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

| | | |
|---|---|---|
| In re: | : | Chapter 11 |
| SUPERIOR ENERGY SERVICES, INC., *et al.*,[1] | : | Case No. 20-35812 (DRJ) |
| Reorganized Debtors. | : | (Jointly Administered) |

**REORGANIZED DEBTORS' THIRD OMNIBUS**
**OBJECTION TO CERTAIN CLAIMS (NO LIABILITY CLAIMS)**

**This is an objection to your claim. This objection asks the court to disallow the claim that you filed in this bankruptcy case. If you do not file a response within 30 days after the objection was served on you, your claim may be disallowed without a hearing.**

**Claimants receiving this objection should locate their names and claims on Schedule 1 attached to the proposed form of order attached to this objection.**

The above-captioned reorganized debtors (collectively, the "**Debtors**" or "**Reorganized Debtors**," as applicable) respectfully state the following in support of this omnibus claims objection (this "**Objection**"):

## RELIEF REQUESTED

1. By this Objection, the Reorganized Debtors seek entry of an order (the "**Order**"), substantially in the form attached hereto, disallowing each of the claims identified on **Schedule 1** to the Order (the "**No Liability Claims**") in their entirety because a review of the No Liability

[1] The Reorganized Debtors in these cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Superior Energy Services, Inc. (9388), SESI, L.L.C. (4124), Superior Energy Services-North America Services, Inc. (5131), Complete Energy Services, Inc. (9295), Warrior Energy Services Corporation (9424), SPN Well Services, Inc. (2682), Pumpco Energy Services, Inc. (7310), 1105 Peters Road, L.L.C. (4198), Connection Technology, L.L.C. (4128), CSI Technologies, LLC (6936), H.B. Rentals, L.C. (7291), International Snubbing Services, L.L.C. (4134), Stabil Drill Specialties, L.L.C. (4138), Superior Energy Services, L.L.C. (4196), Superior Inspection Services, L.L.C. (4991), Wild Well Control, Inc. (3477), and Workstrings International, L.L.C. (0390). The Reorganized Debtors' address is 1001 Louisiana Street, Suite 2900, Houston, Texas 77002.



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Claims and the Reorganized Debtors' books and records show that the Reorganized Debtors do not owe any amounts to the claimants on account of the No Liability Claims. In support hereof, the Reorganized Debtors submit the declaration of Jay Herriman, Managing Director of Alvarez and Marsal North America, LLC, attached here as **Exhibit A**.

## JURISDICTION AND VENUE

2. The United States Bankruptcy Court for the Southern District of Texas (the "**Court**") has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157, and this Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The bases for the relief requested herein are sections 105(a) and 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the "**Bankruptcy Code**"), rule 3007 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), rule 3007-1(b) of the Bankruptcy Local Rules for the Southern District of Texas, and the Procedures for Complex Cases in the Southern District of Texas.

## BACKGROUND

4. On December 7, 2020 (the "**Petition Date**"), the Debtors filed voluntary petitions for relief in this Court commencing cases (the "**Chapter 11 Cases**") under chapter 11 of the Bankruptcy Code. The factual background regarding the Debtors, including their business operations, their capital and debt structures, and the events leading to the filing of the Chapter 11 Cases, is set forth in detail in the *Declaration of Westervelt T. Ballard, Jr.., Chief Financial Officer of the Debtors, in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 8] (the "**First Day Declaration**"), filed on the Petition Date.

5. On January 15, 2021, the Debtors filed their *First Amended Joint Prepackaged Plan of Reorganization for Superior Energy Services, Inc. and Its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 263] (as may be amended, modified, or supplemented, the "**Plan**"). On January 19, 2021, the Court entered the *Order (I) Approving Disclosure Statement and (II) Confirming the Plan of Reorganization for Hi-Crush Inc. and Its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 289] (the "**Confirmation Order**"). The Plan provides that the Reorganized Debtors are authorized to object to scheduled claims and proofs of claim and interests. *See* Plan Article VIII. On February 2, 2021, the Plan was substantially consummated, and the Effective Date (as defined in the Plan) occurred. *See Notice of Effective Date and Entry of Order Approving the Disclosure Statement and Confirming the First Amended Joint Prepackaged Plan of Reorganization for Superior Energy Services, Inc. and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 317].

6. On the Petition Date, Debtor Superior Energy Services, Inc. (the "**Parent**") filed its schedules of assets and liabilities ("**Schedules**") and statements of financial affairs, pursuant to Bankruptcy Rule 1007. *See* Docket Nos. 24 & 25.

7. On December 8, 2020, the Court issued the *Order (I) Establishing (A) Bar Dates and (B) Related Procedures for Filing Proofs of Claim Against Superior Energy Services, Inc. and (II) Approving the Form and Manner of Notice Thereof* [Docket No. 88] (the "**Bar Date Order**") pursuant to which the Court, among other things, established January 7, 2021 at 5:00 p.m. (Prevailing Central Time) (the "**Parent Bar Date**"), as the deadline for all non-governmental

entities[2] holding or wishing to assert a "claim" (as defined in section 101(5) of the Bankruptcy Code).

**NO LIABILITY CLAIMS**

8. The Reorganized Debtors object to the No Liability Claims because the Reorganized Debtors have determined, based on the No Liability Claims and a thorough review of their books and records, that the Reorganized Debtors do not owe any amounts to the claimants on account of the No Liability Claims.

9. For example, certain of the No Liability Claims assert claims against entities other than the Reorganized Debtors or do not assert that the Reorganized Debtors owe any debt to the claimant. Other No Liability Claims have been satisfied during these Chapter 11 Cases, including through the assumption and cure of executory contracts and unexpired leases.

10. Accordingly, the Reorganized Debtors request that the Court enter the Order, disallowing the No Liability Claims listed on **Schedule 1** to the Order.

**BASIS FOR RELIEF**

11. Section 502(a) of the Bankruptcy Code provides, in pertinent part, as follows: "[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects." 11 U.S.C. § 502. Moreover, section 502(b)(1) of the Bankruptcy Code provides, in relevant part, that a claim may not be allowed if "such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law . . . ." 11 U.S.C. § 502(b)(1).

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[2] The deadline for all governmental units asserting a "claim" (as defined in section 101(5) of the Bankruptcy Code) against the Reorganized Debtors that arose on or prior to the Petition Date to file written proof of such claim is June 7, 2021 at 5:00 p.m. (prevailing Central Time) (together with the Parent Bar Date, the "**Bar Dates**").

12. Bankruptcy Rule 3007 provides certain grounds upon which "objections to more than one claim may be joined in an omnibus objection," which includes when "the objections are based solely on the grounds that the claims should be disallowed, in whole or in part, because . . . they have been satisfied or released during the case in accordance with the Code, applicable rules, or a court order." Fed. R. Bankr. P. 3007(d).

13. As set forth in Bankruptcy Rule 3001(f), a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and the amount of the claim under section 502(a) of the Bankruptcy Code. *See, e.g.*, *In re Jack Kline Co., Inc.*, 440 B.R. 712, 742 (Bankr. S.D. Tex. 2010). A proof of claim loses the presumption of *prima facie* validity under Bankruptcy Rule 3001(f) if an objecting party refutes at least one of the allegations that are essential to the claim's legal sufficiency. *See In re Fidelity Holding Co., Ltd.,* 837 F.2d 696, 698 (5th Cir. 1988). Once such an allegation is refuted, the burden reverts to the claimant to prove the validity of its claim by a preponderance of the evidence. *Id*. Despite this shifting burden during the claim objection process, "the ultimate burden of proof always lies with the claimant." *In re Armstrong*, 347 B.R. 581, 583 (Bankr. N.D. Tex. 2006) (citing *Raleigh v. Ill. Dep't of Rev.*, 530 U.S. 15 (2000)).

14. Failure to disallow the No Liability Claims could result in the applicable claimants receiving unwarranted recoveries, to the detriment of creditors with legitimate claims. Moreover, disallowance of the No Liability Claims will enable the Reorganized Debtors to maintain a more accurate claims register.

## RESERVATION OF RIGHTS

15. This Objection is without prejudice to the rights of the Reorganized Debtors or any other party in interest to object to any of the No Liability Claims on any grounds whatsoever, and

the Reorganized Debtors expressly reserve all further substantive or procedural objections they may have.

**SEPARATE CONTESTED MATTER**

16. To the extent that a response is filed regarding any No Liability Claim and the Reorganized Debtors are unable to resolve any such response, each such No Liability Claim, and the Objection as it pertains to such No Liability Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Further, the Reorganized Debtors request that any order entered by the Court regarding an objection or other reply asserted in response to this Objection be deemed a separate order with respect to each claim.

[*Remainder of this page intentionally left blank.*]

**WHEREFORE,** the Reorganized Debtors respectfully request that the Court enter the proposed Order, granting the relief requested herein and such other and further relief as may be just and proper.

Signed: April 27, 2021
Houston, Texas

Respectfully Submitted,

/s/ Timothy A. ("Tad") Davidson II
Timothy A. ("Tad") Davidson II (TX Bar No. 24012503)
Ashley L. Harper (TX Bar No. 24065272)
Philip M. Guffy (TX Bar No. 24113705)
**HUNTON ANDREWS KURTH LLP**
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-and-

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*Counsel for the Reorganized Debtors*

**CERTIFICATE OF SERVICE**

I certify that on April 27, 2021, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

*/s/ Timothy A. ("Tad") Davidson II*
Timothy A. ("Tad") Davidson II

# Exhibit A

## Herriman Declaration

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

| | | |
|---|---|---|
| In re: | : | Chapter 11 |
| SUPERIOR ENERGY SERVICES, INC., *et al.*,[1] | : | Case No. 20-35812 (DRJ) |
| Reorganized Debtors. | : | (Jointly Administered) |

**DECLARATION OF JAY HERRIMAN**
**IN SUPPORT OF REORGANIZED DEBTORS' THIRD**
**OMNIBUS OBJECTION TO CERTAIN CLAIMS (NO LIABILITY CLAIMS)**

I, Jay Herriman, hereby declare under penalty of perjury:

1. I am a Managing Director with Alvarez & Marsal North America, LLC, ("**A&M**"), a restructuring advisory services firm with numerous offices throughout the country.[2] I, along with my colleagues at A&M, have been engaged by the Reorganized Debtors to provide various restructuring and financial services. In my current position with the Reorganized Debtors, I am responsible for all claims management related matters. I am generally familiar with the Reorganized Debtors' day-to-day operations, financing arrangements, business affairs, and books and records that reflect, among other things, the Reorganized Debtors' liabilities and the amount

[1] The Reorganized Debtors in these cases, along with the last four digits of each Reorganized Debtor's federal tax identification number, are: Superior Energy Services, Inc. (9388), SESI, L.L.C. (4124), Superior Energy Services-North America Services, Inc. (5131), Complete Energy Services, Inc. (9295), Warrior Energy Services Corporation (9424), SPN Well Services, Inc. (2682), Pumpco Energy Services, Inc. (7310), 1105 Peters Road, L.L.C. (4198), Connection Technology, L.L.C. (4128), CSI Technologies, LLC (6936), H.B. Rentals, L.C. (7291), International Snubbing Services, L.L.C. (4134), Stabil Drill Specialties, L.L.C. (4138), Superior Energy Services, L.L.C. (4196), Superior Inspection Services, L.L.C. (4991), Wild Well Control, Inc. (3477), and Workstrings International, L.L.C. (0390). The Reorganized Debtors' address is 1001 Louisiana Street, Suite 2900, Houston, Texas 77002.

[2] Capitalized terms used but not otherwise defined in this Declaration have the meanings given to them in the Objection.

thereof owed to their creditors as of the Petition Date. I am above 18 years of age, and I am competent to testify.

2. I submit this declaration (this "**Declaration**") in support of the *Reorganized Debtors' Third Omnibus Objection to Certain Claims (No Liability Claims)* (the "**Objection**") and am directly, or by and through the Reorganized Debtors' advisors and personnel, familiar with the information contained therein and the No Liability Claims. I am authorized to submit this declaration on the Reorganized Debtors' behalf. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge of the Reorganized Debtors' operations and finances, information learned from my review of relevant documents, and information I have received from other members of the Reorganized Debtors' management, the Reorganized Debtors' employees or the Reorganized Debtors' advisors. As to matters regarding state and federal law, including bankruptcy law, I have relied on the advice of counsel. If I were called upon to testify, I could and would testify competently to the facts set forth in this Declaration on that basis.

3. To the best of my knowledge, information, and belief, insofar as I have been able to ascertain after reasonable inquiry, considerable time and resources have been expended to ensure a high level of diligence in reviewing and reconciling the proofs of claim filed against the Reorganized Debtors in the chapter 11 cases. In evaluating the No Liability Claims, the Reorganized Debtors and/or their advisors thoroughly reviewed the Reorganized Debtors' books and records and the No Liability Claims (as well as any supporting documentation) and have determined that each No Liability Claim should be disallowed in its entirety for the reasons set forth in the Objection. Failure to do so could result in such claimants receiving an unwarranted recovery—to the detriment of creditors with legitimate claims. Thus, I believe that disallowance of the No Liability Claims is appropriate.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: April 27, 2021

Respectfully submitted,

*/s/ Jay Herriman*
Jay Herriman, Managing Director
Alvarez & Marsal North America, LLC

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

| | | |
|---|---|---|
| In re: | : | Chapter 11 |
| SUPERIOR ENERGY SERVICES, INC., *et al.*,[1] | : | Case No. 20-35812 (DRJ) |
| Reorganized Debtors. | : | (Jointly Administered) |

**ORDER SUSTAINING REORGANIZED DEBTORS' THIRD OMNIBUS OBJECTION TO CERTAIN CLAIMS (NO LIABILITY CLAIMS)**

Upon the objection (the "**Objection**")[2] of the above-captioned reorganized debtors (collectively, the "**Reorganized Debtors**") seeking entry of an order (this "**Order**") disallowing the No Liability Claims, 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 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

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[2] Capitalized terms used herein but not defined shall have the meanings ascribed to such terms in 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 No Liability Claim (i.e., each claim listed on **Schedule 1** 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. Each No Liability Claim and the objections by the Reorganized Debtors to each Satisfied Claim constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each No Liability Claim.

4. 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.

5. This Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Signed: _____, 2021

_____
DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

**Schedule 1**

**No Liability Claims**

# Third Omnibus Claims Objection
## Schedule 1 - No Liability Claims

| | NAME | DATE FILED | CASE NUMBER | DEBTOR | CLAIM # | ASSERTED CLAIM AMOUNT |
|---|---|---|---|---|---|---|
| 1 | DRO LLC<br>OWENS SERVICE ELECTRIC OF OKLAHOMA<br>11132 BURNING OAKS DR<br>OKLAHOMA CITY, OK 73150 | 12/28/2020 | 20-35817 (DRJ) | SPN Well Services, Inc. | 156 | $ 7,508.97 |
| | Reason: Liability asserted in claim is that of Felderhoff Drilling, an entity unaffiliated with the Debtors. | | | | | |
| 2 | GALVAN, ERIC MIGUEL<br>183 CR 162<br>ALICE, TX 78332 | 12/28/2020 | 20-35812 (DRJ) | Superior Energy Services, Inc. | 148 | $ 0.00 |
| | Reason: Per the claimant's statement in the proof of claim, no debt is owed to claimant by the Debtors. | | | | | |
| 3 | GRIGORYAN, GURGEN<br>7910 HARBOR ISLAND DR APT. 708<br>NORTH BAY VILLAGE, FL 33141 | 12/23/2020 | 20-35826 (DRJ) | Wild Well Control, Inc. | 117 | $ 21,875.00 |
| | Reason: Claim satisfied via separation and release agreement with claimant. | | | | | |
| 4 | HARRIS COUNTY, ET AL<br>LINEBARGER GOGGAN BLAIR & SAMPSON, LLP<br>PO BOX 3064<br>HOUSTON, TX 77253-3064 | 12/22/2020 | 20-35815 (DRJ) | Complete Energy Services, Inc. | 99 | $ 2,327.29 |
| | Reason: Liability asserted in claim is that of Complete Energy Holdings LLC, an entity unaffiliated with the Debtors. | | | | | |
| 5 | HYG FINANCIAL SERVICES, INC.<br>WELLS FARGO VENDOR FINANCIAL SERVICES, LLC<br>1010 THOMAS EDISON BLVD. SW<br>CEDAR RAPIDS, IA 52404 | 1/5/2021 | 20-35823 (DRJ) | Stabil Drill Specialties, L.L.C. | 316 | $ 82,422.05 |
| | Reason: The lease asserted in the Proof of Claim was assumed and cure amounts paid, if owed, as part of the Plan of Reorganization. As such no pre-petition liability is owed related to the asserted contracts. | | | | | |
| 6 | STEVEN STEWART<br>PO BOX 9167<br>SAN JUAN, PR 00108 | 1/7/2021 | 20-35813 (DRJ) | SESI, LLC. | 410 | Undetermined* |
| | Reason: Liability asserted in proof of claim is that of Transocean, Inc., an entity unaffiliated with the Debtors. | | | | | |
| 7 | TECHNOLOGENT<br>15821 VENTURA BOULEVARD<br>SUITE 100<br>ENCINO, CA 91436 | 1/4/2021 | 20-35812 (DRJ) | Superior Energy Services, Inc. | 293 | $ 58,785.68 |
| | Reason: Liability asserted in Claim is that of Francesca's Services Corporation, an entity unaffiliated with the Debtors. | | | | | |

* Indicates claim contains unliquidated and/or undetermined amounts

# Third Omnibus Claims Objection
## Schedule 1 - No Liability Claims

| | NAME | DATE FILED | CASE NUMBER | DEBTOR | CLAIM # | ASSERTED CLAIM AMOUNT |
|---|---|---|---|---|---|---|
| 8 | WALTERS, WILLIAM L<br>433 WEST 17TH STREET<br>CASPER, WY 82601 | 12/30/2020 | 20-35821 (DRJ) | H.B. Rentals L.C. | 208 | $ 0.00 |
| | Reason: Per the claimant's statement in the proof of claim, no debt is owed to claimant by the Debtors. | | | | | |
| 9 | WELLS FARGO EQUIPMENT FINANCE, MSG<br>JASON HARKNESS<br>1010 THOMAS EDISON BLVD. SW<br>CEDAR RAPIDS, IA 52404 | 1/5/2021 | 20-35823 (DRJ) | Stabil Drill Specialties, L.L.C. | 314 | $ 94,761.44 |
| | Reason: The lease asserted in the Proof of Claim was assumed and cure amounts paid, if owed, as part of the Plan of Reorganization. As such no pre-petition liability is owed related to the asserted contracts. | | | | | |
| 10 | WELLS FARGO VENDOR FINANCIAL SERVICES, LLC<br>ATTN JASON HARKNESS<br>1010 THOMAS EDISON BLVD. SW<br>CEDAR RAPIDS, IA 52404 | 1/5/2021 | 20-35812 (DRJ) | Superior Energy Services, Inc. | 309 | $ 4,535.00 |
| | Reason: The lease asserted in the Proof of Claim was assumed and cure amounts paid, if owed, as part of the Plan of Reorganization. As such no pre-petition liability is owed related to the asserted contracts. | | | | | |
| 11 | WELLS FARGO VENDOR FINANCIAL SERVICES, LLC<br>ATTN JASON HARKNESS<br>1010 THOMAS EDISON BLVD. SW<br>CEDAR RAPIDS, IA 52404 | 1/5/2021 | 20-35816 (DRJ) | Warrior Energy Services Corporation | 313 | $ 6,052.32 |
| | Reason: The lease asserted in the Proof of Claim was assumed and cure amounts paid, if owed, as part of the Plan of Reorganization. As such no pre-petition liability is owed related to the asserted contracts. | | | | | |
| | | | | | TOTAL | $ 278,267.75* |

* Indicates claim contains unliquidated and/or undetermined amounts