



ENTERED
05/13/2021

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

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 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’ THIRTEENTH OMNIBUS OBJECTION TO
CERTAIN CLAIMS (LATE-FILED CLAIMS AND SATISFIED CLAIMS)
[Relates to Objection at Docket No. 82]**

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 Disputed 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

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.



1409; and it appearing that the Reorganized 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 Disputed Claim (i.e., those claims listed on Schedule 1 and Schedule 2 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 Disputed Claim and the objections by the Reorganized Debtors to each Disputed Claim constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each Disputed 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

Late-Filed Claims

Hi-Crush Permian Sand LLC, et al. 20-33505 (DRJ)
 Thirteenth Omnibus Objection
 Schedule 1 - Late-Filed Claims

NAME	DATE FILED	DEBTOR	CLAIM #	CLAIM AMOUNT	REASON FOR DISALLOWANCE
1 DAVID HALVORSON N16601 SHORELINE DR PEMBINE, WI 54156	3/4/2021	Hi-Crush Inc.	847	\$ 5,000.00	Proof of claim has been filed after the General Bar Date of August 16, 2020 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
2 DEPARTMENT OF TREASURY - INTERNAL REVENUE SERVICE INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA, PA 19101-7346	3/19/2021	Hi-Crush Services LLC	848	\$ 31,673.28	Proof of claim has been filed after the Governmental Bar Date of January 8, 2021 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
3 FREDERICK SNYDER 3028 CORTE PORTAL NEWPORT BEACH, CA 92660	12/31/2020	Hi-Crush Inc.	837	\$ 5,965.04	Proof of claim has been filed after the General Bar Date of August 16, 2020 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
4 JORDAN MCGOVERN 18090 NW CORNELL RD, APT. B BEAVERTON, OR 97006	2/25/2021	Hi-Crush Inc.	846	\$ 9,035.51	Proof of claim has been filed after the General Bar Date of August 16, 2020 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
5 KANE, JOHN A 1211 WILSON DR EAU CLAIRE, WI 54703	11/30/2020	Hi-Crush Inc.	826	Undetermined*	Proof of claim has been filed after the General Bar Date of August 16, 2020 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
6 SAY COMMUNICATIONS, LLC 155 WOOSTER STREET, SUITE #4F NEW YORK, NY 10012	2/10/2021	Hi-Crush Inc.	845	\$ 91.78	Proof of claim has been filed after the General Bar Date of August 16, 2020 which was established via the Order Establishing Bar Dates and Related Procedures for Filing Proofs of Claim (DKT 88).
TOTAL				\$ 51,765.61*	

* - Indicates claim contains unliquidated and/or undetermined amounts

Schedule 2

Satisfied Claims

Hi-Crush Permian Sand LLC, et al. 20-33505 (DRJ)
 Thirteenth Omnibus Objection
 Schedule 2 - Satisfied Claims

	NAME	DATE FILED	CASE NUMBER	DEBTOR	CLAIM #	ASSERTED CLAIM AMOUNT	REASON FOR SATISFACTION
1	CYPRESS-FAIRBANKS ISD LINEBARGER GOGGAN BLAIR & SAMPSON, LLP PO BOX 3064 HOUSTON, TX 77253-3064	7/29/2020	20-33495 (DRJ)	Hi-Crush Inc.	120	Undetermined*	Proof of Claim asserts an undetermined amount for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 7940 dated 12/29/2020.
2	ECTOR CAD LINEBARGER GOGGAN BLAIR & SAMPSON, LLP 112 E. PECAN STREET, SUITE 2200 SAN ANTONIO, TX 78205	7/27/2020	20-33501 (DRJ)	D & I Silica, LLC	53	\$ 22,109.16	Proof of Claim asserts an amount of \$22,109.16 for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 14917 dated 01/27/2021.
3	ECTOR CAD LINEBARGER GOGGAN BLAIR & SAMPSON, LLP 112 E. PECAN STREET, SUITE 2200 SAN ANTONIO, TX 78205	7/27/2020	20-33503 (DRJ)	Hi-Crush LMS LLC	51	\$ 2,210.91	Proof of Claim asserts an amount of \$2,210.91 for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 13877 dated 01/27/2021.
4	ECTOR CAD LINEBARGER GOGGAN BLAIR & SAMPSON, LLP 112 E. PECAN STREET, SUITE 2200 SAN ANTONIO, TX 78205	7/27/2020	20-33513 (DRJ)	FB Industries USA Inc.	52	\$ 8,000.65	Proof of Claim asserts an amount of \$8,000.65 for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 13877 dated 01/27/2021.
5	HARRIS COUNTY, ET AL TARA L. GRUNDEMEIER LINEBARGER GOGGAN BLAIR & SAMPSON, LLP PO BOX 3064 HOUSTON, TX 77253-3064	7/29/2020	20-33495 (DRJ)	Hi-Crush Inc.	249	\$ 961.89	Proof of Claim asserts an amount of \$961.89 for unpaid taxes. Claim has been satisfied in full pursuant payment made prior to the petition date via check number 7524 dated 01/22/2020.
6	MIDLAND CENTRAL APPRAISAL DISTRICT, ET AL. TARA LEDAY MCCREARY, VESELKA, BRAGG & ALLEN, P.C. P.O. BOX 1269 ROUND ROCK, TX 78680-1269	7/16/2020	20-33495 (DRJ)	Hi-Crush Inc.	34	\$ 6,040.88	Proof of Claim asserts an amount of \$6,040.88 for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 13883 dated 01/27/2021.
7	TREMPALEAU COUNTY TREASURER LAURIE HALAMA, TREASURER 36245 MAIN STREET P.O. BOX 67 WHITEHALL, WI 54773	9/30/2020	20-33502 (DRJ)	Hi-Crush Blair LLC	738	\$ 1,967.51	Proof of Claim asserts an amount of \$1,967.51 for unpaid taxes. Claim has been satisfied in full pursuant payment made under First Day Relief via check number 6892 dated 10/28/2020.
					TOTAL	\$ 41,291.00*	

* - Indicates claim contains unliquidated and/or undetermined amounts

United States Bankruptcy Court
Southern District of TexasIn re:
Hi-Crush Permian Sand LLC
DebtorCase No. 20-33505-drj
Chapter 11**CERTIFICATE OF NOTICE**District/off: 0541-4
Date Rcvd: May 13, 2021User: VrianaPor
Form ID: pdf002Page 1 of 2
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 15, 2021:

Recip ID	Recipient Name and Address
db	#+ Hi-Crush Permian Sand LLC, 1330 Post Oak Blvd, Suite 600, Houston, TX 77056-3166
op	+ Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, 3rd Floor, El Segundo, CA 90245, US 90245-5614
cr	Midland CAD, c/o Tara LeDay, P. O. Box 1269, Round Rock, TX 78680-1269

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS**The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.**

Recip ID	Bypass Reason	Name and Address
aty		Latham & Watkins LLP
cr		Wisconsin Tort Claimants

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 15, 2021

Signature: /s/Joseph Speetjens **CM/ECF NOTICE OF ELECTRONIC FILING****The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 13, 2021 at the address(es) listed below:**

Name	Email Address
Evan Gershbein	on behalf of Other Prof. Kurtzman Carson Consultants LLC ECFpleadings@kccllc.com ecfpleadings@kccllc.com
Joseph Peak Rovira	on behalf of Debtor Hi-Crush Permian Sand LLC josephrovira@HuntonAK.com
Patrick L Hughes	

District/off: 0541-4

User: VrianaPor

Page 2 of 2

Date Rcvd: May 13, 2021

Form ID: pdf002

Total Noticed: 3

on behalf of Creditor Wisconsin Tort Claimants hughesp@haynesboone.com
kenneth.rusinko@haynesboone.com;patrick.hughes@haynesboone.com

Philip M. Guffy

on behalf of Debtor Hi-Crush Permian Sand LLC pguffy@huntonak.com

Tara LeDay

on behalf of Creditor Midland CAD
tleday@ecf.courtdrive.com;powers@mvalaw.com;vcovington@mvalaw.com;bankruptcy@mvalaw.com;alocklin@mvalaw.com

Timothy Alvin Davidson, II

on behalf of Debtor Hi-Crush Permian Sand LLC TadDavidson@HuntonAK.com

US Trustee

USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 7