

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

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

**CERTIFICATE OF NO OBJECTION  
REGARDING REORGANIZED DEBTORS’ TWELFTH OMNIBUS  
OBJECTION TO CERTAIN CLAIMS (EQUIPMENT FINANCE CLAIMS)  
[Relates to Docket No. 81]**

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 April 8, 2021, the Reorganized Debtors filed the *Reorganized Debtors’ Twelfth Omnibus Objection to Certain Claim (Equipment Finance Claims)* [Docket No. 81] (the “**Objection**”).
2. Responses to the Objection were due on or before May 10, 2021 (the “**Response Deadline**”). More than twenty-four (24) hours have passed since the Response Deadline, and,

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<sup>1</sup> 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.

<sup>2</sup> On December 11, 2020, the Court entered the *Final Decree Closing Certain of the Chapter 11 Cases* [Case No. 20-33495, 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 this case.



other than the responses listed below, no other responses to the Objection have been filed on the Court's docket or received by the Reorganized Debtors' counsel.

3. Counsel for the Reorganized Debtors received formal and informal responses from certain claimants (collectively, the "**Responding Claimants**") as follows:

<b>Claimant</b>	<b>Claim Nos.</b>	<b>Response Filed or Provided to Counsel</b>
Crestmark Vendor Finance	46, 680	Informal response provided by Responding Claimant's counsel at Jaffe Raitt Heuer & Weiss, P.C.
Stearns Bank N.A.	474	Response to Objection filed in case No. 20-33495 at Docket No. 543.

4. The attached proposed order contains a revised **Schedule 1**, which removes the claims of the Responding Claimants. With respect to these claims, the Reorganized Debtors filed stipulations whereby the Responding Claimants and the Reorganized Debtors agreed to an allowed amount for each claim and the Reorganized Debtors agreed to withdraw the objection. *See* Stipulations [Docket Nos. 92 & 95].

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

*[Remainder of page intentionally left blank]*

Signed: May 12, 2021  
Houston, Texas

Respectfully Submitted,

/s/ Philip M. Guffy

Timothy A. ("Tad") Davidson II (TX Bar No. 24012503)

Joseph P. Rovira (TX Bar No. 24066008)

Ashley Harper (TX Bar No. 24065272)

Philip M. Guffy (TX Bar No. 24113705)

**HUNTON ANDREWS KURTH LLP**

600 Travis Street, Suite 4200

Houston, Texas 77002

Tel: 713-220-4200

Fax: 713-220-4285

Email: taddavidson@HuntonAK.com

josephrovira@HuntonAK.com

ashleyharper@HuntonAK.com

pguffy@HuntonAK.com

-and-

George A. Davis (admitted *pro hac vice*)

Keith A. Simon (admitted *pro hac vice*)

David A. Hammerman (admitted *pro hac vice*)

Annemarie V. Reilly (admitted *pro hac vice*)

Hugh K. Murtagh (admitted *pro hac vice*)

**LATHAM & WATKINS LLP**

885 Third Avenue

New York, New York 10022

Tel: 212-906-1200

Fax: 212-751-4864

Email: george.davis@lw.com

keith.simon@lw.com

david.hammerman@lw.com

annemarie.reilly@lw.com

hugh.murtagh@lw.com

*Counsel for the Reorganized Debtors*

**CERTIFICATE OF SERVICE**

I certify that on May 12, 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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FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:	:	Chapter 11
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	:	(Jointly Administered)
Reorganized Debtors.	:	(Formerly Jointly Administered under Lead
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**ORDER SUSTAINING REORGANIZED DEBTORS’ TWELFTH  
OMNIBUS OBJECTION TO CERTAIN CLAIMS (EQUIPMENT FINANCE CLAIMS)**  
**[Relates to Objection at Docket No. 81]**

Upon the objection (the “**Objection**”)<sup>3</sup> of the above-captioned reorganized debtors (collectively, the “**Reorganized Debtors**”) seeking entry of an order (this “**Order**”) disallowing the Equipment Finance Claims in their entirety, 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 this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the Reorganized Debtors’ notice of the Objection and opportunity

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<sup>3</sup> Capitalized terms used herein but not defined shall have the meanings ascribed to such terms in the Objection.

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 Equipment Finance Claim (i.e., those claims 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. 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.

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

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**

**Equipment Finance Claims**

Hi-Crush Permian Sand LLC, et al. 20-33505 (DRJ)  
 Twelfth Omnibus Objection  
 Schedule 1 - Equipment Finance Claims

NAME	DATE FILED	DEBTOR	CLAIM #	CLAIM AMOUNT	REASON FOR DISALLOWANCE
1 EQUIFY FINANCIAL, LLC C/O AIMEE FURNESS HAYNES AND BOONE, LLP 2323 VICTORY AVENUE, SUITE700 DALLAS, TX 75219	8/14/2020	Hi-Crush Inc.	490	\$ 2,091,106.64	Proof of claim asserts an amount of \$2,091,106.64 as a secured claim under the terms of an agreement for purchase or lease of equipment. Claim has been satisfied because the Debtors have either returned the collateral under the terms of the Plan or made the collateral available to the claimant for return.
			TOTAL	\$ 2,091,106.64	