

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

EMERGE ENERGY SERVICES, LP, *et al.*¹

Debtor.

Chapter 11

Case No. 19-11563 (KBO)

Jointly Administered

MIDWEST FRAC AND SANDS LLC,

Plaintiff,

v.

SUPERIOR SILICA SANDS LLC, and
HPS INVESTMENT PARTNERS, LLC,

Defendant.

Adversary Proceeding No. 19-50732 (KBO)

STIPULATION OF DISMISSAL

IT IS HEREBY stipulated and agreed, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, which is incorporated by reference into Rule 7041 of the Federal Rules of Bankruptcy Procedure, by and among plaintiff Midwest Frac and Sands LLC, and defendants Superior Silica Sands LLC and HPS Investment Partners, LLC, that the above-captioned adversary proceeding be dismissed, with prejudice, with each party to bear its own costs and attorneys' fees.

¹ The debtors in these Chapter 11 cases (the "**Debtors**"), along with the last four digits of each of the Debtors' federal tax identification number, are: Emerge Energy Services LP (2937), Emerge Energy Services GP LLC (4683), Emerge Energy Services Operating LLC (2511), Superior Silica Sands LLC (9889), and Emerge Energy Services Finance Corporation (9875). The Debtors' address is 5600 Clearfork Main Street, Suite 400, Fort Worth, Texas 76109.



Dated: December 29, 2020
Wilmington, Delaware

/s/ Russell C. Silberglied

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