

United States Bankruptcy Court for the District of Delaware

Indicate Debtor against which you assert a claim by checking the appropriate box below. **(Check only one Debtor per claim form.)**

- Emerge Energy Services LP (Case No. 19-11563)
- Emerge Energy Services GP LLC (Case No. 19-11564)
- Emerge Energy Services Operating LLC (Case No. 19-11565)
- Superior Silica Sands LLC (Case No. 19-11566)
- Emerge Energy Services Finance Corporation (Case No. 19-11567)

**Official Form 410
Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

Part 1: Identify the Claim

1. Who is the current creditor?

ALAN DELAURO
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

No

Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

ALAN DELAURO
Name
299 SYLVAN ST.
Number Street
RUTHERFORD, NJ, 07070
City State ZIP Code

Name

Number Street

City State ZIP Code

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

USA
Country

Country

Contact phone (201) 320-4102

Contact phone _____

Contact email ADEL6@VERIZON.NET

Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____

Does this claim amend one already filed?

No

Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

Do you know if anyone else has filed a proof of claim for this claim?

No

Yes. Who made the earlier filing? _____



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Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

- No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim?

~~\$~~ 85,117.⁰⁰

Does this amount include interest or other charges?

- No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

PURCHASE OF COMPANY SHARES.
 INVESTMENT IN SAID COMPANY.

9. Is all or part of the claim secured?

- No
 Yes. The claim is secured by a lien on property.

Nature of property:

- Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection:

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____

Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____%

- Fixed
 Variable

10. Is this claim based on a lease?

- No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff?

- No
 Yes. Identify the property: _____

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12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check all that apply:

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____

Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____

Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies. \$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)? Please see the instructions attached hereto regarding additional required information.

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 08/28/2019
MM DD YYYY

Alan DeLaro
Signature

Print the name of the person who is completing and signing this claim:

Name ALAN JOSEPH DELAURO
First name Middle name Last name

Title SELF

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 299 SYLVAN STREET
Number Street
RUTHERFORD, NJ 07070 USA
City State ZIP Code Country

Contact phone 201-320-4102 Email AJDEL6@VE PN

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SEP 03 2019

KURT ZIMM CARSON CONSULTANTS

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MR ALAN J DELAURO

Account Number: 29Z-46K58

YOUR CMA ASSETS

June 29, 2019 - July 31, 2019

| EQUITIES (continued) Description | Symbol | Acquired | Quantity | Unit Cost Basis | Total Cost Basis | Estimated Market Price | Estimated Market Value | Unrealized Gain/(Loss) | Annual Income | Estimated Current Yield% |
|---|--------|----------|----------|--------------------|---------------------|---------------------------|---------------------------|---------------------------|---------------|-----------------------------|
| COFFEE HLDG INC | JVA | 09/13/11 | 1,500 | 18.2500 | 27,375.00 | 4.0400 | 6,060.00 | (21,315.00) | | |
| | | 09/15/11 | 1,000 | 17.8900 | 17,890.00 | 4.0400 | 4,040.00 | (13,850.00) | | |
| | | 09/16/11 | 1,000 | 16.7200 | 16,720.00 | 4.0400 | 4,040.00 | (12,680.00) | | |
| | | 09/21/11 | 1,500 | 12.6400 | 18,960.00 | 4.0400 | 6,060.00 | (12,900.00) | | |
| Subtotal | | | 5,000 | | 80,945.00 | | 20,200.00 | (60,745.00) | | |
| DYCOM INDS INC | DY | 05/22/18 | 100 | 101.0000 | 10,100.00 | 55.1600 | 5,516.00 | (4,584.00) | | |
| EAGLE PHARMACEUTICALS INC | EGRX | 05/15/17 | 200 | 86.0000 | 17,200.00 | 54.8600 | 10,972.00 | (6,228.00) | | |
| | | 08/30/18 | 800 | 72.3143 | 57,851.50 | 54.8600 | 43,888.00 | (13,963.50) | | |
| Subtotal | | | 1,000 | | 75,051.50 | | 54,860.00 | (20,191.50) | | |
| EMERGE ENERGY SERVICES | EMESQ | 04/24/15 | 1,500 | 43.3752 | 65,062.87 | 0.0200 | 30.00 | (65,032.87) | | |
| | | 04/27/15 | 500 | 40.1099 | 20,054.95 | 0.0200 | 10.00 | (20,044.95) | | |
| Subtotal | | | 2,000 | | 85,117.82 | | 40.00 | (85,077.82) | | |
| FITBIT INC SHS CL A | FIT | 10/15/15 | 500 | 40.7546 | 20,377.30 | 4.2000 | 2,100.00 | (18,277.30) | | |
| | | 11/03/15 | 1,000 | 38.0000 | 38,000.00 | 4.2000 | 4,200.00 | (33,800.00) | | |
| Subtotal | | | 1,500 | | 58,377.30 | | 6,300.00 | (52,077.30) | | |
| FIVERR INTL LTD | FVRR | 06/18/19 | 200 | 32.4000 | 6,480.00 | 25.4000 | 5,080.00 | (1,400.00) | | |
| | | 06/18/19 | 300 | 32.1006 | 9,630.20 | 25.4000 | 7,620.00 | (2,010.20) | | |
| Subtotal | | | 500 | | 16,110.20 | | 12,700.00 | (3,410.20) | | |
| FOOT LOCKER INC N.Y. COM | FL | 05/24/19 | 300 | 47.7500 | 14,325.00 | 41.0600 | 12,318.00 | (2,007.00) | | 456 3.70 |
| GOPRO INC | GPRO | 09/01/15 | 1,500 | 43.5000 | 65,250.00 | 5.2900 | 7,935.00 | (57,315.00) | | |
| HELIOS AND MATHESON ANALYTICS INC | HMNY | 12/06/17 | 6 | 2,000.0000 | 12,000.00 | 0.0022 | .01 | (11,999.99) | | |
| | | 02/13/18 | 8 | 1,462.5000 | 11,700.00 | 0.0022 | .02 | (11,699.98) | | |
| Subtotal | | | 14 | | 23,700.00 | | .03 | (23,699.97) | | |
| HONGLI CLEAN ENERGY TECHNOLOGIES CORP RE | | 03/18/10 | 150 | 340.8000 | 51,120.00 | N/A | N/A | N/A | | |
| | | 03/24/10 | 8 | 324.2000 | 2,593.60 | N/A | N/A | N/A | | |
| | | 03/24/10 | 10 | 323.2000 | 3,232.00 | N/A | N/A | N/A | | |
| | | 03/24/10 | 15 | 324.3000 | 4,864.50 | N/A | N/A | N/A | | |
| | | 03/24/10 | 17 | 324.2958 | 5,513.03 | N/A | N/A | N/A | | |
| | | 03/24/10 | 20 | 325.2000 | 6,504.00 | N/A | N/A | N/A | | |

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MIR ALAN J DELAURO

Account Number: 29Z-46K58

YOUR CMA TRANSACTIONS

April 01, 2015 - April 30, 2015

SECURITY TRANSACTIONS (continued)

| Settlement Date | Description | Transaction Type | Quantity | Unit Price | Debit | Credit | Accrued Interest Earned/(Paid) |
|-----------------|---|------------------|----------|------------|-----------|--------|--------------------------------|
| 04/28 | CALL BIIB 00400.000 BIOGEN INC EXP 08-19-15 OPEN TRAN BIIB JUN 400.00000 PRICE 17.400000 | Purchase | 7 | 17.4000 | 12,190.20 | | |
| 04/28 | CALL BIIB 00400.000 BIOGEN INC EXP 08-19-15 OPEN TRAN BIIB JUN 400.00000 PRICE 15.700000 | Purchase | 5 | 13.7000 | 6,858.70 | | |
| 04/28 | AERIE PHARMACEUTICALS INC CUS NO 00771V108 | Purchase | 2,000 | 10.2900 | 20,584.95 | | |
| 04/28 | LAS VEGAS SANDS CORP CUS NO 517834107 | Purchase | 1,500 | 54.0000 | 81,004.95 | | |
| 04/29 | AERIE PHARMACEUTICALS INC CUS NO 00771V108 | Purchase | 2,000 | 14.0000 | 28,004.95 | | |
| 04/29 | DEVRY EDUCATION GROUP INC CUS NO 251893103 | Purchase | 1,500 | 32.7500 | 49,129.95 | | |
| 04/29 | EMERGE ENERGY SERVICES CUS NO 29102H108 | Purchase | 1,500 | 43.3719 | 65,062.87 | | |
| 04/29 | HERBALIFE LTD CUS NO G4412G101 | Purchase | 1,500 | 42.1000 | 63,154.95 | | |
| 04/29 | SPECTRANETICS CORP COM CUS NO 84760C107 | Purchase | 1,500 | 28.0000 | 42,004.95 | | |
| 04/29 | THREE D SYSTEMS NEW CUS NO 88554D205 | Purchase | 1,500 | 27.0000 | 40,504.95 | | |
| 04/30 | CALL WYNN 00110.000 WYNN RESORTS LTD EXP 09-18-15 OPEN TRAN WYNN SEP 110.00000 PRICE 9.000000 | Purchase | 12 | 9.0000 | 10,813.95 | | |
| 04/30 | AKORN INCORP LA CUS NO 009728106 | Purchase | 1,500 | 43.5549 | 65,337.40 | | |
| 04/30 | AKORN INCORP LA CUS NO 009728106 | Purchase | 1,500 | 43.5000 | 65,254.95 | | |

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MR ALAN J DELAURO

Account Number: 29Z-46K58

24-Hour Assistance: (877) 653-4732
Access Code: 32-296-46558

YOUR CMA TRANSACTIONS

April 01, 2015 - April 30, 2015

SECURITY TRANSACTIONS (continued)

| Settlement Date | Description | Transaction Type | Quantity | Unit Price | Debit | Credit | Accrued Interest Earned/(Paid) |
|-----------------|---|------------------|----------|------------|---------------------|------------|--------------------------------|
| 04/30 | AMER SCIENCE & ENGIN CUS NO 029429107 | Purchase | 115 | 38.5000 | 4,432.45 | | |
| 04/30 | CELLADON CORP CUS NO 15117E107 | Purchase | 2,500 | 2.9100 | 7,279.95 | | |
| 04/30 | EMERGE ENERGY SERVICES CUS NO 29102H108 | Purchase | 500 | 40.1000 | 20,054.95 | | |
| | Subtotal (Purchases) | | | | 3,400,142.18 | | |
| 04/02 | CALL ICPT 00275.000 INTERCEPT PHARMACEUTICAL EXP 05-15-15 CLOSE TRAN ICPT MAY 275.00000 PRICE 29.600000 | Sale | -10 | 29.6000 | | 29,587.01 | |
| 04/06 | WHITING PETROLEUM CORP CUS NO 966397102 | Sale | -1,500 | 31.1800 | | 46,764.19 | |
| 04/07 | CALL SNDK 00065.000 SANDISK CORP INC EXP 07-17-15 CLOSE TRAN SNDK JUL 65.00000 PRICE 5.600000 | Sale | -15 | 5.6000 | | 8,383.65 | |
| 04/07 | CALL ICPT 00270.000 INTERCEPT PHARMACEUTICAL EXP 05-15-15 CLOSE TRAN ICPT MAY 270.00000 PRICE 30.100000 | Sale | -7 | 30.1000 | | 21,059.41 | |
| 04/07 | CELLULAR BIOMEDICINE GROUP INC CUS NO 15117P102 | Sale | -1,500 | 33.6380 | | 50,456.19 | |
| 04/07 | MACERICH CO REIT CUS NO 554382101 | Sale | -1,300 | 80.0568 | | 104,072.03 | |
| 04/08 | MEI PHARMA SHS CUS NO 55279B202 | Sale | -2,500 | 1.7800 | | 4,449.92 | |
| 04/08 | QIHOO 360 TECHNOLOGIES COLT VSP 12/12/14 500.0000 CUS NO 74734M109 | Sale | -500 | 53.0000 | | 26,499.51 | |
| 04/08 | YELP INC CLA CUS NO 985317105 | Sale | -500 | 47.3000 | | 23,649.56 | |

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