Dated: April 16, 2025

/s/ Jason L. Boland

NORTON ROSE FULBRIGHT US LLP

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*Proposed Co-Counsel to the Debtors
and Debtors in Possession*

*Proposed Co-Counsel to the Debtors
and Debtors in Possession*

Certificate of Accuracy

In accordance with Bankruptcy Local Rule 9013-1(i), I hereby certify that the foregoing statements regarding the nature of the emergency are true and accurate to the best of my knowledge.

/s/ Jason L. Boland

Jason L. Boland

Certificate of Service

I certify that on April 16, 2025, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas. Additionally, the foregoing document will be served as set forth in a forthcoming affidavit filed by the Debtors' proposed claims agent.

/s/ Jason L. Boland

Jason L. Boland

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

In re:

GLOBAL CLEAN ENERGY
HOLDINGS, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 25-90113 (ARP)
)
)
) (Joint Administration Requested)
)
) Re: Docket No. ____

**ORDER (I) AUTHORIZING THE
DEBTORS TO REDACT CERTAIN PERSONALLY
IDENTIFIABLE INFORMATION OF NATURAL PERSONS,
(II) WAIVING THE REQUIREMENT TO FILE A LIST OF EQUITY
SECURITY HOLDERS, (III) APPROVING THE FORM AND MANNER OF
NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE CHAPTER 11
CASES AND OTHER INFORMATION, AND (IV) GRANTING RELATED RELIEF**

Upon the emergency motion (the “Motion”)² of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) for entry of an order (this “Order”): (a) authorizing the Debtors to redact certain personally identifiable information of natural persons; (b) waiving the requirement to file a list of, and provide notice directly to, certain equity security holders of Debtor GCEH; (c) approving the form and manner of notifying creditors of the commencement of these chapter 11 cases and other information; and (d) granting related relief, all as more fully set forth in the Motion; and upon the First Day Declarations; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Order of Reference to Bankruptcy Judges* from the United States District Court for the Southern District of Texas, entered May 24, 2012;

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/GCEHoldings>. The location of Debtor Global Clean Energy Holdings, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is: 6451 Rosedale Highway, Bakersfield, California 93308.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that it may enter a final order consistent with Article III of the United States Constitution; 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 Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing 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. The Debtors are authorized to file a Consolidated Creditor Matrix and a Consolidated Top 30 Creditors List.³

2. The Debtors and Epiq Corporate Restructuring LLC ("Epiq") (as claims and noticing agent) are authorized to redact on the Consolidated Creditor Matrix, the Schedules and Statements, proofs of claim, any related affidavits of service, and any other documents filed with this Court, the names, home addresses, email addresses, and other personally identifiable information and other Personal Data of all natural persons. The Debtors shall provide unredacted versions of the Consolidated Creditor Matrix, the Schedules and Statements, proofs of claim, any

³ Pursuant to Section E. Rule 11 and Section F. Rule 14(a) of the Complex Case Procedures, in a complex chapter 11 bankruptcy case the debtors must maintain a consolidated creditor matrix and must file a single, consolidated list of the 30 largest unsecured creditors of all the jointly administered debtors.

related affidavits of service, and any other filings redacted pursuant to this Order to (a) this Court, (b) the U.S. Trustee, (c) counsel to any official committee appointed in these chapter 11 cases, (d) Epiq, and (e) any party in interest upon a request to the Debtors (email being sufficient) or to this Court that is reasonably related to these chapter 11 cases, subject to the restrictions of the EU GDPR and any other privacy or data protection law or regulation, *provided* that any receiving party shall not transfer or otherwise provide such unredacted document to any person or entity not party to the request and shall represent that the unredacted version(s) of the documents will be maintained in confidence. The Debtors shall inform the Court and the U.S. Trustee promptly after denying any request for an unredacted document pursuant to this Order. Nothing herein precludes a party in interest's right to file a motion requesting that this Court unseal the information redacted by this Order. For the avoidance of doubt, Bankruptcy Local Rule 9037-1(b) shall apply to any document redacted in accordance with this Order.

3. The requirement that Debtor GCEH file a list of equity security holders pursuant to Bankruptcy Rule 1007(a)(3) is waived, and the Debtors shall, to the extent reasonably practicable, serve the notices required under Bankruptcy Rule 2002(d) on the registered holders of Debtor GCEH's equity securities and, to the extent they are known, on beneficial holders through the appropriate broker, or other intermediary, to the extent a beneficial equity holder holds such equity interest through such intermediary.

4. Any requirement that GCEH provide notice directly to equity security holders under Bankruptcy Rule 2002(d) is waived. The Debtors shall publish the Notice of Commencement on the Debtors' case website located at <https://dm.epiq11.com/GCEHHoldings> and file a Form 8-K with the United States Securities and Exchange Commission as soon as practicable after entry of this Order, notifying their investors and other parties of the commencement of these

chapter 11 cases. The Debtors are further authorized to issue a press release announcing the bankruptcy filing, and the Debtors will serve the notices required under Bankruptcy Rule 2002(d), to the extent they are known, on public equity holders through the DTC as soon as reasonably practicable.

5. The Notice of Commencement, substantially in the form attached hereto as **Exhibit A**, is hereby approved. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of (a) the commencement of these chapter 11 cases and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

6. The Debtors shall cause Epiq to post the Notice of Commencement on the case website, <https://dm.epiq11.com/GCEHoldings>, as soon as practicable.

7. The Debtors, through Epiq, are authorized to serve all pleadings and papers, including the Notice of Commencement, on all parties listed on the Consolidated Creditor Matrix.

8. The Debtors, through Epiq, are authorized to distribute all pleadings and papers to parties in interest via email; *provided* that if the Debtors do not have a party in interest's email, then the Debtors, through Epiq, will mail all pleadings and papers to the party in interest.

9. To the extent notice or service by mail (as opposed to email) is required or requested, Epiq may serve individuals at their personal home addresses, ensuring that each individual will receive the same notices in these chapter 11 cases as all other creditors without the unnecessary public disclosure of his or her home address.

10. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion, and the requirements of the Bankruptcy Rules and the Bankruptcy Local Rules are satisfied by such notice.

11. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

12. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Exhibit A

Notice of Commencement

Information to identify the case:

Debtor: Global Clean Energy Holdings, Inc., et al. EIN: 87-0407858
 Name

United States Bankruptcy Court for the Southern District of Texas

Case Number: 25-90113 (ARP) Date case filed for Chapter 11: April 16, 2025

Official Form 309F1 (For Corporations or Partnerships)

Notice of Chapter 11 Bankruptcy Case**10/20**

For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors and debtors, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtors' full name: See chart below.

List of Jointly Administered Cases

NO.	DEBTOR	ADDRESS	CASE NO.	EIN #
1	Global Clean Energy Holdings, Inc.	6451 Rosedale Highway Bakersfield, CA 93308	25-90113 (ARP)	87-0407858
2	Agribody Technologies, Inc.	6451 Rosedale Highway Bakersfield, CA 93308	25-90114 (ARP)	47-5099274
3	Bakersfield Renewable Fuels, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90115 (ARP)	85-0967538
4	BKRF HCB, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90116 (ARP)	85-0516649
5	BKRF HCP, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90117 (ARP)	85-0551711
6	BKRF OCB, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90118 (ARP)	85-0520334
7	BKRF OCP, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90119 (ARP)	85-0561339
8	GCE Holdings Acquisitions, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90120 (ARP)	26-0478995
9	GCE International Development, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90121(ARP)	92-1343743
10	GCE Operating Company, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90122 (ARP)	84-4310268
11	GCEH CS Acquisition, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90123 (ARP)	88-2126197
12	GCEH Ventures, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90124 (ARP)	88-2108387

13	Global Clean Energy Texas, LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90112 (ARP)	80-5759684
14	Rosedale FinanceCo LLC	6451 Rosedale Highway Bakersfield, CA 93308	25-90125 (ARP)	87-4017519
15	Sustainable Oils, Inc.	6451 Rosedale Highway Bakersfield, CA 93308	25-90126 (ARP)	46-4461529

2. All other names used in the last 8 years: See Rider 1.

3. Address: See chart above.

4. Debtors' attorneys:

NORTON ROSE FULBRIGHT US LLP

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Julie Harrison (SBT 24092434)
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bob.bruner@nortonrosefulbright.com
julie.harrison@nortonrosefulbright.com
maria.mokrzycka@nortonrosefulbright.com

Debtors' notice and claims agent (for court documents and case information inquiries):

Case Website:

<https://dm.epiq11.com/GCEHoldings>

Email: GCEHoldings@epiqglobal.com

Telephone: (888) 754-0507 (Toll-free)
+1 (971) 257-5614 (International)

If by First-Class Mail:

GCEH Energy Claims Processing Center
c/o Epiq Corporate Restructuring, LLC
P.O. Box 4421
Beaverton, OR 97076-4421

-and-

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

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Facsimile: (212) 446-4900
Email: jsussberg@kirkland.com
brian.schartz@kirkland.com
ross.fiedler@kirkland.com

If by Hand Delivery or Overnight Mail:

GCEH Energy Claims Processing Center
c/o Epiq Corporate Restructuring, LLC
10300 SW Allen Blvd.
Beaverton, OR 97005

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

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Email: peter.candel@kirkland.com

*Proposed Co-Counsel to the Debtors
and Debtors in Possession*

5. Bankruptcy Clerk's Office

Documents in this case may be
filed at this address.

**United States Courthouse
515 Rusk Avenue
Houston, Texas 77002**

**Hours Open: Monday - Friday
8:00 AM - 5:00 PM CT
Contact phone: 713-250-5500**

All documents in this case are available
free of charge on the website of the

<p>You may inspect all records filed in this case at this office or online at www.pacer.gov</p>		<p>Debtors' notice and claims agent at https://dm.epiq11.com/GCEHoldings</p>	
<p>6. Meeting of Creditors</p> <p>The debtor's representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.</p>	<p>[•], 2025, at [•]:00 a/p.m. (prevailing Central Time)</p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Location: Telephone Conference Call</p> <p>Dial: [•] Code: [•]</p>	
<p>7. Proof of Claim Deadline:</p>	<p>Deadline for filing proof of claim:</p> <p>Not yet set. A deadline will be set by court order; you will receive another notice when the deadline is set.</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk's office.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> • Your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>; • You file a proof of claim in a different amount; or • You receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at https://pacer.uscourts.gov.</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>		
<p>8. Exception to discharge deadline</p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p>Deadline for filing the complaint: Not applicable</p>		
<p>9. Creditors with a foreign address</p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>		
<p>10. Filing a Chapter 11 bankruptcy case</p>	<p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend</p>		

	the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.
11. Discharge of debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.

Rider 1

Other Names Used in the Last 8 Years

Current Entity Name	Other Entity Name
GCEH Ventures, LLC	GCEH Acquisitions, LLC
Global Clean Energy Texas, LLC	GCE Texas, LLC