

Related Documents:

- i. Supplemental Declaration of Keith A. Simon and Disclosure Statement of Latham & Watkins LLP [Docket No. 290; filed September 3, 2019]
- ii. Certification of Counsel Regarding Order Authorizing the Employment and Retention of Latham & Watkins LLP as Bankruptcy Co-Counsel *Nunc Pro Tunc* to the Petition Date [Docket No. 291; filed September 3, 2019]
- iii. Order Authorizing the Employment and Retention of Latham & Watkins LLP as Bankruptcy Co-Counsel *Nunc Pro Tunc* to the Petition Date [Docket No. 305; filed September 4, 2019]

Status: On September 4, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

2. Application of the Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Kilpatrick Townsend & Stockton LLP as its Attorneys, *Nunc Pro Tunc* to July 30, 2019 [Docket No. 220; filed August 15, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Todd C. Myers in Support of Application of the Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Kilpatrick Townsend & Stockton LLP as its Attorneys, *Nunc Pro Tunc* to July 30, 2019 [Docket No. 296; filed September 3, 2019]
- ii. Certification of Counsel Regarding Application of the Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Kilpatrick Townsend & Stockton LLP as its Attorneys, *Nunc Pro Tunc* to July 30, 2019 [Docket No. 297; filed September 3, 2019]
- iii. Order Authorizing the Employment and Retention of Kilpatrick Townsend & Stockton LLP as its Attorneys for the Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.*, *Nunc Pro Tunc* to July 30, 2019 [Docket No. 306; filed September 4, 2019]

Status: On September 4, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

3. Application for Entry for an Order Authorizing and Approving the Employment of Province, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Effective as of August 2, 2019 [Docket No. 221; filed August 15, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Edward Kim in Support of Application for Entry of an Order Authorizing and Approving the Employment of Province, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Effective as of August 2, 2019 [Docket No. 285; filed September 3, 2019]
- ii. Certification of Counsel Regarding Application for Entry for an Order Authorizing and Approving the Employment of Province, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Effective as of August 2, 2019 [Docket No. 288; filed September 3, 2019]
- iii. Order Authorizing and Approving the Employment of Province, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Effective as of August 2, 2019 [Docket No. 303; filed September 4, 2019]

Status: On September 4, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

4. Application of the Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Potter Anderson & Corroon LLP as Delaware Counsel *Nunc Pro Tunc* to July 30, 2019 [Docket No. 223; filed August 15, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Christopher M. Samis of Potter Anderson & Corroon LLP in Support of Application of Official Committee of

Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Potter Anderson & Corroon LLP as Delaware Counsel *Nunc Pro Tunc* to July 30, 2019 [Docket No. 286; filed September 3, 2019]

- ii. Certification of Counsel Regarding Application of Official Committee of Unsecured Creditors of Emerge Energy Services LP, *et al.* for Entry of an Order Authorizing the Employment and Retention of Potter Anderson & Corroon LLP as Delaware Counsel *Nunc Pro Tunc* to July 30, 2019 [Docket No. 289; filed September 3, 2019]
- iii. Order Authorizing the Employment and Retention of Potter Anderson & Corroon LLP as Delaware Counsel to the Official Committee of Unsecured Creditors *Nunc Pro Tunc* to July 30, 2019 [Docket No. 304; filed September 4, 2019]

Status: On September 4, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.

II. MATTER FILED UNDER CERTIFICATION:

- 5. Motion of Official Committee of Unsecured Creditors for an Order Establishing Information Sharing Procedures for Compliance with 11 U.S.C. §§ 1102(b)(3) and 1103(c) *Nunc Pro Tunc* to July 30, 2019 [Docket No. 245; filed August 22, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. Certification of Counsel Regarding Motion of Official Committee of Unsecured Creditors for an Order Establishing Information Sharing Procedures for Compliance with 11 U.S.C. §§ 1102(b)(3) and 1103(c) *Nunc Pro Tunc* to July 30, 2019 [Docket No. 308; filed September 4, 2019]
- ii. **Order Establishing Information Sharing Procedures for Compliance with 11 U.S.C. §§ 1102(b)(3) and 1103(c) *Nunc Pro Tunc* to July 30, 2019 [Docket No. 323; filed September 5, 2019]**

Status: **On September 5, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.**

III. CONTESTED MATTERS:

6. Motion for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to File Under Seal the Objection of the Official Committee of Unsecured Creditors to Debtors' Omnibus Motion for Entry of an Order Authorizing the Debtors to (I) Reject Certain Railcar Lease Agreements *Nunc Pro Tunc* to the Petition Date, and (II) Enter into Proposed New Railcar Lease Agreements Effective as of the Petition Date [Docket No. 182; filed August 12, 2019]

Response/Objection Deadline: August 14, 2019 at 11:00 a.m. (ET)

Responses/Objections Received:

- A. Informal comments from the U.S. Trustee

Related Documents:

- i. **Certification of Counsel Regarding Motion for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to File Under Seal the Objection of the Official Committee of Unsecured Creditors to Debtors' Omnibus Motion for Entry of an Order Authorizing the Debtors to (I) Reject Certain Railcar Lease Agreements *Nunc Pro Tunc* to the Petition Date, and (II) Enter into Proposed New Railcar Lease Agreements Effective as of the Petition Date [Docket No. 321; filed September 5, 2019]**
- ii. **Order Granting Motion for Entry of an Order Authorizing the Official Committee of Unsecured Creditors to File Under Seal the Objection of the Official Committee of Unsecured Creditors to Debtors' Omnibus Motion for Entry of an Order Authorizing the Debtors to (I) Reject Certain Railcar Lease Agreements *Nunc Pro Tunc* to the Petition Date, and (II) Enter into Proposed New Railcar Lease Agreements Effective as of the Petition Date [Docket No. 322; filed September 5, 2019]**

Status: **On September 5, 2019, the Court entered an order regarding this matter. Accordingly, a hearing on this matter is no longer necessary.**

7. Application of the Official Committee of Unsecured Creditors to Employ and Retain Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc. as Investment Banker *Nunc Pro Tunc* to August 2, 2019 [Docket No. 222; filed August 15, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Debtors' Limited Objection to the Application of the Official Committee of Unsecured Creditors to Employ and Retain Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc. as Investment Banker *Nunc Pro Tunc* to August 2, 2019 [Docket No. 274; filed August 29, 2019]
- B. Informal comments from the U.S. Trustee

Related Documents:

- i. Supplemental Declaration of Matthew Rodrigue in Support of the Official Committee of Unsecured Creditors' Application to Employ and Retain Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc. as Investment Banker *Nunc Pro Tunc* to August 2, 2019 [Docket No. 287; filed September 3, 2019]
- ii. Notice of Filing of Revised Form of Proposed Order Regarding Application of the Official Committee of Unsecured Creditors to Employ and Retain Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc. as Investment Banker *Nunc Pro Tunc* to August 2, 2019 [Docket No. 307; filed September 4, 2019]
- iii. Joint Reply of the Official Committee of Unsecured Creditors and Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co. to the Debtors' Limited Objection to the Application of the Official Committee of Unsecured Creditors to Employ and Retain Miller Buckfire & Co., LLC and Stifel, Nicolaus & Co., Inc. as Investment Banker *Nunc Pro Tunc* to August 2, 2019 [Docket No. 309; filed September 4, 2019]

Status: **The informal comments from the U.S. Trustee have been resolved. The objection of the Debtors remains unresolved.** The hearing on this matter will go forward.

- 8. Debtors' Motion for Entry of an Order Establishing Procedures for the Sale, Transfer or Abandonment of Miscellaneous and *De Minimis* Assets and Granting Certain Related Relief [Docket No. 241; filed August 20, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Pownall Services, LLC's Limited Objection to the Debtors' Motion for Entry of an Order Establishing Procedures for the Sale, Transfer or Abandonment of Miscellaneous and *De Minimis* Assets and Granting Certain Related Relief [Docket No. 272; filed August 29, 2019]

B. Limited Objection of Market and Johnson, Inc., Stout Excavating Group LLC, and A-1 Excavating, Inc. to Debtors' Motion for Entry of an Order Establishing Procedures for the Sale, Transfer or Abandonment of Miscellaneous and *De Minimis* Assets and Granting Certain Related Relief [Docket No. 275; filed August 29, 2019]

C. Informal comments from the U.S. Trustee

Status: The informal comments from the U.S. Trustee have been resolved. The objections of Pownall Services, LLC and Market and Johnson, Inc., Stout Excavating Group LLC, and A-1 Excavating, Inc. remain unresolved. The hearing on this matter will go forward.

9. Motion of Official Committee of Unsecured Creditors for an Order, Pursuant to Section 105(a) of the Bankruptcy Code, Bankruptcy Rule 2004, and Local Bankruptcy Rule 2004-1, Authorizing and Directing the Examination of the Debtors and Certain Third Parties [Docket No. 246; filed August 22, 2019]

Response/Objection Deadline: August 29, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

A. Objection and Reservation of Rights of the Debtors to the Motion of Official Committee of Unsecured Creditors for an Order, Pursuant to Section 105(a) of the Bankruptcy Code, Bankruptcy Rule 2004, and Local Bankruptcy Rule 2004-1, Authorizing and Directing the Examination of the Debtors and Certain Third Parties [Docket No. 273; filed August 29, 2019]

Status: The Official Committee of Unsecured Creditors and the Debtors are nearing resolution of this motion. The Debtors understand that the Committee will be filing a Certification of Counsel once it is resolved. The hearing on this matter will go forward **only if a resolution is not reached.**

IV. DISCLOSURE STATEMENT:

10. Motion of the Debtors for Entry of an Order (I) Approving the Disclosure Statement, (II) Establishing the Voting Record Date, Voting Deadline and Other Dates, (III) Approving Procedures for Soliciting, Receiving and Tabulating Votes on the Plan and for Filing Objections to the Plan, (IV) Approving the Manner and Forms of Notice and Other Related Documents, and (V) Granting Related Relief [Docket No. 247; filed August 22, 2019]

Response/Objection Deadline: August 30, 2019 at 4:00 p.m. (ET)

Responses/Objections Received:

- A. Objection of the Securities and Exchange Commission to Approval of the Disclosure Statement and Confirmation of the Debtors' Joint Chapter 11 Plan [Docket No. 255; filed August 24, 2019]
- B. Pownall Services, LLC's Objection to the Debtors' Disclosure Statement [Docket No. 276; filed August 30, 2019]
- C. Objection of the Official Committee of Unsecured Creditors to Motion of the Debtors for Entry of an Order (I) Approving the Disclosure Statement, (II) Establishing the Voting Record Date, Voting Deadline and Other Dates, (III) Approving Procedures for Soliciting, Receiving and Tabulating Votes on the Plan and for Filing Objections to the Plan, (IV) Approving the Manner and Forms of Notice and Other Related Documents, and (V) Granting Related Relief [Docket No. 277; filed August 30, 2019]
- D. Informal comments from the U.S. Trustee

Related Documents:

- i. Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 98; filed July 25, 2019]
- ii. Disclosure Statement for the Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 99; filed July 25, 2019]
- iii. Notice of Disclosure Statement Hearing [Docket No. 100; filed July 25, 2019]
- iv. First Amended Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 268; filed August 29, 2019]
- v. Disclosure Statement for the First Amended Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 269; filed August 29, 2019]
- vi. Notice of Filing of Blacklines of Revised Plan and Disclosure Statement [Docket No. 270; filed August 29, 2019]
- vii. Notice of Extension of Deadline for Objections to the Proposed Disclosure Statement [Docket No. 271; filed August 29, 2019]

- viii. **First Amended Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 324; filed September 5, 2019]**
- ix. **Disclosure Statement for the First Amended Joint Plan of Reorganization for Emerge Energy Services LP and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 325; filed September 5, 2019]**
- x. **Notice of Filing of Blacklines of Revised Plan and Disclosure Statement [Docket No. 327; filed September 6, 2019]**
- xi. **Notice of Filing of Revised Order (I) Approving the Disclosure Statement, (II) Establishing the Voting Record Date, Voting Deadline and Other Dates, (III) Approving Procedures for Soliciting, Receiving and Tabulating Votes on the Plan and for Filing Objections to the Plan, (IV) Approving the Manner and Forms of Notice and other Related Documents, (V) Approving Procedures for Assumption of Contracts and Leases and Form and Manner of Assumption Notice, and (VI) Granting Related Relief [Docket No. 328; filed September 6, 2019]**
- xii. **Debtors' Omnibus Reply to Objections to Disclosure Statement and Disclosure Statement Motion [Docket No. 329; filed September 6, 2019]**
- xiii. **Motion of Debtors for Leave to File Debtors' Omnibus Reply to Objections to Disclosure Statement and Disclosure Statement Motion [Docket No. 330; filed September 6, 2019]**

Status: **The informal comments from the U.S. Trustee have been resolved. The objections of the Securities and Exchange Commission, Pownall Services, LLC, and the Official Committee of Unsecured Creditors remain unresolved. The hearing on this matter will go forward.**

Dated: September 6, 2019
Wilmington, Delaware

/s/ Travis J. Cuomo

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