

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

iM3NY LLC, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 25-10131 (BLS)

(Jointly Administered)

**Related Docket Nos. 207, 230, and 244**

**ORDER (I) DISMISSING THE CHAPTER 11 CASES; (II) EXCULPATING  
CERTAIN PARTIES FROM LIABILITY IN CONNECTION WITH THE  
CHAPTER 11 CASES; (III) TERMINATING ENGAGEMENT OF CLAIMS  
AGENT; AND (IV) GRANTING RELATED RELIEF**

Upon consideration of the motion (the “**Motion**”)<sup>2</sup> of the Debtors for entry of an order (i) dismissing the Debtors’ chapter 11 cases (collectively, these “**Chapter 11 Cases**”); (ii) exculpating certain parties in connection with the Chapter 11 Cases; (iii) terminating the services of Stretto, as claims agent (the “**Claims Agent**”) in these Chapter 11 Cases; and (iv) granting related relief, pursuant to sections 105(a), 305(a), 349 and 1112(b) of the Bankruptcy Code, Bankruptcy Rule 1017(a), and Local Rule 1017-2; and the Court having jurisdiction to consider the Motion and to grant the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the matter being a core proceeding under 28 U.S.C. § 157(b)(2); and venue being proper under 28 U.S.C. §§ 1408 and 1409; and due and proper notice having been given, and it appearing that no other or further notice need be provided; and after due deliberation thereon and good and sufficient cause appearing therefor, it is hereby

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: (i) iM3NY LLC (N/A); and (ii) Imperium3 New York, Inc. (4574). The address of the Debtors’ corporate headquarters is 1093 Clark Street, Endicott, New York 13760.

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

**ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is GRANTED as set forth herein.
2. All objections to the Motion or the relief requested therein that have not been withdrawn, waived, or settled, and all reservations of rights included therein, are overruled on the merits and denied with prejudice.
3. Pursuant to sections 1112(b), 305(a), and 105(a) of the Bankruptcy Code, each of the Chapter 11 Cases are hereby dismissed effective as of the date of entry of this Order.
4. The Clerk of the Court shall enter this Order individually on each of the dockets of the Chapter 11 Cases and thereafter each docket shall be marked as “Closed.”
5. Notwithstanding anything to the contrary, including, without limitation, section 349 of the Bankruptcy Code, all prior orders, releases, stipulations, settlements, rulings, orders and judgments of this Court made during the course of the Chapter 11 Cases or any related adversary proceeding, including, without limitation, the Sale Order, and the Final DIP Order, shall remain final and in full force and effect, shall be unaffected by the dismissal of the Chapter 11 Cases, and are specifically preserved for all preclusive purposes, including, without limitation, collateral estoppel and *res judicata*.
6. Within ten (10) business days of entry of this Order, the Debtors shall remit all accrued and unpaid fees owed to the Office of the United States Trustee.
7. From and after the date of entry of this Order, the Debtors, their directors, and officers of the Debtors who served during any portion of these Chapter 11 Cases, and the Debtors’ professionals retained in these Chapter 11 Cases, the Committee and the Committee’s professionals retained in these Chapter 11 Cases (each an “**Exculpated Party**”), shall be exculpated from any liability for any act taken or omitted to be taken in good faith from the Petition

Date through the date of entry of this Order in connection with or related to the Chapter 11 Cases, including but not limited to, the implementation of this Order (other than an act in contravention of this Order), except for any claim or cause of action arising from the fraud, gross negligence, or willful misconduct of such Exculpated Party; provided, however, that Shailesh Upreti shall not be an Exculpated Party under this Order; provided further, however, that such exculpation shall in no way prejudice, affect, extinguish or otherwise impact any claims that Ramboll Americas Integrated Solutions, Inc. may have against any Exculpated Party concerning such party's prepetition conduct (the "**Ramboll Claims**"), which Ramboll Claims are expressly carved-out from this exculpation.

8. Entry of this Order is without prejudice to (a) the rights of the Debtors or any other party in interest to seek to reopen the Chapter 11 Cases for cause pursuant to section 350(b) of the Bankruptcy Code, and (b) the right of the Debtors or any other parties in interest to dispute, object to or resolve all claims that were filed against the Debtors in the Chapter 11 Cases.

9. Upon entry of this Order, Stretto, as the Debtors' claims and noticing agent, is relieved of its responsibilities as the Debtors' claims and noticing agent in these Chapter 11 Cases provided, however, Stretto shall provide the services described in this paragraph. Pursuant to Local Rule 2002-1(f)(ix), within fourteen (14) days of entry of this Order, the Claims Agent shall (i) forward to the Clerk of the Court an electric version of all imaged claims, (ii) upload the creditor mailing list into CM/ECF, and (iii) docket a combined final claims register in the lead case. Should the Claims Agent receive any mail regarding the Chapter 11 Cases after entry of this Order, the Claims Agent shall collect and forward such mail monthly, to the Debtors; provided, however, that the Claims Agent is authorized to destroy any undeliverable mail, correspondence, or other documents that it has in its possession related to the Debtors, other than the mail referenced in this paragraph.

10. Pursuant to sections 105(a) and 554 of the Bankruptcy Code and Bankruptcy Rule 6007, the Debtors are authorized, but not directed, to abandon or destroy, or cause to be abandoned or destroyed, any and all Books and Records not taken by the Buyer that remain with the Debtors' estates as of the date of entry of this Order; provided, however, that any hard copy documents containing personally identifiable information must be shredded and any electronic documents containing personally identifiable information must be destroyed.

11. The Court shall retain jurisdiction with respect to any matters, claims, rights or disputes arising from or relating to the implementation of any motion filed or order of this Court entered in these Chapter 11 Cases, including, without limitation, the Sale Order.

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

**Dated: June 26th, 2025**  
**Wilmington, Delaware**

  
**BRENDAN L. SHANNON**  
**UNITED STATES BANKRUPTCY JUDGE**

## Notice Recipients

District/Off: 0311-1

User: admin

Date Created: 6/26/2025

Case: 25-10131-BLS

Form ID: pdfodc

Total: 41

### Recipients submitted to the BNC (Bankruptcy Noticing Center) without an address:

crcm Committee of Unsecured Creditors  
 intp Patrick Gallagher

TOTAL: 2

### Recipients of Notice of Electronic Filing:

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TOTAL: 24

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