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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

**SOUTHCROSS ENERGY PARTNERS, L.P.,
et al.,**

Debtors.

Chapter 11

**Case No. 19-10702 (MFW)
(Jointly Administered)**



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**OBJECTION BY LISA BUENO
MARTINEZ
TO CHAPTER 11 PLAN**

Lisa Bueno Martinez (“Martinez”), a creditor in the above case, files this objection to the chapter 11 plan of Southcross Energy Partners, L.P. (“Southcross”), Southcross Energy Partners GP, LLC, and Southcross’s wholly owned direct and indirect subsidiaries, and respectfully represents:

Background and Jurisdiction

1. On April 1, 2019 (the “Petition Date”), each Debtor commenced with this Court a voluntary case under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).
2. On May 20, 2019, at docket #220, the Debtors and Martinez submitted a Motion for Entry of an Order Approving a Stipulation between the Debtors and Martinez for an order for relief from the automatic stay (“Stipulation”).
3. On June 10, 2019, at docket #227 this Court entered an Order Approving the Stipulation.
4. Martinez contends that she has claims against the Debtors arising from an alleged explosion on April 12, 2016 near Woodsboro, Texas.
5. The Stipulation provides that Martinez agreed to waive any and all claims against the Debtor Defendants related to the claims and agreed to recover solely to the extent of Debtor Defendants available insurance coverage, if any.
6. In the Stipulation, the Debtor Defendants and Martinez agreed to permit the actions to proceed in state court pursuant to the terms of the Stipulation.
7. A copy of the Stipulation as approved by this court is attached as Exhibit 1.
8. The proposed chapter 11 plan does not appear to specifically allow the claims in the

Stipulation to continue in state court as agreed in the Stipulation.

9. Martinez objects to the proposed chapter 11 plan to the extent that the chapter 11 plan may or does adversely affect her ability to continue with the state court lawsuit as agreed in the Stipulation.
10. Martinez seeks a provision in the confirmation or an amendment to the chapter 11 plan that specifically authorizes her to continue in the state court case with the Debtor Defendants named as parties but with any recovery limited to the available insurance coverage as set forth in the Stipulation.
11. Martinez is filing this objection solely to preserve her Claims in the state court lawsuit and her ability to recover against available insurance coverage, if any.

WHEREFORE, PREMISES CONSIDERED, Martinez files this objection to the chapter 11 plan of the Debtors to the extent that the chapter 11 plan of the Debtors may or could adversely affect her ability to proceed with her Claims in state court and recovery against available insurance coverage, if any, and request that this court order that the Debtors to either amend their chapter 11 plan or provide in a confirmation order that the litigation involving Martinez and the Debtors may proceed in state court in conformity with the Stipulation entered at docket #227 and for such other and further relief as to which Martinez may be entitled.

Dated: January 21, 2020

/s/ Reese W. Baker
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For the Claimant

State Court Counsel for Martinez

Craig Smith
Law Offices of Craig Smith 14493

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)
) Chapter 11
)
SOUTHCROSS ENERGY PARTNERS, L.P.,) Case No. 19-10702 (MFW)
)
et al.,)
) Debtors.1) Jointly Administered
)
)
) RE: D.I. 220
)

ORDER APPROVING STIPULATION BETWEEN DEBTORS AND LISA
BUENO MARTINEZ FOR RELIEF FROM THE AUTOMATIC STAY

Upon the motion (the "Motion")2 of Southcross Energy Partners, L.P. ("Southcross"),
Southcross Energy Partners GP, LLC, and Southcross's wholly owned direct and indirect
subsidiaries, each of which is a debtor and debtor in possession (collectively, the "Debtors") in
the above-captioned chapter 11 cases (the "Chapter 11 Cases"), for entry of an order pursuant to
sections 105(a) and 362 of the Bankruptcy Code and Bankruptcy Rules 4001 and 9019,
approving the Stipulation Between Debtors and Lisa Bueno Martinez Modifying Automatic Stay,
dated May 20, 2019 (the "Stipulation"), entered between the Debtors and Lisa Bueno Martinez

1 The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their
respective Employer Identification Numbers, are as follows: Southcross Energy Partners, L.P. (5230); Southcross
Energy Partners GP, LLC (5141); Southcross Energy Finance Corp. (2225); Southcross Energy Operating, LLC
(9605); Southcross Energy GP LLC (4246); Southcross Energy LP LLC (4304); Southcross Gathering Ltd. (7233);
Southcross CCNG Gathering Ltd. (9553); Southcross CCNG Transmission Ltd. (4531); Southcross Marketing
Company Ltd. (3313); Southcross NGL Pipeline Ltd. (3214); Southcross Midstream Services, L.P. (5932);
Southcross Mississippi Industrial Gas Sales, L.P. (7519); Southcross Mississippi Pipeline, L.P. (7499); Southcross
Gulf Coast Transmission Ltd. (0546); Southcross Mississippi Gathering, L.P. (2994); Southcross Delta Pipeline
LLC (6804); Southcross Alabama Pipeline LLC (7180); Southcross Nueces Pipelines LLC (7034); Southcross
Processing LLC (0672); FL Rich Gas Services GP, LLC (5172); FL Rich Gas Services, LP (0219); FL Rich Gas
Utility GP, LLC (3280); FL Rich Gas Utility, LP (3644); Southcross Transmission, LP (6432); T2 EF Cogeneration
Holdings LLC (0613); and T2 EF Cogeneration LLC (4976). The debtors' mailing address is 1717 Main Street,
Suite 5300, Dallas, TX 75201.

2 Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the
Motion.

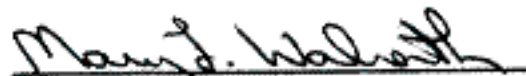
(the “**Claimant**,” and, together with the Debtors, the “**Parties**”) for relief from the automatic stay to allow the Claimant to pursue the Claims against the Debtor Defendants, as more fully set forth in the Motion; and the Court having jurisdiction to consider the matters raised in the Motion pursuant to 28 U.S.C. § 1334, and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012; and the Court having authority to hear the matters raised in the Motion pursuant to 28 U.S.C. § 157; and the Court having venue pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion and the requested relief being a core proceeding that the Court can determine pursuant to 28 U.S.C. § 157(b)(2); and due and proper notice of the Motion and opportunity for a hearing on the Motion having been given to the parties listed therein, and it appearing that no other or further notice need be provided; and the Court having reviewed and considered the Motion; and the Court having the opportunity to hold a hearing on the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and the Court having found that the relief requested in the Motion being in the best interests of the Debtors, their creditors, their estates and all other parties in interest; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Stipulation attached hereto as Exhibit 1 is approved.
2. The Parties are hereby authorized to take any and all actions reasonably necessary to effectuate the terms of the Stipulation.
3. The fourteen day stay contemplated by Bankruptcy Rule 4001(a)(3) is waived, and this Order shall become effective immediately.

4. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: June 10th, 2019
Wilmington, Delaware



MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)
) Chapter 11
)
SOUTHCROSS ENERGY PARTNERS, L.P.,) Case No. 19-10702 (MFW)
et al.,)
)
Debtors.¹) Jointly Administered
)
)
) **RE: D.I.** _____

**ORDER REQUIRING CHAPTER 11 PLAN OF THE DEBTORS' TO
PROVIDE FOR CONTINUED LAWSUIT AS SET FORTH IN THE
STIPULATION BETWEEN DEBTORS AND LISA BUENO
MARTINEZ FOR RELIEF FROM THE AUTOMATIC STAY**

Upon the objection to confirmation filed by Lisa Bueno Martinez (the “**Objection**”)¹ to the chapter 11 plan of Southcross Energy Partners, L.P. (“**Southcross**”), Southcross Energy Partners GP, LLC, and Southcross’s wholly owned direct and indirect subsidiaries, each of which is a debtor and debtor in possession (collectively, the “**Debtors**”)² in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”), this court has determined that the Claims of Martinez must be allowed to proceed in state court after confirmation. It is therefore

ORDERED, that the Debtors shall either amend their chapter 11 plan to provide that such litigation to proceed in state court or provide that such state court litigation may proceed in state court in conformity with the Stipulation entered at docket #227.