Docket #0179 Date Filed: 6/1/2021

CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed June 1, 2021

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:	§	Chapter 11
	§	
VISTA PROPPANTS AND LOGISTICS, LLC, *et al*.,	§	Case No. 20-42002-ELM-11
	§	
	§	Jointly Administered
Debtors.	§	
	§	
MAALT, LP,	§	
	§	
Plaintiff,	§	
v.	§	Adversary No. 20-04064
	§	
SEQUITUR PERMIAN, LLC,	§	
	§	
Defendant/Third-Party Plaintiff,	§	
v.	§	
	§	
VISTA PROPPANTS AND LOGISTICS, LLC,	§	
	§	
	§	
Third-Party Defendant.	§	

ORDER DENYING STAY PENDING DIRECT APPEAL

On April 30, 2021, Defendant Sequitur Permian, LLC (the "**Defendant**") filed the *Defendant's Opposed Motion to Certify Direct Appeal Under 28 U.S.C. § 158(d)(2)(A)(i)-(iii)*

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[Docket No. 133] (the "**Certification Motion**"). On May 4, 2021, the Defendant filed the *Defendant's Opposed Motion to Stay Pending Direct Appeal* [Docket No. 135] (the "**Stay Motion**").

Pursuant to the Certification Motion, the Defendant requests the Court's certification to the United States Court of Appeals for the Fifth Circuit (the "**Fifth Circuit**") that one or more of the circumstances described in 28 U.S.C. § 158(d)(2)(A)(i)-(iii) exists in relation to each of the interlocutory summary judgment orders previously entered by the Court and appealed by the Defendant,[1] thereby warranting the Fifth Circuit's consideration of a direct appeal. Predicated on the assumption that the Court grants the Certification Motion and that the Fifth Circuit authorizes a direct appeal, pursuant to the Stay Motion the Defendant requests the Court's entry of an order staying all further proceedings in this adversary proceeding pending final disposition of such direct appeal.

Of equal date hereof, the Court has entered an order denying the Certification Motion. Therefore, the Stay Motion is now moot. Accordingly, it is hereby:

ORDERED that the Stay Motion be and is hereby DENIED AS MOOT.

END OF ORDER # #

[1] A request for leave to appeal such orders currently remains pending in the United States District Court for the Northern District of Texas.