Docket #0070 Date Filed: 10/29/2021
United States Bankruptcy Court
Southern District of Texas
ENTERED
October 27, 2021
Nathan Ochsner, Clerk

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

In re:	§	**Chapter 11**
Hi-Crush Inc., *et al.*,	§	**Case No. 20-33495 (DRJ)**
Debtors.[1]	§	**(Jointly Administered)**
Hi-Crush Permian Sand LLC,	§	
Plaintiff,	§	
v.	§	**Adversary No. 20-03471 (DRJ)**
EOG Resources, Inc.,	§	
Defendant.	§	(Docket No. 68)

JOINT STIPULATION OF DISMISSAL AND AGREED ORDER

Pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure and Rule 41 of the Federal Rules of Civil Procedure, Hi-Crush Permian Sand LLC, as a former debtor in possession in the above-captioned Chapter 11 case ("Debtor"), and EOG Resources, Inc. ("EOG") hereby file this joint stipulation of dismissal and agreed order (the "Joint Stipulation of Dismissal and Agreed Order") with prejudice to the claims and counterclaims pleaded in the above-captioned adversary proceeding and hereby stipulate as follows:

[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.

WHEREAS Debtor filed its Original Complaint on November 20, 2020 (ECF No. 1) and its First Amended Complaint on January 7, 2021 (ECF No. 14);

WHEREAS EOG filed its Answer and Counterclaim on April 13, 2021 (ECF No. 45) and its First Amended Answer on May 14, 2021 (ECF No. 51); and

WHEREAS Debtor and EOG hereby stipulate, by and through their respective undersigned counsel, to dismissal of all claims and counterclaims in this matter with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedures (and applicable here pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure).

NOW, THEREFORE, IT IS STIPULATED, AGREED, AND ORDERED as follows:

The above-styled adversary proceeding is dismissed with prejudice pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure and Rule 41 of the Federal Rules of Civil Procedure, with the parties to bear their own costs and expenses.

Signed: October 26, 2021.

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

/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)
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Counsel for Plaintiff Hi-Crush Permian Sand LLC

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Counsel for Defendant EOG Resources, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2021 a true and correct copy of the foregoing *Joint Stipulation of Dismissal and Agreed Order* was served on all counsel of record via the Court's CM/ECF system.

/s/ Joseph W. Buoni
Joseph W. Buoni

United States Bankruptcy Court
Southern District of Texas

Hi-Crush Permian Sand LLC,
Plaintiff

Adv. Proc. No. 20-03471-drj

EOG Resources, Inc.,
Defendant

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser
Date Rcvd: Oct 27, 2021 Form ID: pdf002 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2021:

Recip ID		Recipient Name and Address
pla	+	Hi-Crush Permian Sand LLC, 1330 Post Oak Blvd, Suite 600, Houston, TX 77056-3166

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		EOG Resources, Inc.
cc		EOG Resources, Inc.
cd	*+	Hi-Crush Permian Sand LLC, 1330 Post Oak Blvd, Suite 600, Houston, TX 77056-3166

TOTAL: 2 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2021 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2021 at the address(es) listed below:

Name	Email Address
Joseph William Buoni	on behalf of Plaintiff Hi-Crush Permian Sand LLC josephbuoni@HuntonAK.com gailscruggs@HuntonAK.com
Philip M. Guffy	on behalf of Plaintiff Hi-Crush Permian Sand LLC pguffy@huntonak.com
Sarah A Schultz	on behalf of Defendant EOG Resources Inc. sschultz@akingump.com, mlahaie@akingump.com;salberino@akingump.com;txdocketing@akingump.com;bkemp@akingump.com;jgleit@sandw.com;bre

nda-kemp-7410@ecf.pacerpro.com;berstell-2979@ecf.pacerpro.com;AGSearch-Lit@akingump.com

TOTAL: 3