

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? Bernice R Packer
 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? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	<u>Bernice Packer</u> Name <u>7805 Mary Cassatt Dr</u> Number Street <u>Potomac MD 20854</u> City State ZIP Code <u>USA</u> Country Contact phone <u>240.515.0051</u> Contact email <u>bpacker@hotmail.com</u>	Name _____ Number Street _____ City State ZIP Code _____ Country _____ Contact phone _____ Contact email _____

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

4. Does this claim amend one already filed?
 No
 Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?
 No
 Yes. Who made the earlier filing? _____



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? \$ 25,317 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.

Emergy Energy Shares purchased, Merrill Lynch IRA

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.)

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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: _____

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

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

- No
- Yes. Check all that apply:
- | | |
|---|-----------------------------|
| <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | Amount entitled to priority |
| | \$ _____ |
| <input type="checkbox"/> 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). | \$ _____ |
| <input type="checkbox"/> 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). | \$ _____ |
| <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | \$ _____ |
| <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | \$ _____ |
| <input type="checkbox"/> 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. (investor)
- 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 30 2019
MM / DD / YYYY

Bernice A Packer
Signature

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

Name Bernice Reith Packer
First name Middle name Last name

Title _____

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

Address 7805 Mary Cassatt Dr
Number Street

Potomac MD 20854
City State ZIP Code Country

Contact phone 240.515.0051 Email bpacker@

hotmail.com

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P.O. Box 2044
Lakewood, NJ 08701

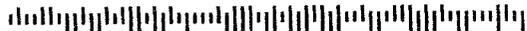


Bank of America Corporation

Merrill Lynch
Office Serving Your Account
1152 15TH STREET NW SUITE 6000
WASHINGTON, DC 20005
(202) 659-7222

MLPF& S CUST FPO
BERNICE R PACKER IRA
FBO BERNICE R PACKER
7805 MARY CASSATT DR
POTOMAC MD 20854

Soc sec# - 1-16193



XN 000000 993 592 001816 #001 AT 0.406

TO THE HOUSEHOLD OF
DR ROGER J PACKER
MRS BERNICE R PACKER
7805 MARY CASSATT DR
POTOMAC MD 20854-3228

TRADE CONFIRMATIONS FOR THE FOLLOWING ACCOUNTS INCLUDED IN THIS PACKAGE:

749-74445

MLPF& S CUST FPO
BERNICE R PACKER IRA
FBO BERNICE R PACKER
7805 MARY CASSATT DR
POTOMAC MD 20854

Account Number: **749-74445**

TRADE CONFIRMATION

Date: December 29, 2014

We confirm the following transaction(s) subject to the agreement below.

BOUGHT EMERGE ENERGY SERVICES

Quantity	375	Price	67.163500	Amount	25186.31	Trade Date	12/29/14
Processing Fee					5.35	Settle Date	01/02/15
Transaction Fee						ML Symbol	EMES
Accrued Interest/Dividends						Security #	26GK3
Commission Charge or Mark Up/Down					125.00	Cusip #	29102H108
NET AMOUNT					25316.66	FA #	0096

EXECUTED 100% AGENCY. PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT.

SEE ABOVE FOR TRANSACTION DETAILS

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Are Not FDIC Insured | Are Not Bank Guaranteed | May Lose Value

Note: CDs are FDIC-insured (subject to applicable limits).

Total Value

As of 08/05/2019 12:25 PM ET

\$3.75

Market Price

As of 08/05/2019 12:25 PM ET

\$0.01 0.00

Print

As of 08/05/2019 12:25 PM ET

Open Lots Closed Lots

Account	Quantity	Unit Cost (\$)	Cost Basis (\$)	Accrued Interest (\$)	Price (\$)	Value (\$)	Gain/Loss (\$)	Gain/Loss (%)
IRA 749-74445	375	87.51	25,316.66	--	0.01	3.75	(25,312.91)	(99.99)

Acquisition Date	Quantity	Unit Cost (\$)	Cost Basis (\$)	Value (\$)	Gain/Loss (\$)	Gain/Loss (%)
12/29/2014 (Long Term)	375	87.51	25,316.66	3.75	(25,312.91)	(99.99)

The data displayed is for informational purposes only. Your account statement is the official record of your holdings and balances. Review a description of the third-party ratings methodology.

Please note: None of Bank of America, Merrill Lynch or any affiliates, bears any responsibility or liability with respect to third-party research made available. Clients should understand that they assume full responsibility for any trading decisions they make based upon third-party ratings or reports.

The security price and market value shown is based on the latest available market data, which is delayed at least 20 minutes.

Sector Classifications based on Global Industry Classification Standard (GICS). Money accounts are not adjusted for pending trades.

The Gain/Loss percentage is provided to help you monitor the performance of specific holdings; because the figure is affected by a particular holding period and transaction history, it should not be used to compare mutual fund performance. Please refer to the fund's prospectus for standardized performance information on each mutual fund in the account. Past performance is no guarantee of future returns.

When there is a Short Position in a classification bucket for a Managed Account or Pooled Investment Product, the market value of this position will show in the Managed Assets Short Allocations balance. This negative balance is not included as an Analyzable Asset.

For Equities and Closed-End Funds, Opinions include a Volatility Risk Rating, an Investment Rating and an Income Rating.

Unrealized gain/loss shown is based on the latest available market data, which is delayed at least 20 minutes.