

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

In re:

Hi-Crush Inc., *et al.*,

Debtors.¹

Hi-Crush Permian Sand LLC,

Plaintiff,

v.

EOG Resources, Inc.,

Defendant.

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§ Chapter 11
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§ Case No. 20-33495 (DRJ)
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§ (Jointly Administered)
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§ Adversary No. 20-03471 (DRJ)
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HI-CRUSH PERMIAN SAND LLC'S
NOTICE OF WITHDRAWAL OF MOTION TO STRIKE
DEFENDANT'S ANSWER TO FIRST AMENDED COMPLAINT
AND MOTION TO DISMISS EOG RESOURCES, INC.'s COUNTERCLAIM

Plaintiff Hi-Crush Permian Sand LLC ("**Hi-Crush**") hereby files this Notice of Withdrawal of (1) *Hi-Crush Permian Sand LLC's Motion to Strike Defendant's Answer to First Amended Complaint or in the Alternative to Compel Defendant to File Amended Answer* [ECF No. 50] and (2) *Hi-Crush Permian Sand LLC's Motion to Dismiss Defendant EOG Resources, Inc.'s Counterclaim* [ECF No. 49] (together the "**Motions**"). Hi-Crush withdraws the Motions in light of Defendant EOG Resources, Inc. ("**EOG**") filing *Defendant EOG Resources, Inc.'s First*

¹ The reorganized debtors in the bankruptcy cases, along with the last four digits of each Debtor's federal tax identification number, are: Hi-Crush Inc. (0530), OnCore Processing LLC (9403), Hi-Crush Augusta LLC (0668), Hi-Crush Whitehall LLC (5562), PDQ Properties LLC (9169), Hi-Crush Wyeville Operating LLC (5797), D & I Silica, LLC (9957), Hi-Crush Blair LLC (7094), Hi-Crush LMS LLC, Hi-Crush Investments Inc. (6547), Hi-Crush Permian Sand LLC, Hi-Crush Proppants LLC (0770), Hi-Crush PODS LLC, Hi-Crush Canada Inc. (9195), Hi-Crush Holdings LLC, Hi-Crush Services LLC (6206), BulkTracer Holdings LLC (4085), Pronghorn Logistics Holdings, LLC (5223), FB Industries USA Inc. (8208), PropDispatch LLC, Pronghorn Logistics, LLC (4547), and FB Logistics, LLC (8641). The Debtors' address is 1330 Post Oak Blvd, Suite 600, Houston, Texas 77056.



*Amended Answer to First Amended Complaint (“**First Amended Answer**”)* [ECF No. 51] on May 14, 2021. By withdrawing the Motions, Hi-Crush does not admit or concede any of the responses, assertions, affirmative defenses, or legal arguments (“**Assertions**”) made by EOG in the First Amended Answer. Hi-Crush expressly reserves all rights to challenge, dispute, or otherwise object to any Assertions made by EOG in the First Amended Answer, including, but not limited to, any claim that EOG is, or may be, entitled to recover its attorneys’ fees if successful in this action.

Dated: May 26, 2021

Respectfully submitted,

/s/ Joseph W. Buoni

Joseph W. Buoni (TX Bar No. 24072009)

Timothy A. (“Tad”) Davidson II (TX Bar No. 24012503)

Ashley S. Lewis (TX Bar No. 24079415)

Philip Guffy (TX Bar No. 24113705)

HUNTON ANDREWS KURTH LLP

600 Travis Street, Suite 4200

Houston, Texas 77002

Tel: (713) 220-4200

Fax: (713) 220-4285

Email: josephbuoni@huntonak.com

taddavidson@huntonak.com

ashleylewis@huntonak.com

pguffy@huntonak.com

Counsel for Plaintiff Hi-Crush Permian Sand LLC

CERTIFICATE OF SERVICE

I certify that on May 26, 2021, a true and correct copy of the foregoing document was served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas on those parties registered to receive electronic notices.

/s/ Joseph W. Buoni

Joseph W. Buoni