

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

In re:) Chapter 11
)
) Case No. 19-10702 (MFW)
SOUTHCROSS ENERGY PARTNERS, L.P.,)
)
Reorganized Debtor.¹)
)
) **Hearing Date: Sept. 3, 2020, at 10:30 a.m. (ET)**
) **Obj. Deadline: August 17, at 4:00 p.m. (ET)**

**REORGANIZED DEBTOR’S MOTION FOR ENTRY OF FINAL DECREE
(I) CLOSING THE CHAPTER 11 CASE AND (II) TERMINATING
CERTAIN CLAIMS AND NOTICING SERVICES**

The above-captioned reorganized debtor (the “**Debtor**” or the “**Reorganized Debtor**,” as applicable) in the above-captioned chapter 11 case (the “**Chapter 11 Case**”)² hereby submit this *Reorganized Debtor’s Motion for Entry of Final Decree (I) Closing the Chapter 11 Case and (II) Terminating Certain Claims and Noticing Services* (the “**Motion**”).³ In support of the Motion, the Reorganized Debtor respectfully states as follows:

Relief Requested

1. By this Motion, and pursuant to section 350(a) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 3022 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 3022-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”), the Reorganized Debtor seeks entry of a final decree, substantially in the form attached

¹ The last four digits of the Employer Identification Number of the reorganized debtor, Southcross Energy Partners, L.P., are 5230. The reorganized debtor’s mailing address is 2103 Citywest Blvd, Suite 900, Houston, TX 77042.

² As appropriate from the context, the terms Debtors, Reorganized Debtors, and Chapter 11 Cases shall include reference to the Closed Debtors (as defined below) and their respective Chapter 11 Cases.

³ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Plan (as defined below).



hereto as Exhibit A (the “**Proposed Final Decree**” and, if entered, the “**Final Decree**”), (a) closing the Chapter 11 Case of the Reorganized Debtor styled *In re Southcross Energy Partners, L.P.*, Case No. 19-10702 (MFW) and (b) terminating certain claims and noticing services provided by Kurtzman Carson Consultants LLC (“**KCC**”) with respect to the Chapter 11 Case.

Jurisdiction and Venue

2. The United States Bankruptcy Court for the District of Delaware (the “**Court**”) has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012.

3. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2) and, pursuant to Rule 9013-1(f) of the Local Rules, the Reorganized Debtor consents to the entry of a final order by the Court in connection with this Motion to the extent that it is later determined that the Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

4. Venue of the Chapter 11 Case and related proceedings is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

General Background

5. On April 1, 2019 (the “**Petition Date**”), each of the Debtors filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code. Subsequent to the Petition Date, the Debtors continued in possession of their property and continued to operate and manage their businesses as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

6. No request has been made for the appointment of a trustee or examiner, and no official committee has been appointed in the Chapter 11 Cases.

7. Additional information about the Debtors' businesses and affairs, prepetition capital structure, and prepetition indebtedness, and the events leading up to the Petition Date, can be found in the *Declaration of Michael B. Howe in Support of Debtors' Chapter 11 Proceedings and First Day Pleadings* [D.I. 2], which is incorporated herein by reference.

8. The Chapter 11 Cases are being jointly administered pursuant to Bankruptcy Rule 1015(b) and the *Order Directing Joint Administration of Chapter 11 Cases* (the "**Joint Administration Order**") [D.I. 48] entered by the Court on April 2, 2019 in each of the Chapter 11 Cases.⁴

9. On April 2, 2019, the Court entered the *Order Authorizing Debtors to Employ and Retain Kurtzman Carson Consultants LLC as Notice and Claims Agent for Debtors Nunc Pro Tunc to the Petition Date* [D.I. 49] (the "**KCC Noticing and Claims Retention Order**"), thereby appointing KCC as the claims and noticing agent for the Chapter 11 Cases. On June 10, 2019, the Court entered the *Order Authorizing The Debtors To Employ And Retain Kurtzman Carson Consultants LLC as Administrative Advisor of the Debtors Nunc Pro Tunc to the Petition Date* [D.I. 258] (the "**KCC Administrative Advisor Retention Order**") and, together with the KCC Noticing and Claims Retention Order, the "**KCC Retention Orders**" and, KCC in its capacity under the KCC Retention Orders, the "**Claims Agent**"), thereby authorizing the Debtors to employ KCC as the administrative advisor to the Debtors in the Chapter 11 Cases.

10. On June 10, 2019, the Court entered the *Order Establishing Deadlines and Procedures for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof*

⁴ Orders entered, and documents filed, in the Chapter 11 Cases were also entered in or filed (as applicable) the Closed Cases (as defined below), unless otherwise noted.

[D.I. 260] establishing July 19, 2019 at 5:00 p.m. (prevailing Eastern Time) and September 30, 2019 at 5:00 p.m. (prevailing Eastern Time) as the General Bar Date and Governmental Bar Date, respectively (each as defined therein). The Governmental Bar Date (for the United States only) was extended to October 15, 2019 by order of the Court [D.I. 606]. Furthermore, pursuant to Section 3.2 of the Plan, the bar date for Administrative Expense Claims was March 1, 2020, and pursuant to Section 3.3 of the Plan, the bar date for Professional Fee Claims was March 27, 2020.

11. On January 24, 2020, the Debtors filed the *First Amended Chapter 11 Plan for Southcross Energy Partners L.P. and its affiliated Debtors* [D.I. 863] (as amended, the “**Plan**”). The Plan was confirmed on January 27, 2020 pursuant to the *Order Confirming First Amended Chapter 11 Plan for Southcross Energy Partners, L.P. and its Affiliated Debtors* [D.I. 873] (the “**Confirmation Order**”). The Effective Date of the Plan occurred on January 31, 2020 (the “**Effective Date**”) [D.I. 881].

12. On March 6, 2020, the Court entered the *Final Decree (I) Closing Certain Chapter 11 Cases and (II) Terminating Certain Claims and Noticing Services* [D.I. 928] (the “**First Final Decree**”), closing all but two of the Reorganized Debtor’s affiliated Chapter 11 Cases. Paragraph 6 of the First Final Decree dictates that all Proofs of Claim against the Closed Debtors (each as defined below) shall remain unaffected by entry of the First Final Decree and such Proofs of Claim shall be administered in the Chapter 11 Case of Debtor Southcross Energy Partners, L.P. without prejudice to the rights of any claimant related thereto.

13. On June 3, 2020, the Court entered the *Final Decree (I) Closing Chapter 11 Case of Southcross Gulf Coast Transmission Ltd. and (II) Terminating Certain Claims and Noticing Services* [D.I. 978] (the “**Second Final Decree**”) closing the Chapter 11 Case of Southcross Gulf

Coast Transmission Ltd (“**Gulf Coast**” and, together with each Debtor closed in the First Final Decree, the “**Closed Debtors**”). Paragraph 6 of the Second Final Decree dictates that all Proofs of Claim against Gulf Coast shall remain unaffected by entry of the Second Final Decree and such Proofs of Claim shall be administered in the Chapter 11 Case of Debtor Southcross Energy Partners, L.P. without prejudice to the rights of any claimant related thereto.

14. The Official Claims Register, prepared and maintained by the Claims Agent, reflects that approximately 647 proofs of claim (each a “**Proof of Claim**” and collectively, the “**Proofs of Claim**”) have been filed in the Chapter 11 Cases asserting claims against the Reorganized Debtor.

15. The Reorganized Debtor and the Claims Agent conducted a thorough review and reconciliation of the filed claims against the Reorganized Debtor’s books and records. As a result of this review, the Reorganized Debtor determined that certain claims were satisfied. To that end, on October 10, 2019, the Debtors filed the *Debtors’ Notice of Claims Satisfied in Full* [D.I. 518], on May 8, 2020, the Reorganized Debtors filed the *Reorganized Debtors’ Second Notice of Claims Satisfied in Full* [D.I. 964], and on July 2, 2020, the Reorganized Debtor filed the *Reorganized Debtor’s Third Notice of Claims Satisfied in Full* [D.I. 987].

16. For disputed claims, the Reorganized Debtor filed and prosecuted four omnibus objections to claims. Orders were entered sustaining such objections. *See* D.I. 961, 975, 976, and 997. Accordingly, the Reorganized Debtor believes that the claims in the Chapter 11 Case are fully administered.

17. Apart from this Motion, there are no pending motions, contested matters, or adversary proceedings in or related to the Chapter 11 Case.

Basis for Relief

A. Entry of Final Relief

18. Section 350(a) of the Bankruptcy Code provides that, “[a]fter an estate is fully administered and the court has discharged the trustee, the court shall close the case.” 11 U.S.C. § 350. Bankruptcy Rule 3022, which implements section 350 of the Bankruptcy Code, further provides that, “[a]fter an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.” Local Rule 3022-1(a) provides that, “[u]pon written motion, a party in interest may seek the entry of a final decree at any time after the confirmed plan has been fully administered provided that all required fees due under 28 U.S.C. § 1930 have been paid.”

19. The term “fully administered” is not defined in the Bankruptcy Code, the Bankruptcy Rules, nor the Local Rules. The Advisory Committee Note to Bankruptcy Rule 3022 (the “**Advisory Committee Note**”), however, sets forth the following non-exclusive factors to be considered in determining whether a case has been fully administered:

- a. whether the order confirming the plan has become final;
- b. whether deposits required by the plan have been distributed;
- c. whether the property proposed by the plan to be transferred has been transferred;
- d. whether the debtors or the successor of the debtors under the plan has assumed the business or the management of the property dealt with by the plan;
- e. whether payouts under the plan have commenced; and
- f. whether all motions, contested matters, and adversary proceedings have been finally resolved.

20. Courts in this district and others adopt the view that “these factors are but a guide in determining whether a case has been fully administered, and not all factors need to be present

before the case is closed.” *In re SLI, Inc.*, 2005 WL 1668396, at *2 (Bankr. D. Del. June 24, 2005) (citing *In re Mold Makers, Inc.*, 124 B.R. 766, 768–69 (Bankr. N.D. Ill. 1990)); *see also In re Kliegl Bros. Universal Elec. Stage Lighting Co., Inc.*, 238 B.R. 531, 542 (Bankr. E.D.N.Y. 1999) (recognizing that bankruptcy courts weigh the factors contained in the Advisory Committee Note when deciding whether to close a case).

21. In addition to the factors set forth in the Advisory Committee Note, courts have considered whether the plan of reorganization has been substantially consummated. *See, e.g., In re Gates Cmty. Chapel of Rochester, Inc.*, 212 B.R. 220, 224 (Bankr. W.D.N.Y. 1997) (considering substantial consummation as a factor in determining whether to close a case); *Walnut Assocs. v. Saidel*, 164 B.R. 487, 493 (E.D. Pa. 1994) (same).⁵

22. As of the date hereof, the Chapter 11 Case has been “fully administered” within the meaning of section 350 of the Bankruptcy Code, making it appropriate for the Court to enter the Final Decree closing that case. The Chapter 11 Case has been fully administered because, among other things:

- a. the Reorganized Debtor has emerged from chapter 11;
- b. all payments required of the Reorganized Debtor to be made on the Effective Date pursuant to the Plan have been paid or provided for as of the Effective Date;
- c. the Reorganized Debtor has assumed the business and management of the property dealt with by the Plan;
- d. substantially all distributions required of the Reorganized Debtor under the Plan have been made and the Reorganized Debtor intends to make any remaining distributions in the ordinary course and in accordance with the Plan;

⁵ Section 1101(2) of the Bankruptcy Code defines substantial consummation as the (a) transfer of all or substantially all of the property proposed by the plan to be transferred, (b) assumption by the debtors or by the successor to the debtors under the plan of the business or of the management of all or substantially all of the property dealt with by the plan, and (c) commencement of distribution under the plan. *See* 11 U.S.C. § 1101(2).

- e. all Proofs of Claim have been reconciled and administered;
- f. all of the transactions contemplated by the Plan with respect to the Reorganized Debtor have closed;
- g. the Plan has been substantially consummated with respect to the Reorganized Debtor within the meaning of section 1101(2) of the Bankruptcy Code; and
- h. all motions, contested matters, and adversary proceedings have been finally resolved.

23. Moreover, “[t]he court should not keep [a] case open only because of the possibility that the court’s jurisdiction may be invoked in the future.” Fed. R. Bankr. P. 3022, Advisory Comm. Note (1991). Furthermore, the entry of the Final Decree closing the Chapter 11 Case of the Reorganized Debtor is without prejudice to any creditors’ rights to petition the Court to reopen the Chapter 11 Case of the Reorganized Debtor pursuant to section 350(b) of the Bankruptcy Code.

24. Finally, in accordance with Local Rule 3022-1(c), the Reorganized Debtor will file a final report describing the fees and expenses awarded to the retained professionals who rendered services during the pendency of the Chapter 11 Case.

25. For the foregoing reasons, the Reorganized Debtor submits that the Court should enter the Final Decree closing the Chapter 11 Case.

B. Termination of Claims and Noticing Services

26. The Reorganized Debtor also requests entry of the Final Decree to terminate the claims services provided by the Claims Agent (the “**Claims and Noticing Services**”). Upon termination of the Claims and Noticing Services, except as otherwise provided herein or in the KCC Retention Orders, the Claims Agent shall have no further obligations under the KCC Retention Orders to the Court, the Reorganized Debtor, or any other party in interest with respect to the Chapter 11 Case.

27. Pursuant to Local Rule 2002-1(f)(ix), within 28 days of entry of the Final Decree, the Claims Agent will (a) provide to the Clerk of the Court an electronic version of all imaged claims filed against the Reorganized Debtor, (b) upload a creditor mailing list into CM/ECF for the Reorganized Debtor, (c) docket a final claims register for the Reorganized Debtor, and (d) transport original claims for record purposes and completing a SF-135 Form, until such time as the Reorganized Debtor has obtained a final decree closing the Chapter 11 Case. Local Rule 2002-1(f)(ix) further provides that, in the context of jointly-administered cases, a claims agent must only docket one combined register in the lead case containing the claims of all jointly-administered cases.

28. Finally, should the Claims Agent receive any mail regarding the Reorganized Debtor after entry of the Final Decree, the Claims Agent will collect and forward such mail (no less frequently than on a monthly basis) to the Reorganized Debtor at the following address (or such other address as may be subsequently provided by the Reorganized Debtor to KCC): 1717 Main Street, Suite 5300, Dallas, TX 75201.

Notice

29. The Reorganized Debtor has provided notice of the Motion to all parties that are required to receive notice under Local Rule 3022-1(b). The Reorganized Debtor submits that, in light of the nature of the relief requested, no other or further notice need be given.

No Prior Request

30. The Reorganized Debtor has not previously sought the relief requested herein from the Court or any other court.

WHEREFORE, the Reorganized Debtor respectfully requests entry of the Proposed Final Decree, substantially in the form attached hereto as Exhibit A, granting the relief requested herein and such other and further relief as the Court deems just and proper.

Dated: August 3, 2020
Wilmington, Delaware

MORRIS, NICHOLS ARSHT & TUNNELL LLP

/s/ Eric W. Moats

Robert J. Dehney (No. 3578)
Andrew R. Remming (No. 5120)
Joseph C. Barsalona II (No. 6102)
Eric W. Moats (No. 6441)
1201 North Market Street, 16th Floor
P.O. Box 1347
Wilmington, Delaware 19899-1347
Tel.: (302) 658-9200
Fax: (302) 658-3989
rdehney@mnat.com
aremming@mnat.com
jbarsalona@mnat.com
emoats@mnat.com

-and-

DAVIS POLK & WARDWELL LLP
Marshall S. Huebner (admitted *pro hac vice*)
Darren S. Klein (admitted *pro hac vice*)
Steven Z. Szanzer (admitted *pro hac vice*)
450 Lexington Avenue
New York, New York 10017
Tel.: (212) 450-4000
Fax: (212) 701-5800
marshall.huebner@davispolk.com
darren.klein@davispolk.com
steven.szanzer@davispolk.com

Counsel to the Reorganized Debtor

**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)
)	
Reorganized Debtor. ¹)	
)	
)	Hearing Date: Sept. 3, 2020, at 10:30 a.m. (ET)
)	Obj. Deadline: August 17, at 4:00 p.m. (ET)

**NOTICE OF REORGANIZED DEBTOR’S MOTION FOR ENTRY OF
FINAL DECREE (I) CLOSING THE CHAPTER 11 CASE AND (II)
TERMINATING CERTAIN CLAIMS AND NOTICING SERVICES**

PLEASE TAKE NOTICE that today, the above-captioned debtor and debtor-in-possession (the “Reorganized Debtor”) filed the *Reorganized Debtor’s Motion for Entry of Final Decree (I) Closing the Chapter 11 Case and (II) Terminating Certain Claims and Noticing Services* (the “Motion”).

PLEASE TAKE FURTHER NOTICE that objections, if any, to approval of the relief sought in the Motion must be: (a) in writing and served on or before **August 17, 2020, at 4:00 p.m. (ET)** (the “Objection Deadline”); (b) filed with the Clerk of the Bankruptcy Court, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801; and (c) served as to be received on or before the Objection Deadline by the undersigned counsel.

PLEASE TAKE FURTHER NOTICE THAT only objections made in writing and timely filed and received, in accordance with the procedures above, will be considered by the Bankruptcy Court at such hearing.

PLEASE TAKE FURTHER NOTICE THAT, IF AN OBJECTION IS RECEIVED BY THE OBJECTION DEADLINE, A HEARING ON THE MOTION WILL BE HELD, IF NECESSARY, ON **SEPTEMBER 3, 2020, AT 10:30 A.M. (ET)** BEFORE THE HONORABLE MARY F. WALRATH, AT THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE, 824 MARKET STREET, 5TH FLOOR, COURTROOM #4, WILMINGTON, DELAWARE 19801.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

¹ The last four digits of the Employer Identification Number of the reorganized debtor, Southcross Energy Partners, L.P., are 5230. The reorganized debtor’s mailing address is 2103 Citywest Blvd, Suite 900, Houston, TX 77042.

Dated: August 3, 2020
Wilmington, Delaware

MORRIS, NICHOLS ARSHT & TUNNELL LLP

/s/ Eric W. Moats

Robert J. Dehney (No. 3578)
Andrew R. Remming (No. 5120)
Joseph C. Barsalona II (No. 6102)
Eric W. Moats (No. 6441)
1201 North Market Street, 16th Floor
P.O. Box 1347
Wilmington, Delaware 19899-1347
Tel.: (302) 658-9200
Fax: (302) 658-3989
rdehney@mnat.com
aremming@mnat.com
jbarsalona@mnat.com
emoats@mnat.com

-and-

DAVIS POLK & WARDWELL LLP
Marshall S. Huebner (admitted *pro hac vice*)
Darren S. Klein (admitted *pro hac vice*)
Steven Z. Szanzer (admitted *pro hac vice*)
450 Lexington Avenue
New York, New York 10017
Tel.: (212) 450-4000
Fax: (212) 701-5800
marshall.huebner@davispolk.com
darren.klein@davispolk.com
steven.szanzer@davispolk.com

Counsel to the Reorganized Debtor

EXHIBIT A

Proposed Final Decree

**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)
)	
Reorganized Debtor. ¹)	Re: D.I. ____
)	

**FINAL DECREE (I) CLOSING THE CHAPTER 11 CASE AND
(II) TERMINATING CERTAIN CLAIMS AND NOTICING SERVICES**

Upon the motion (the “**Motion**”)² of the Reorganized Debtor for entry of a final decree (this “**Final Decree**”), pursuant to section 350(a) of the Bankruptcy Code, Bankruptcy Rule 3022, and Local Rule 3022-1, closing the Chapter 11 Case and terminating the Claims and Noticing Services, 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 venue being proper before this Court 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

¹ The last four digits of the Employer Identification Number of the reorganized debtor, Southcross Energy Partners, L.P., are 5230. The reorganized debtor’s mailing address is 2103 Citywest Blvd, Suite 900, Houston, TX 77042.

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

forth in the Motion establish just cause for the relief granted herein; and the Court having found that the relief granted herein being in the best interests of the Reorganized Debtor, its creditors, 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 relief requested in the Motion is hereby GRANTED as set forth herein.
2. The Chapter 11 Case of the Reorganized Debtor, *In re Southcross Energy Partners, L.P.*, Case No. 19-10702 (MFW), is hereby closed and a final decree is granted effective as of the date hereof.
3. Entry of this Final Decree is without prejudice to (a) the rights of the Reorganized Debtor or any party in interest to seek to reopen the Chapter 11 Case closed hereby for cause pursuant to section 350(b) of the Bankruptcy Code and (b) the rights of the Reorganized Debtor to dispute, in any appropriate forum, all claims that were filed against the Reorganized Debtor or addressed by the Plan in the Chapter 11 Cases (and, for the avoidance of doubt, the Closed Cases) as contemplated by the Plan and the Confirmation Order.
4. The Clerk of this Court shall enter this Order on the docket of the Chapter 11 Case of the Reorganized Debtor and the docket of the Chapter 11 Case of the Reorganized Debtor shall be marked as “Closed.”
5. All fees due and payable pursuant to 28 U.S.C. § 1930(a)(6) shall be paid by the Reorganized Debtor on or before the date when the next scheduled quarterly fees of the Reorganized Debtor are due and payable.
6. The Reorganized Debtor shall serve copies of all post-confirmation and final reports on the United States Trustee for the District of Delaware (the “U.S. Trustee”) on or

before the date when the next scheduled quarterly fees of the Reorganized Debtor are due and payable.

7. Entry of this Final Decree is without prejudice to the rights of the U.S. Trustee to reopen the Chapter 11 Case closed hereby to seek appropriate relief in the event of an unresolved dispute over the payment of fees pursuant to 28 U.S.C. § 1930(a)(6) or the post-confirmation reports.

8. The Claims and Noticing Services are terminated in accordance with the Motion upon the completion of the services listed in Paragraph 9 below. Thereafter, except as otherwise expressly set forth herein or in the KCC Retention Orders, the Claims Agent shall have no further obligations to this Court, the Reorganized Debtor, or any other party in interest with respect to the Claims and Noticing Services in the Chapter 11 Case.

9. Pursuant to Local Rule 2002-1(f)(ix), within 28 days of entry of this Final Decree, the Claims Agent will (a) provide to the Clerk of the Court an electronic version of all imaged claims filed against the Reorganized Debtor, (b) upload a creditor mailing list into CM/ECF for the Reorganized Debtor, (c) docket a final claims register for the Reorganized Debtor, and (d) transport original claims for record purposes and completing a SF-135 Form.

10. Pursuant to Local Rule 2002-1(f)(ix), the Claims Agent shall docket one combined register in the Chapter 11 Case containing the claims of all of the Chapter 11 Cases.

11. Should the Claims Agent receive any mail regarding the Reorganized Debtor after entry of this Final Decree, the Claims Agent shall collect and forward such mail (no less frequently than on a monthly basis) to the Reorganized Debtor at the following address (or such other address as may be subsequently provided by the Reorganized Debtor to KCC): 1717 Main Street, Suite 5300, Dallas, TX 75201.

12. The Reorganized Debtor is authorized to take or refrain from taking any action necessary or appropriate to implement the terms of, and the relief granted in, this Final Decree without seeking further order of the Court.

13. Notwithstanding any Bankruptcy Rule, Local Rule, or otherwise, the terms and conditions of this Final Decree shall be immediately effective and enforceable upon its entry.

14. Notwithstanding the entry of this Final Decree, pursuant to the Plan, this Court shall retain jurisdiction to hear and determine all matters arising from, arising under, or related to the Chapter 11 Cases and the Plan, to the fullest extent permitted by law, including, without limitation, to enforce the Confirmation Order and this Final Decree.

Dated: _____, 2020
Wilmington, Delaware

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE