

Fill in this information to identify the case:

Debtor Hi-Crush Whitehall LLC

United States Bankruptcy Court for the: Southern District of Texas
(State)

Case number 20-33498

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. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

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. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>BRUSHS LAWN CARE AND SNOW REMOVAL</u> 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?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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>BRUSHS LAWN CARE AND SNOW REMOVAL</u> <u>22856 N MAIN ST</u> <u>ETTRICK, WI 54627</u>	<u>Josh Brush</u> <u>Po Box 97</u> <u>Ettrick, Wisconsin 54627</u>
	Contact phone <u>6085250222</u>	Contact phone <u>6085250222</u>
	Contact email <u>jadamb@msn.com</u>	Contact email <u>jadamb@msn.com</u>
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <div style="text-align: right;">MM / DD / YYYY</div>	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> 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? \$ 6530.45. 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.
Services Performed

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature or property:
 Real estate: If the claim is secured by the debtor's principle 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: _____



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.

<input type="checkbox"/> No		
<input checked="" type="checkbox"/> Yes. Check all that apply:		Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).		\$ _____
<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 checked="" 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).		\$ <u>6530.45</u>
<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)(<u> </u>) 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)?

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 07/31/2020
MM / DD / YYYY

/s/ Joshua Brush
Signature

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

Name Joshua Brush
First name Middle name Last name

Title Owner

Company Brushs Lawn Care and Snow Removal
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____

Contact phone _____ Email _____



KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 554-5810 | International (781) 575-2032

Debtor: 20-33498 - Hi-Crush Whitehall LLC		
District: Southern District of Texas, Houston Division		
Creditor: BRUSHES LAWN CARE AND SNOW REMOVAL 22856 N MAIN ST ETTRICK, WI, 54627 Phone: 6085250222 Phone 2: Fax: Email: jadamb@msn.com	Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement:	
	Has Related Claim: No Related Claim Filed By:	
	Filing Party: Creditor	
Disbursement/Notice Parties: Josh Brush Po Box 97 Ettrick, Wisconsin, 54627 Phone: 6085250222 Phone 2: Fax: E-mail: jadamb@msn.com DISBURSEMENT ADDRESS		
Other Names Used with Debtor:	Amends Claim: No Acquired Claim: No	
Basis of Claim: Services Performed	Last 4 Digits: No	Uniform Claim Identifier:
Total Amount of Claim: 6530.45	Includes Interest or Charges: No	
Has Priority Claim: Yes	Priority Under: 11 U.S.C. §507(a)(4): 6530.45	
Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: No Subject to Right of Setoff: No	Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured:	
Submitted By: Joshua Brush on 31-Jul-2020 1:12:08 a.m. Eastern Time Title: Owner Company: Brushes Lawn Care and Snow Removal		

To whom it may concern,

Along with the proof of claim form i have submitted, i am writing this letter to let whomever know that Hi-crush was my biggest client. They were approximately 75% of my income over the last 12 months. Hi-Crush did not pay me for 2 months (or 2 invoices) worth of work. Mowing the Hi-Crush properties took approximately 160 hours over the 2 months or about 2.5 days a week. I have lost not only the amount of my invoices which equals \$6530.45 but also all the gas money, wear and tear on my lawn equipment and my vehicles. Losing this amount of money is a huge financial hard ship for me and my family. For the first time in many years I will not be able to pay off my credit card in full this month due to the extra expenses incurred by the work performed for Hi-Crush. I do not make a lot of money every year and the lawn mowing season is where I could succeed. The business I own (Brush's lawn care and Snow Removal) is a small LLC and I am the only employee. Please understand that I make under \$30k a year and live paycheck to paycheck to support my family. I do not make enough money to put any money into a savings account. I hope that this letter helps whomever is reading that this money is very important to me and my family. and a huge part of my income

Thank you

Joshua Brush

Brush's Lawn Care and Snow Removal

Invoice

22856 N Main St
 PO BOX 97
 Ettrick, WI 54627

Date	Invoice #
6/22/2020	2100

Bill To
Hi Crush W20757 County Rd Q Whitehall, WI 54773

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	5-28-20 Mowing/trimming/blowing Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
1	5-29-20 W22167 Jennifer Lane \$130 w20544 irvins coulee \$130 N34455 Poker Coulee Rd \$160 Took a long time to mow. wasn't mowed this year yet	420.00	420.00T
1	6-04-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75 + \$80 Had to remove a big fallen tree from Along road in front yard took 2 hours	445.00	445.00T
1	06-05-20 W22167 Jennifer Lane \$130 w20544 irvins coulee \$130 N34455 Poker Coulee Rd \$110	370.00	370.00T
1	06-08-20 Mowing/trimming/blowing Blair hi-crush office and dry plant No trimming w12128 South river rd N31286 Trump coulee rd Grass was very tall had to be mowed twice 6 hours total for all properties	340.00	340.00T
1	06-11-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T

Please let us know if you have any questions. We appreciate your business	Total
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Brush's Lawn Care and Snow Removal

22856 N Main St
 PO BOX 97
 Ettrick, WI 54627

Invoice

Date	Invoice #
6/22/2020	2100

Bill To
Hi Crush W20757 County Rd Q Whitehall, WI 54773

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	06-12-20 W22167 Jennifer Lane \$130 w20544 irvins coulee was flooded /skipped N34455 Poker Coulee Rd \$110	240.00	240.00T
1	06-15-20 w20544 irvins coulee \$130	130.00	130.00T
1	06-18-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
1	06-19-20 W22167 Jennifer Lane \$130 N34455 Poker Coulee Rd \$110	240.00	240.00T
	Sales Tax	5.50%	180.40

Please let us know if you have any questions. We appreciate your business	Total	\$3,460.40
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Brush's Lawn Care and Snow Removal

22856 N Main St
 PO BOX 97
 Ettrick, WI 54627

Invoice

Date	Invoice #
7/17/2020	2109

Bill To
Hi Crush W20757 County Rd Q Whitehall, WI 54773

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	6-24-20 w20544 irvins coulee \$130	130.00	130.00T
1	6-25-20 Mowing/trimming/blowing Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
1	6-27-20 W22167 Jennifer Lane \$130 N34455 Poker Coulee Rd \$110	240.00	240.00T
1	6-30-20 and 7-1-20 Mowing only Blair hi-crush office and dry plant w12128 South river rd N31286 Trump coulee rd 6 hours total for all properties	340.00	340.00T
1	07-2-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
1	7-5-20 w20544 irvins coulee \$130	130.00	130.00T
1	7-6-20 W22167 Jennifer Lane \$130 N34455 Poker Coulee Rd \$110	240.00	240.00T

Thank you for your business.	Total
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Brush's Lawn Care and Snow Removal

22856 N Main St
 PO BOX 97
 Ettrick, WI 54627

Invoice

Date	Invoice #
7/17/2020	2109

Bill To
Hi Crush W20757 County Rd Q Whitehall, WI 54773

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	7-10-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
1	7-14-20 W22167 Jennifer Lane \$130 N34455 Poker Coulee Rd \$110 w20544 irvins coulee \$130	370.00	370.00T
1	7-17-20 Main Office \$170 Dry Plant \$120 21441 Hughes rd \$75	365.00	365.00T
	Sales Tax	5.50%	160.05

Thank you for your business.	Total	\$3,070.05
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