

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

----- X
 In re: : Chapter 11
 :
 HI-CRUSH PERMIAN SAND LLC, *et al.*,¹ : Case No. 20-33505 (DRJ)
 : (Jointly Administered)
 Reorganized Debtors. : (Formerly Jointly Administered under Lead
 : Case: Hi-Crush Inc., Case No. 20-33495)²
 ----- X

**CERTIFICATE OF NO OBJECTION REGARDING REORGANIZED DEBTORS’
EIGHTH OMNIBUS OBJECTION TO CERTAIN CLAIMS (EQUITY CLAIMS)**
[Relates to Docket No. 498]³

Pursuant to the *Procedures for Complex Cases in the Southern District of Texas*, the undersigned counsel for the above-captioned reorganized debtors (collectively, the “**Reorganized Debtors**”) hereby certifies as follows:

1. On December 3, 2020, the Reorganized Debtors filed the *Reorganized Debtors’ Eighth Omnibus Objection to Certain Claim (Equity Claims)* [Docket No. 498] (the “**Objection**”).

¹ The Reorganized Debtors in these cases, along with the last four digits of each Reorganized Debtor’s federal tax identification number, are: Hi-Crush Inc. (0530), OnCore Processing LLC (9403), Hi-Crush Augusta LLC (0668), Hi-Crush Whitehall LLC (5562), PDQ Properties LLC (9169), Hi-Crush Wyeville Operating LLC (5797), D & I Silica, LLC (9957), Hi-Crush Blair LLC (7094), Hi-Crush LMS LLC, Hi-Crush Investments Inc. (6547), Hi-Crush Permian Sand LLC, Hi-Crush Proppants LLC (0770), Hi-Crush PODS LLC, Hi-Crush Canada Inc. (9195), Hi-Crush Holdings LLC, Hi-Crush Services LLC (6206), BulkTracer Holdings LLC (4085), Pronghorn Logistics Holdings, LLC (5223), FB Industries USA Inc. (8208), PropDispatch LLC, Pronghorn Logistics, LLC (4547), and FB Logistics, LLC (8641). The Reorganized Debtors’ address is 1330 Post Oak Blvd, Suite 600, Houston, Texas 77056.

² On December 11, 2020, the Court entered the *Final Decree Closing Certain of the Chapter 11 Cases* [Docket No. 505], which closed each Reorganized Debtor’s case except for Hi-Crush Permian Sand LLC, Case No. 20-33505, and directed that all further filings be made in that case.

³ All references to “Docket No.” refer to the docket in the former lead case of Hi-Crush Inc., Case No. 20-33495 unless otherwise indicated.



2. Responses to the Objection were due on or before January 4, 2021 (the “**Response Deadline**”). More than twenty-four (24) hours have passed since the Response Deadline, and no responses to the Objection have been filed on the Court’s docket.

3. The attached redline reflects non-material changes to the proposed order accounting for the entry of the *Final Decree Closing Certain of the Chapter 11 Cases* [Docket No. 505], which closed each Reorganized Debtor’s case except for Hi-Crush Permian Sand LLC, Case No. 20-33505, and directed that all further filings be made in that case.

4. Accordingly, the Debtors respectfully request entry of the proposed order attached hereto.

[Remainder of page intentionally left blank]

Signed: January 14, 2021
Houston, Texas

Respectfully Submitted,

/s/ Philip M. Guffy

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Counsel for the Reorganized Debtors

CERTIFICATE OF SERVICE

I certify that on January 14, 2021, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on those parties registered to receive electronic notices.

/s/ Philip M Guffy _____
Philip M. Guffy

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HI-CRUSH PERMIAN SAND LLC, <i>et al.</i> , ¹	:	Case No. 20-33505 (DRJ)
	:	(Jointly Administered)
Reorganized Debtors.	:	(Formerly Jointly Administered under Lead
	:	Case: Hi-Crush Inc., Case No. 20-33495) ²
	X	

**ORDER SUSTAINING REORGANIZED DEBTORS’ EIGHTH
OMNIBUS OBJECTION TO CERTAIN CLAIMS (EQUITY CLAIMS)**
[Relates to Docket No. 498]³

Upon the objection (the “**Objection**”)⁴ of the above-captioned reorganized debtors (collectively, the “**Reorganized Debtors**”) seeking entry of an order (this “**Order**”) disallowing and expunging the Equity Claims, all as more fully set forth in the Objection; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that the Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that venue of

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⁴ Capitalized terms used herein but not defined shall have the meanings ascribed to such terms in the Objection.

this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the Debtors' notice of the Objection and opportunity for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Objection; and all responses, if any, to the Objection having been withdrawn, resolved, or overruled; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT**:

1. Each Equity Claim (i.e., each claim listed on **Schedule 1** hereto) is disallowed in its entirety.

2. Kurtzman Carson Consultants LLC, as claims agent, is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.

3. Each Equity Claim and the objections by the Reorganized Debtors to each Equity Claim constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each Equity Claim.

4. The Reorganized Debtors and Kurtzman Carson Consultants LLC are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.

5. This Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Signed: _____, 2021

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Equity Claims

Hi-Crush Inc., et al. 20-33495 (DRJ)
Eighth Omnibus Objection (Equity Claims)
Schedule 1 – Equity Claims

NAME	DATE FILED	DEBTOR	CLAIM #	CLAIM AMOUNT	REASON FOR DISALLOWANCE
1 DAVID L MORGAN JR. 860 PEACHTREE STREET, UNIT 2708 ATLANTA, GA 30308	11/9/2020	Hi-Crush Inc.	803	\$ 201.00	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
2 DAVID P. MORAN 104 KINO BLVD MERCERVILLE, NJ 08619	11/10/2020	Hi-Crush Inc.	814	Undetermined*	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
3 ELIZABETH ANN PRESLEY 1105 REBECCA DR AUSTIN, TX 78758-3932	11/9/2020	Hi-Crush Inc.	799	\$ 7,346.90	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
4 ELIZABETH ANN PRESLEY 1105 REBECCA DR AUSTIN, TX 78758-3932	11/9/2020	Hi-Crush Inc.	800	\$ 5,743.05	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
5 SCOTT ROERS 8038 W LK UNION RD SE ALEXANDRIA, MN 56308	11/9/2020	Hi-Crush Investments Inc.	801	\$ 10,871.92	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
6 SCOTT ROERS 8038 W LK UNION RD SE ALEXANDRIA, MN 56308	11/9/2020	Hi-Crush Investments Inc.	802	\$ 11,284.12	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
7 SUBRATA GHOSH AND SHEEBA ERRAVARAPU 61 WORDSWORTH WAY WINNIPEG, MB R3K 0K2 CANADA	11/12/2020	Hi-Crush Inc.	815	\$ 44,040.00	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.

Hi-Crush Inc., et al. 20-33495 (DRJ)
 Eighth Omnibus Objection (Equity Claims)
 Schedule 1 – Equity Claims

NAME	DATE FILED	DEBTOR	CLAIM #	CLAIM AMOUNT	REASON FOR DISALLOWANCE
8 ZAYN KHAMIS 12 WIARTON COURT THORNHILL, ON L3T 2P4 CANADA	8/12/2020	Hi-Crush Inc.	369	\$ 1,005.95	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
9 ZHIYANG YU 3505 GLENHOME DR PLANO, TX 75025	7/21/2020	Hi-Crush Inc.	4	\$ 4,609.00	Pursuant to Bankruptcy Rule 3007(d)(7), the Debtors object to this claim on the grounds that such claim is asserted on account of equity interests held by the claimant and is therefore not a "claim" as defined in section 101(5) of the Bankruptcy Code. Accordingly Debtors believe the claim should be disallowed and expunged in its entirety.
			TOTAL	\$ 85,101.94*	

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	:	(Formerly Jointly Administered under
	X	Lead Case: Hi-Crush Inc., Case No. 20-33495) ²

**ORDER SUSTAINING REORGANIZED DEBTORS’ EIGHTH
OMNIBUS OBJECTION TO CERTAIN CLAIMS (EQUITY CLAIMS)**
[\[Relates to Docket No. 498\]](#)³

Upon the objection (the “**Objection**”)²⁴ of the above-captioned reorganized debtors (collectively, the “**Reorganized Debtors**”) seeking entry of an order (this “**Order**”) disallowing and expunging the Equity Claims, all as more fully set forth in the Objection; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that the Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that

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venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the Debtors' notice of the Objection and opportunity for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Objection; and all responses, if any, to the Objection having been withdrawn, resolved, or overruled; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT**:

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* - Indicates claim contains unliquidated and/or undetermined amounts

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