Case 17-36709 Document 802 Filed in TVCP on 04/00/10 Docket #0802 Date Filed: 04/09/2018

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

In re:	Chapter 11
COBALT INTERNATIONAL ENERGY, INC., et al., 1	Case No. 17-36709 (MI)
Debtors.	Jointly Administered

SUPPLEMENTAL CERTIFICATE OF SERVICE

- 1. I, Stephanie Delgado, depose and say that I am employed by Kurtzman Carson Consultants LLC ("KCC") the claims and noticing agent for the Debtors in the above-captioned case. I submit this Supplemental Affidavit in connection with the service of solicitation materials for the Fourth Amended Joint Chapter 11 Plan of Cobalt International Energy, Inc. and Its Debtor Affiliates [Docket No. 561] (the "Plan") and the Disclosure Statement for the Fourth Amended Joint Chapter 11 Plan of Cobalt International Energy, Inc. and Its Debtor Affiliates [Docket No. 562] (the "Disclosure Statement"). I am over the age of 18 and not a party to this action. Except as otherwise noted, I could and would testify to the following based upon my personal knowledge.
- 2. On January 11, 2018, the Court entered the Order Authorizing the Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Claims, Noticing, and Solicitation Agent to the Debtors, Effective Nunc Pro Tunc to the Petition Date [Docket No. 203].
- 3. Consistent with its retention as claims, noticing, and solicitation agent, KCC is charged with, among other things, the duty of printing and distributing Solicitation Packages² to creditors and other interested parties pursuant to the solicitation and voting procedures attached as an exhibit to the *Order (I) Approving the Adequacy of the Disclosure Statement, (II) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Debtors' Proposed Joint Chapter 11 Plan, (III) Approving the Forms of Ballots and Notices in Connection Therewith, (IV) Scheduling Certain Dates with Respect Thereto, and (V) Granting Related Relief [Docket No. 563] (the "Disclosure Statement Order"), as entered by the Court on March 8, 2018.*

The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Cobalt International Energy, Inc. (1169); Cobalt International Energy GP, LLC (7374); Cobalt International Energy, L.P. (2411); Cobalt GOM LLC (7188); Cobalt GOM # 1 LLC (7262); and Cobalt GOM # 2 LLC (7316). The Debtors' service address is: 920 Memorial City Way, Suite 100, Houston, Texas 77024.

Terms not otherwise defined herein shall have the same meanings ascribed to them in the Disclosure Statement Order.

- 4. The Solicitation Package consists of the following documents:
 - a. USB Flash Drive (the "<u>USB</u>") containing the following documents:
 - The Disclosure Statement;
 - the Plan; and
 - the Disclosure Statement Order (without exhibits, except the Solicitation and Voting Procedures);
 - b. Debtor cover letter (the "<u>Debtor Cover Letter</u>") (substantially in the form attached as <u>Schedule 7</u> to the Disclosure Statement Order);
 - c. Notice of Hearing to Consider Confirmation of the Chapter 11 Plan Filed by the Debtors and Related Voting and Objection Procedures (the "Confirmation Hearing Notice") (substantially in the form attached as Schedule 8 to the Disclosure Statement Order);
 - d. Beneficial Holder Release Opt Out Form for Class 3 (the "Class 3 Beneficial Holder Opt Out Form") (substantially in the form attached as Schedule 4C to the Disclosure Statement Order);
 - e. Notice of Non-Voting Status to Holders of Unimpaired Claims Conclusively Presumed to Accept the Plan (the "Unimpaired Non-Voting Notice") (substantially in the form attached as Schedule 4A to the Disclosure Statement Order);
 - f. Class 4, Class 5, and Class 6 Ballot for Beneficial Holders of Second Lien Notes Claims (the "Classes 4, 5, & 6 Beneficial Ballot") (substantially in the form attached as Schedule 3B to the Disclosure Statement Order);
 - g. Class 6 Ballot for Beneficial Holders of Cobalt General Unsecured Claims (the "Class 6 Beneficial Ballot") (substantially in the form attached as Schedule 3F to the Disclosure Statement Order);
 - h. Beneficial Holder Release Opt Out Form for Class 10 (the "Class 10 Beneficial Holder Opt Out Form") (substantially in the form attached as Schedule 5C to the Disclosure Statement Order);
 - i. Notice of Non-Voting Status to Holders of Impaired Claims and Equity Interests Deemed to Reject the Plan (the "Impaired Non-Voting Notice") (substantially in the form attached as Schedule 5A to the Disclosure Statement Order):
 - j. Master Release Opt Out Form for Class 3 (the "Class 3 Master Opt Out Form") (substantially in the form attached as Schedule 4B to the Disclosure Statement Order);

- k. Master Ballot for Class 4, Class 5, and Class 6 Holders of Second Lien Notes Claims (the "Classes 4, 5, & 6 Master Ballot") (substantially in the form attached as Schedule 3A to the Disclosure Statement Order;
- Master Ballot for Class 6 Holders of Cobalt General Unsecured Claims
 (the "Class 6 Master Ballot") (substantially in the form attached as Schedule 3E to the Disclosure Statement Order);
- m. Master Release Opt Out Form for Class 10 (the "Class 10 Master Opt Out Form") (substantially in the form attached as Schedule 5B to the Disclosure Statement Order);
- n. Class 5 Ballot for Holders of Subsidiary General Unsecured Claims ("Class 5 General Unsecured Ballot") (substantially in the form attached as Schedule 3C to the Disclosure Statement Order);
- o. Class 6 Ballot for Holders of Cobalt General Unsecured Claims ("Class 6 Unsecured Non-Notes Ballot") (substantially in the form attached as Schedule 3D to the Disclosure Statement Order);
- p. Release Opt Out Form for Class 1 or 2 ("Class 1 or 2 Opt Out Form") (substantially in the form attached as Schedule 4D to the Disclosure Statement Order);
- q. Registered Holder Release Opt Out Form for Class 7 or 10 ("Class 7 or 10 Opt Out Form") (substantially in the form attached as Schedule 5D to the Disclosure Statement Order);
- r. Optional Release Opt Out Form for Executory Contract or Unexpired Lease Parties ("Contract Party Opt Out Form") (substantially in the form attached as Schedule 12 to the Disclosure Statement Order); and
- s. Creditors' Committee Letter, dated March 9, 2018, (the "Committee Letter"), attached hereto as Exhibit A (mailed separate and apart from the Solicitation Package listed above).
- 5. On or before March 29, 2018, at my direction and under my supervision, employees of KCC caused the Contract Party Opt Out Form and Confirmation Hearing Notice to be served per postal forwarding address via First Class Mail to the parties on the service list attached hereto as **Exhibit B**;

6. On or before March 29, 2018, at my direction and under my supervision, employees of KCC caused the Confirmation Hearing Notice to be served per postal forwarding address via First Class Mail to the parties on the service list attached hereto as **Exhibit C**.

Dated: March 30, 2018

/s/ Stephanie Delgado Stephanie Delgado KCC 2335 Alaska Ave El Segundo, CA 90245 Tel 310.823.9000

Exhibit A

OPEN LETTER TO GENERAL UNSECURED CREDITORS FROM THE OFFICIAL CREDITORS' COMMITTEE RECOMMENDING THAT THEY VOTE TO REJECT THE PLAN

Dear General Unsecured Creditors:

The Official Committee of Unsecured creditors (the "Official Creditors' Committee") of Cobalt International Energy, Inc. and its affiliated chapter 11 Debtors (the "Debtors") is the statutory fiduciary representative of general unsecured creditors of the Debtors appointed by the Office of the United States Trustee, a division of the United States Department of Justice, and for the reasons set forth below strongly urges general unsecured creditors in Classes 5 and 6 to vote to **REJECT** the Debtors' Plan enclosed with this letter. As described below, the Official Creditors' Committee believes that the Debtors' plan does **NOT** comply with the Bankruptcy Code and gratuitously releases potentially valuable claims that could provide a meaningful recovery to general unsecured creditors.

Because the Official Creditors' Committee believes the Plan fails to comply with the Bankruptcy Code, it intends to vigorously object to the Plan on the ground that valuable claims against present and former officers, directors and shareholders of the Debtors are being inappropriately released to the detriment of general unsecured creditors.

All of these releases are being given for <u>no consideration</u> to the general unsecured creditors, notwithstanding that there are potentially valuable colorable claims against certain of the proposed released parties. The fact that the Debtors are seeking to release these potentially valuable claims for no consideration is illegal, is wrong and makes the Plan unconfirmable.

The Official Creditors' Committee intends to vigorously oppose confirmation of the Plan, which is scheduled to be heard on April 3, 2018. In addition to objecting to confirmation of the Plan, the Official Creditors' Committee will take such other actions as are necessary and appropriate in this case to protect the interests of general unsecured creditors, including, without limitation, seeking to terminate the Debtors' exclusive right to file a plan so that the Official Creditors' Committee can file its own proposed plan. However, the Official Creditors' Committee needs your help by making sure that you vote to REJECT THE PLAN by the voting deadline of 4:00 p.m., prevailing Central Time, on March 28, 2018.

In summary, the Official Creditors' Committee urges general unsecured creditors in Class 5 (Subsidiary General Unsecured Claims) and Class 6 (Cobalt General Unsecured Claims) to vote to <u>REJECT THE PLAN</u> by the voting deadline of 4:00 p.m., prevailing Central Time, on March 28, 2018.

General unsecured creditors who wish to contact the Official Creditors' Committee or express their support for the positions articulated by the Official Creditors' Committee are

¹ The members of the Official Creditors' Committee are: (a) Wells Fargo Bank, National Association; (b) Baker Hughes, a GE Company; and (c) Schlumberger Technology Corporation.

Case 17-36709 Document 802 Filed in TXSB on 04/09/18 Page 7 of 11

Letter to General Unsecured Creditors **Recommendation to Vote to Reject the Cobalt Plan** March 9, 2018 Page 2

invited to contact its counsel, Pachulski Stang Ziehl & Jones, LLP, Attn: Robert Feinstein at rfeinstein@pszjlaw.com.

Very truly yours,

THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF COBALT INTERNATIONAL ENERGY, INC. AND ITS AFFILIATED DEBTORS

BY: <u>s/ Christopher J. Ryan</u>

Christopher J. Ryan, on behalf of Baker Hughes, a GE Company as Chair of the Official Creditors' Committee

Exhibit B

Case 17-36709 Document 802 Filed in TXSB on 04/09/18 Page 9 of 11

Executory Contract or Unexpired Lease Parties

COMPANY	CONTACT	ADDRESS	CITY	STATE	ZIP
Caledonian Insurance Group Inc		7525 SE 24th St Ste 520	Mercer Island	WA	98040-2331
Exxon Mobile Corporation	Attn Paul. Watson/John Haworth	22777 Springwoods Village Pkwy	Spring	TX	77389-1425
McGriff, Seibels & Williams, Inc.		7525 SE 24th St Ste 520	Mercer Island	WA	98040-2331

In re: Cobalt International Energy, Inc., et al.

Case No. 17-36709 (MI) Page 1 of 1

Exhibit C

Case 17-36709 Document 802 Filed in TXSB on 04/09/18 Page 11 of 11

Creditor Matrix Parties Served via First Class Mail

CreditorName	CreditorNoticeName	Address 1	Address 2	City	State	Zip
American Bureau of Shipping	Leonard Burns, Manager Global Offshore	Energy Crossing II	16855 Northchase Dr Ste 100	Houston	TX	77060-6010
	Attn Craig Hartzog, Owner- Oilfield					
Caged Hawk Enterprises Inc	Safety Consultant	71558 Saint James St		Abita Springs	LA	70420-3812
Cal Dive Offshore Contractors Inc.	Wendy Sampson	Contracts Manager	300 Delaware Ave Ste 1100	Wilmington	DE	19801-1670
		Cambrian Consultant America,				
Cambrian Consultants (CC) America Inc	Attn Ric Ashton	Inc. dba RPS	20405 State Highway 249 Ste 200	Houston	TX	77070-2284
Chubb Group of Insurance Companies	Attn Claims Department	202 Halls Mill Rd		White Hse Sta	NJ	08889-3435
Chubb Group of Insurance Companies	Attn CSI Underwriting	202 Halls Mill Rd		White Hse Sta	NJ	08889-3435
Continuity Housing LLC		4131 Durness Way		Houston	TX	77025-2926
Craig Hartzog		71558 Saint James St		Abita Springs	LA	70420-3812
Halliburton Energy Services Inc	Charlie Jackson	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Attn Rex Williams	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Steven Raymond, Senior Account Manager	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Nathan Wyatt	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Attn Charlie Jackson	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Attn Nathan Wyatt	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Attn Billy Gilley	PO Box 60087		Houston	TX	77205-0087
Halliburton Energy Services Inc	Attn Allen White	Wireline and Perforating-GoM	PO Box 60087	Houston	TX	77205-0087
John P Wilkirson		Address Redacted				
John Wilkirson		11014 Hunters Park Dr		Houston	TX	77024-5410
Offshore Operators Committee		2400 Veterans Memorial Blvd Ste 206		Kenner	LA	70062-4720
OSIsoft LLC	Attn Jeff Jones	1600 Alvardo St		San Leandro	CA	94577-2600
OSIsoft LLC		1600 Alvardo St		San Leandro	CA	94577-2600