



ENTERED
05/13/2021

**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

**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**")³ 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

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* [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 that case.

³ 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: May 13, 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	