

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
MIAMI METALS I, INC., <i>et al.</i> ¹)	Case No. 18-13359 (shl)
)	
Debtors.)	(Jointly Administered)
)	

**ORDER GRANTING MOTION FOR
APPROVAL OF SETTLEMENT AND COMPROMISE WITH PYROPURE INC. D/B/A
PYROMET PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9019**

Upon the motion (the "Motion")² [ECF No. 1375] of Miami Metals I, Inc., *et al.*, as debtors and debtors-in-possession (collectively the "Debtors") in the above-captioned Chapter 11 cases (the "Chapter 11 Cases"), for entry of an Order approving the settlement and compromise between the Debtor, Miami Metals II f/k/a Republic Metals, Inc. ("Miami Metals II"), and Pyropure Inc., d/b/a Pyromet ("Pyromet"), pursuant to Federal Rule of Bankruptcy Procedure 9019 (the "Bankruptcy Rules"); and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this proceeding being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having reviewed the Motion and the Declaration of Scott Avila in Support of the Motion [ECF No. 1424]; and no objections to the Motion having been filed; and it appearing that notice of the Motion as set forth therein is sufficient under the circumstances,

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Miami Metals I, Inc. (f/k/a Republic Metals Refining Corporation), 15 West 47th Street, Suites 206 and 209, New York, NY 10036 (3194); Miami Metals II, Inc. (f/k/a Republic Metals Corporation), 12900 NW 38th Avenue, Miami, FL 33054 (4378); Miami Metals III LLC (f/k/a Republic Carbon Company), 5295 Northwest 163rd Street, Miami Gardens, FL 33014 (5833); Miami Metals IV LLC (f/k/a J & L Republic LLC), 12900 NW 38th Avenue, Miami, FL 33054 (7604); Miami Metals V LLC (f/k/a R & R Metals, LLC), 12900 NW 38th Avenue, Miami, FL 33054 (7848); Miami Metals VI (f/k/a RMC Diamonds, LLC), 12900 NW 38th Avenue, Miami, FL 33054 (1507); Miami Metals VII (f/k/a RMC2, LLC), 12900 NW 38th Avenue, Miami, FL 33054 (4696); Miami Metals VIII (f/k/a Republic High Tech Metals, LLC), 13001 NW 38 Avenue, Miami, FL 33054 (6102), 12900 NW 38th Avenue, Miami, FL 33054 (1507); Republic Metals Trading (Shanghai) Co., Ltd., 276 Ningbo Road, Huangpu District, Shanghai, P.R. 200001 China (1639); and Republic Trans Mexico Metals, S.R.L., Francisco I. Madero No. 55 Piso 5, Local 409, Centro Joyero Edificio Central, Delegación Cuauhtémoc, Mexico DF 6000 (2942).

² All capitalized terms not defined herein shall have the definitions set forth in the Motion.

and that no other or further notice need be provided; and it further appearing that the relief requested in the Motion is in the best interests of the Debtors' estates, creditors, and other parties-in-interest; and the Court having determined that the proposed Settlement Terms as set forth and defined in the Motion fall above the lowest point in the range of reasonableness; and upon all of the proceedings had before the Court on September 26, 2019; and after due deliberation and cause appearing;

IT IS HEREBY ORDERED THAT:

1. The Motion is **GRANTED** as set forth herein.
2. Pursuant to Bankruptcy Rule 9019 the Settlement Terms are approved and are fully enforceable in all respects.
3. The Settlement Terms are incorporated into and shall be deemed a part of this Order which together with the Motion shall constitute the settlement agreement between the parties.
4. Miami Metals II and Pyromet shall comply with the Settlement Terms.
5. Notwithstanding the possible applicability of Bankruptcy Rules 6004(a) and 6004(h) or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry, and the requirements of Bankruptcy Rules 6004(a) and 6004(h) are hereby waived.
6. Miami Metals II is hereby authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the Settlement Terms and the terms of this Order.
7. Debtor, Miami Metals II, for and on behalf of itself and its respective successors and assigns, and its bankruptcy estate shall be deemed to have released and forever discharged

Pyromet from any and all claims that have been or could have been asserted by Miami Metals II against Pyromet concerning Pyromet's commercial relationship with Miami Metals II, including without limitation avoidance actions pursuant to Chapter 5 of the Bankruptcy Code and the Liability.

8. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation and/or interpretation of this Order.

9. This Order shall be effective immediately upon entry by the Court.

Dated: New York, New York
September 26, 2019

/s/ Sean H. Lane
HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE