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Attorneys for Debtor, iDocket.com, LLC



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:

iDOCKET.COM, LLC

Debtor.

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Case No. 23-20220-RLJ-11

**DEBTOR'S EXPEDITED MOTION TO APPROVE STIPULATION
OF SETTLEMENT PURSUANT TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE 9019**

TO THE HONORABLE ROBERT L. JONES, UNITED STATES BANKRUPTCY JUDGE:

NOW COMES iDocket.com, LLC, (“iDocket” or “Debtor”), the Debtor in the above-referenced bankruptcy proceeding and files this *Expedited Motion to Approve Stipulation of Settlement Pursuant to Federal Rule of Bankruptcy Procedure 9019*, requesting that the Court enter an order approving the *Stipulation of Settlement of Claims by Debtor iDocket.com, LLC and Creditor IncluIT, LLC* substantially in the form attached hereto as **Exhibit “A”** (the “**Stipulation of Settlement**”). In support of this Motion, the Debtor respectfully states as follows:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (O). This Motion is brought under Federal Rule of Bankruptcy Procedure 9019.
2. On October 9, 2023, iDocket filed a petition for relief under Chapter 11 of the Bankruptcy Code in this Court (“**Bankruptcy Case**”).

3. IncluIT, LLC (“**IncluIT**”) performed various IT services for iDocket.com, LLC (“**iDocket**”) prior to iDocket filing for bankruptcy on October 9, 2023 (“**Petition Date**”). In April of 2023, iDocket executed various loan documents between iDocket and IncluIT setting forth the amount outstanding to IncluIT for the IT services. IncluIT filed its UCC-1 financing statement with the Texas Secretary of State’s Office on July 12, 2023. As of the Petition Date, IncluIT asserts a secured claim against iDocket in the amount of \$5,355,280.62 (“**IncluIT’s Claim**”). *See Claim # 16.*

4. IncluIT likewise asserts it performed various IT services for iDocket after the Petition Date until November 3, 2023, in the amount of \$45,981.00 (“**IncluIT’s Admin. Claim**”). Attached to the Stipulation (Exhibit “A”) are copies of IncluIT’s post-petition invoices.

5. iDocket asserts that IncluIT’s Claim should not be treated as a secured claim on account that any security interest IncluIT holds against iDocket’s assets is avoidable as a preference pursuant to 11 U.S.C. § 547 (“**Preference Claim**”). iDocket’s First Amended Plan (“**Plan**”) filed at Docket No. 68 specifically reserves iDocket’s Preference Claim and treats IncluIT’s Claim as a general unsecured claim under the Plan.

6. The Debtor and IncluIT have reached an agreement to compromise and settle the claim issues by virtue of the Stipulation of Settlement attached hereto as Exhibit “A.” In summary the Stipulation of Settlement provides as follows:

a. IncluIT stipulates, without the need for iDocket to file an adversary proceeding to seek avoidance of or otherwise litigate the Preference Claim, that IncluIT’s Claim shall be treated as a general unsecured claim in this bankruptcy case;

b. iDocket stipulates that IncluIT’s Claim in the amount of \$5,355,280.62 shall be an Allowed General Unsecured Claim, as that term is defined in the Plan, and entitled to share in the distributions to general unsecured creditors under the Plan;

c. iDocket further stipulates that IncluIT's Admin. Claim is a valid administrative expense claim under the Plan and shall be deemed allowed without further requirement for IncluIT to file an application or motion for allowance of IncluIT's Admin. Claim pursuant to Section 3.1 of Article III of the Plan; and

d. IncluIT stipulates that iDocket shall pay in full the IncluIT Admin. Claim in six equal monthly installments of \$7,663.50 with the first installment due on the Effective Date of the Plan and each subsequent installment due on the same date of each succeeding month until paid in full.

NEED FOR EXPEDITED HEARING ON SHORTENED NOTICE

7. Concurrently with the filing of this Motion, Debtor is filing a Motion for Expedited Hearing and to Shorten Notice. The Debtor's Plan is currently set for hearing on May 16, 2024 at 1:30 p.m. on the Court's regularly scheduled Amarillo docket. The Stipulation deals with the treatment of IncluIT's claims under the Plan and approval of the Stipulation by the Court will only further the terms of the Plan. The Debtor would show the Court that the approval of the Stipulation goes hand-in-hand with confirmation of the Plan, does not modify or change any terms of the Plan, and should be heard at the same time as the hearing on confirmation of Debtor's Plan.

WHEREFORE, PREMISES CONSIDERED, iDocket.com, LLC, the Debtor in this Bankruptcy Case respectfully requests that the Court (i) approve the foregoing Stipulation and enter an order granting the Debtor authority to enter into the Stipulation of Settlement attached as Exhibit "A," and (ii) grant such other and further relief as may be just and proper.

**SHORTENED NOTICE OF OPPORTUNITY FOR OBJECTION
AND NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN THAT EXPEDITED CONSIDERATION AND SHORTENED NOTICE HAVE BEEN REQUESTED. IF EXPEDITED CONSIDERATION IS GRANTED A HEARING ON THIS MOTION WILL BE HELD ON THURSDAY, MAY 16, 2024 AT 1:30 P.M., BY VIDEO CONFERENCE AND/OR PHONE. THIS HEARING WILL BE HELD VIA WEBEX. THE MEETING/DIAL-IN-INFORMATION FOR THIS DOCKET CAN BE FOUND ON THE COURT'S WEBSITE

(WWW.TXNB.USCOURTS.GOV) UNDER JUDGE JONES' "HEARING DATES AND CALENDAR" TAB PRIOR TO THE HEARING.

YOU WILL HAVE UNTIL WEDNESDAY, MAY 15, 2024 TO FILE YOUR OBJECTION TO THIS MOTION. ANY RESPONSE MUST BE FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT, FEDERAL BUILDING, 205 SOUTHEAST 5TH AVE., ROOM 133, AMARILLO, TEXAS 79101, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN.

Respectfully Submitted,

By: /s/ Brad W. Odell
Brad W. Odell: SBN 24065839

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Attorneys for Debtor, iDocket.com, LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion was served on the following parties in interest via ECF and/or regular U.S. Mail on this the 8th day of May, 2024 to the following listed parties in interest:

1. iDocket.com, LLC
Attn: Amelia Balderrama
447 Hickory
Hereford, Texas 79045
ameliab@idocket.com
Debtor
2. U.S. Trustee's Office
1100 Commerce St., Room 9C60
Dallas, Texas 75242
3. Stephen M. Pezanosky
HAYNES AND BOONE, LLP
301 Commerce Street, Suite 2600
Fort Worth, TX 76102
Attorneys for IncluIT, LLC

4. Jordan E. Chavez
HAYNES AND BOONE, LLP
2801 N. Harwood St., Suite 2300
Dallas, TX 75201
Attorneys for IncluIT, LLC
5. All parties receiving ECF Notice in this case.
6. All parties listed on the attached mailing matrix which is on file with this Motion, but not included in the mailing.

/s/ Brad W. Odell

Brad W. Odell

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

IN RE:

iDOCKET.COM, LLC

Debtor.

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Case No. 23-20220-RLJ-11

STIPULATION FOR SETTLEMENT OF CLAIMS BY DEBTOR IDOCKET.COM,
LLC AND CREDITOR INCLUIT, LLC

The Debtor, iDocket.com, LLC (“iDocket”), and IncludIT, LLC (“IncludIT”), a creditor and party-in-interest (each a “Party” and together the “Parties”), being desirous of resolving all disputes existing between them in the above-entitled bankruptcy case of iDocket.com, LLC without resort to further litigation, stipulate, covenant and agree (hereinafter “Stipulation”), through their counsel of record, as follows:

1. IncludIT performed various IT services for iDocket prior to iDocket filing for bankruptcy on October 9, 2023 (the “Petition Date”). In April of 2023, iDocket executed various loan documents between iDocket and IncludIT setting forth the amount outstanding to IncludIT for the IT services. IncludIT filed its UCC-1 financing statement with the Texas Secretary of State’s Office on July 12, 2023. As of the Petition Date, IncludIT asserts a secured claim against iDocket in the amount of \$5,355,280.62 (“IncludIT’s Claim”). See Claim # 16.

2. IncludIT likewise asserts it performed various IT services for iDocket after the Petition Date until November 3, 2023, in the amount of \$45,981.00 (“IncludIT’s Admin. Claim”). Attached to this Stipulation are copies of IncludIT’s post-petition invoices.

EXHIBIT "A"

3. iDocket asserts that IncluIT's Claim should not be treated as a secured claim on account that any security interest IncluIT holds against iDocket's assets is avoidable as a preference pursuant to 11 U.S.C. § 547 ("**Preference Claim**"). iDocket's First Amended Plan ("**Plan**") filed at Docket No. 68 specifically reserves iDocket's Preference Claim and treats IncluIT's Claim as a general unsecured claim under the Plan.

4. IncluIT stipulates, without the need for iDocket to file an adversary proceeding to seek avoidance of or otherwise litigate the Preference Claim, that IncluIT's Claim shall be treated as a general unsecured claim in this bankruptcy case.

5. iDocket stipulates that IncluIT's Claim in the amount of \$5,355,280.62 shall be deemed an Allowed General Unsecured Claim, as that term is defined in the Plan, and entitled to share in the distributions to general unsecured creditors under the Plan.

6. iDocket further stipulates that IncluIT's Admin. Claim is a valid administrative expense claim and shall be allowed without further requirement for IncluIT to file an application or motion seeking allowance of IncluIT's Admin. Claim pursuant to Section 3.1 of Article III of the Plan.

7. IncluIT stipulates that iDocket shall pay in full the IncluIT Admin. Claim in six equal monthly installments of \$7,663.50 with the first installment due on the Effective Date of the Plan and each subsequent installment due on the same date of each succeeding month until paid in full.

8. This Stipulation sets forth the entirety of the agreement reached between the Parties with respect to the subject matter of this Stipulation. This Stipulation may not be amended, other than by subsequent written agreement executed by the Parties hereto. No Party will be deemed to have waived any rights under this Stipulation absent a written

statement of waiver executed by the Party alleged to have waived rights. Any written waiver will be limited to the circumstances in which the waiver is given, unless a broader waiver is provided for in writing. This Stipulation will be construed and interpreted under the laws of the State of Texas. This Stipulation may be executed in counterparts, and signatures provided electronically.

9. This Stipulation shall become effective and enforceable upon the signatures of all counsel who have made appearances on behalf of parties in this bankruptcy case, and it is approved after motion, notice, and opportunity for hearing under the provisions of Federal Bankruptcy Rule of Procedure 9019 in the iDocket.com, LLC bankruptcy case.

[SIGNATURE PAGE TO FOLLOW]

Dated: May 8, 2024.

MULLIN HOARD & BROWN, LLP

BY: /s/ Brad W. Odell

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Counsel for iDocket.com, LLC

Dated: May 8, 2024

HAYNES AND BOONE, LLP

BY: /s/ Jordan E. Chavez (w/ permission)

Jordan E. Chavez

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State Bar No. 15881850
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