



ENTERED
10/09/2020

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

In re:	§	
	§	Chapter 11
	§	
UTEX INDUSTRIES, INC., et al.,	§	Case No. 20-34932 (DRJ)
	§	
Debtors.¹	§	(Jointly Administered)
	§	(Docket No. 18)

ORDER AUTHORIZING THE FILING OF DIP AGENT FEE LETTER UNDER SEAL

Upon the motion, dated October 8, 2020 (the “**Motion**”)² of UTEX Industries, Inc. and its affiliated debtors in the above-captioned chapter 11 cases, as debtors and debtors in possession (collectively, the “**Debtors**”), for entry of an order pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Local Rule 9037-1 (i) authorizing the Debtors to file under seal the DIP Agent Fee Letter, filed contemporaneously with the Motion and (ii) directing that the DIP Agent Fee Letter remain under seal and not be made available to anyone without the prior written consent of the Debtors and the DIP Agent, all as more fully set forth in the Motion; and upon consideration of the Dunayer Declaration; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: UTEX Industries, Inc. (9867), RSH Utex Holdings, LLC (4048), Industrial Sealing Solutions Holdings Inc. (0104), UI Sealing Technologies Intermediate Holdings, Inc. (9553), UTEX Holding, Inc. (8260), Applied Rubber Technology, Inc. (1790), CAM Specialty Intermediate Holdings, Inc. (9099), CAM Specialty Products, Inc. (8342), Duraquest, Inc. (7017), Work Manufacturing, L.L.C. (5341), Energy Products LLC (8160), and Arefco Seals, Inc. (5258). The Debtors’ mailing address is 10810 Katy Freeway, Suite 100, Houston, TX 77043.

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

and 1409; and due and proper notice of the Motion having been provided; and such notice having been adequate and appropriate under the circumstances, and it appearing that no other or further notice need be provided; and this Court having reviewed the Motion; and this Court having held a hearing to consider the relief requested in the motion; and all objections, if any, to the Motion having been withdrawn, resolved, or overruled; 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 it appearing that the relief requested in the Motion is in the best interests of the Debtors and their respective estates and creditors; 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 Motion is granted as set forth herein.
2. The Debtors are authorized, pursuant to section sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Local Rule 9037-1, to file the DIP Agent Fee Letter under seal.
3. The DIP Agent Fee Letter is confidential and shall remain under seal, and shall not be made available to anyone, except that copies of the DIP Agent Fee Letter shall be provided to the Court, the Clerk of the Court, the U.S. Trustee, and advisors to any statutory committee appointed in the chapter 11 cases (the “**Committee Professionals**”). The U.S. Trustee shall keep the DIP Agent Fee Letter and the terms thereof strictly confidential, and the Committee Professionals shall keep the DIP Agent Fee Letter and the terms thereof strictly confidential and maintained on a “professionals only” basis.
4. Any party who receives the DIP Agent Fee Letter in accordance with this Order shall not disclose or otherwise disseminate such DIP Agent Fee Letter, or the information

contained therein, to any other person or entity without the prior written consent of the Debtors and the DIP Agent.

5. Notwithstanding the provisions of Bankruptcy Rule 6004(h), this Order shall be immediately effective and enforceable upon its entry.

6. The Debtors are authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order. Any party may file a motion for disclosure of the Fee Letter upon a showing of sufficient cause.

Signed: October 09, 2020.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE