



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.*,<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 (Docket No. 107)

**STIPULATION BETWEEN THE REORGANIZED DEBTORS  
AND OHIO DEPARTMENT OF TAXATION REGARDING CLAIM NO. 119**

WHEREAS, on July 28, 2020, the OHIO DEPARTMENT OF TAXATION (the “**Ohio Dept. of Tax**”) filed proof of claim number 119 against debtor D & I Silica, LLC in the face amount of \$82,110.20 (the “**Ohio Dept. of Tax Claim**”);

WHEREAS, on September 23, 2020, the Court entered an order (the “**Confirmation Order**”) [Case No. 20-33495, Docket No. 420] confirming the *Joint Plan of Reorganization for Hi-Crush Inc. and its Affiliate Debtors under Chapter 11 of the Bankruptcy Code* (as amended, modified, or supplemented, the “**Plan**”);<sup>3</sup>

<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.

<sup>3</sup> Capitalized terms used but defined herein have the meanings given to them in the Plan.



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**WHEREAS**, on October 9, 2020, the Plan was substantially consummated, and the Effective Date (as defined in the Plan) occurred.<sup>4</sup>

**WHEREAS**, under the terms of the Plan the Reorganized Debtors are authorized, as of the Effective Date, to file objections to claims;

**WHEREAS**, the deadline to object to claims under the Plan is July 6, 2021 (the “**Objection Deadline**”); and

**WHEREAS**, the Ohio Dept. of Tax Claim relates to ongoing tax audits by the Ohio Dept. of Tax that are not expected to be completed by the Objection Deadline.

**IT IS THEREFOR STIPULATED, AGREED, AND ORDERED THAT,**

1. The Objection Deadline for the Ohio Dept. of Tax Claim is hereby extended to December 31, 2021
2. The Ohio Dept. of Tax and the Reorganized Debtors reserve all rights with respect to the Ohio Dept. of Tax Claim.
3. This stipulation applies only to the Ohio Dept. of Tax Claim and shall not be deemed to apply to any other claims.

**Signed: May 13, 2021.**

  
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**DAVID R. JONES**  
**UNITED STATES BANKRUPTCY JUDGE**

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<sup>4</sup> See Notice of (I) Effective Date of the Joint Plan or Reorganization for Hi-Crush Inc. and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code and (II) Establishing Deadline for the Filing of Administrative Claims Against the Debtors [Case No. 20-33495, Docket No. 452].

**STIPULATED AND AGREED TO BY:**

May 12, 2021

/s/ Philip M. Guffy

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