

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

**In re**

**HADAD DESIGN AND  
CONSTRUCTION, INC.,**

**Debtor.**

§  
§  
§  
§  
§  
§

**No. 24-33277  
Chapter 11**

---

**PENDERGRAFT & SIMON, LLP'S MOTION TO WITHDRAW AS COUNSEL FOR THE  
DEBTOR-IN-POSSESSION**

---

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

TO THE HONORABLE CHRISTOPHER M. LOPEZ:

Pendergraft & Simon, LLP ("P&S"), as counsel for the Debtor-in-Possession, respectfully submits this Motion to Withdraw as Counsel for Debtor-in-Possession ("DIP"), and in support, it respectfully shows:

1. Debtor, Hadad Design and Construction, Inc. filed a voluntary petition under Subchapter V of Chapter 11 of the United States Bankruptcy Code on July 18, 2024. At all material times, the Debtor has operated as a Debtor-in-Possession, and there is no pending motion to remove the Debtor as Debtor-in-Possession.

2. On August 15, 2024, the DIP filed an Application to Employ P&S as counsel (ECF no. 12). This Application was approved on October 28, 2024 (ECF no. 40).

3. P&S has concluded that it cannot continue as counsel for the DIP. P&S has given the DIP advice about the handling of this Chapter 11 case going forward that the DIP's management has refused to follow.

4. Further, P&S has recently become aware of information that the DIP's management withheld from P&S at the time P&S was engaged to represent the DIP.

5. P&S has advised the DIP's management to seek replacement counsel, and P&S assumes that the DIP's management is actively seeking to employ new counsel. Nonetheless, P&S is presently unaware that the DIP's management has counsel that is ready to represent it in this bankruptcy case. **P&S has advised—and does hereby advise—the DIP that it has the right to object to this Motion.** As shown on the Certificate of Service, the DIP's management is being served with copies of this Motion by e-mail, certified mail, and first-class mail.

WHEREFORE, premises considered, P&S requests that the Court set a hearing and after such hearing, enter an order authorizing P&S to withdraw as counsel and granting it such other relief which is just.

Respectfully submitted this 4th day of March 2025.

PENDERGRAFT & SIMON, LLP

/s/ William P. Haddock

Leonard H. Simon

Texas Bar No. 18387400

S.D. Tex. Adm. No. 8200

William P. Haddock

Texas Bar No. 00793875

S.D. Tex. Adm. No. 19637

2777 Allen Parkway, Suite 800

Houston, TX 77019

Tel. (713) 528-8555

Fax. (713) 868-1267

*Counsel for Debtor-in-Possession*

**Certificate of Service**

I hereby certify that a true and correct copy of the above Pendergraft & Simon, LLP's Motion to Withdraw as Counsel for the Debtor-In-Possession has been served on the following counsel/parties of record in accordance with Fed. R. Bankr. 9013 and local rules for electronic filing and service on this 4th day of March 2025:

All counsel/parties of record who have made an electronic appearance via the Court's CM/ECF system.		
Debtor-in-Possession by e-mail; certified mail, return receipt requested; and first-class mail, postage prepaid to:		
Elias Haddad Hadad Design & Construction, Inc. 1707 S. Durham Drive Houston, TX 77007 elihaddad5@gmail.com	Celeste Haddad Hadad Design & Construction, Inc. 1707 S. Durham Drive Houston, TX 77007 celestehaddad5@gmail.com	
Twenty largest unsecured creditors as shown on the attached List of Creditors who Have the 20 Largest Unsecured Claims via first-class mail, postage prepaid.		

/s/ William P. Haddock  
William P. Haddock

**Fill in this information to identify the case:**Debtor name Hadad Design and Construction, Inc.United States Bankruptcy Court for the: Southern District of Texas

Case number (If known): \_\_\_\_\_

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	MOMNT Finance Company PO Box 28619 Atlanta, GA, 30328	855-943-3485	Monies Loaned / Advanced				203,290.00
2	Claire and Don Dotson 11711 Country Way Houston, TX, 77024	T. Michael Ballases 713-977-8686 ballases@hooversloovacek.com	Pending lawsuit	Disputed Unliquidated			163,512.00
3	EnterBank USA 650 S. Main Street, Suite 1000 Salt Lake City, UT		Monies Loaned / Advanced				143,983.90
4	Thach Huynh and Natali 5419 Chapel Brook Houston, TX, 77069	Scott Meyer 817-442-5106 smeyer@loveinribman.com	Pending lawsuit	Disputed Unliquidated			118,664.50
5	Maxxine Roopchand 1809 Staffordshire Crescent Houston, TX, 77030	Cassandra McGravey 281-501-3030	Pending lawsuit	Disputed Unliquidated			110,000.00
6	Milagro Ayala 11626 Brighton Lane Stafford, TX, 77477		Agreed Judgment. Bill of Review filed 4/29/2024	Disputed			104,862.33
7	Eric D. Drymalla; Shasta Roca; Drymalla Family Living Trust 2103 Round Lake Dr. Houston, TX, 77077	Eddie Krenek 281-578-7711 edkrenak@krenaklaw.com	Pending lawsuit	Disputed Unliquidated			98,000.00
8	Chris and Megan Barnett 1227 W. Forrest Dr. Houston, TX, 77043	JohnPatout 346-450-5100 john.patout@plspcllc.com	Pending lawsuit	Disputed Unliquidated			90,140.00

Debtor Hadad Design and Construction, Inc.

Name

Case number (if known)

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Gwyn Von Heeder 10107 Valley Dr. Willis, TX, 77318	Lucas Miller 346-363-0334 lmiller@hayeshunterlaw.com	Agreed Judgment				87,652.47
10	2300 Richmond Ave., Ltd. 26511 I-45 North The Woodlands, TX, 77380		Back rent owed from COVID				82,178.14
11	Prolific Litigation Group LLP 4606 FM 1960 West, Suite 665 Houston, TX, 77069	Krystal Williams and/or Keneesha Johnson 832-730-0424	Services	Disputed			70,000.00
12	Thomas Schroeter 2215 Fulham Ct. Houston, TX, 77063	832-622-6883	Home remodeling contract	Contingent			69,309.73
13	Chris McGovern 3947 Mossy Cup Ln. Richmond, TX, 77469	630-632-9222	Home remodeling contract	Contingent			61,843.44
14	Kalaundra Carreathers 2625 Arlington Houston, TX, 77008	John Behan 817-442-5106 jbehan@lovinribman.com	Default judgment				61,186.70
15	Craig Vollmers and Katherine Timmins 2700 Albany Houston, TX, 77006	T. Michael Ballases 713-977-8686 balasses@hooversloovacek.com	Default judgment				60,905.47
16	Paul and Betty Chapin 1111 Marbrook Ct. Houston, TX, 77077	832-998-3204	Home remodeling contract	Contingent			60,511.65
17	Andrea Martin and Kiera Taliaferro 26 Rolling Stone Place Spring, TX, 77381	Lindsay Karm lkarm@stibbsco.com 281-367-2222	Pending lawsuit	Disputed Unliquidated			56,750.00
18	Bea and Robert Gonzales 2301 Creek Leaf Rd. Houston, TX, 77068	832-434-3774	Home remodeling contract	Contingent			55,374.31
19	Teresa Linnemann and Bill Hicks 5911 Wood Glen Point Spring, TX, 77379	832-693-8377	Home remodeling contract	Contingent			55,111.50
20	Gabriel Assaad and Kristin Assaad 3507 Bellefontaine Houston, TX, 77025	713-523-5500 gassad@mcdonaldworley.com	Pending lawsuit	Disputed Unliquidated			55,000.00