

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

FEB 22 2021

Nathan Ochsner, Clerk of Court

In re:

SUPERIOR ENERGY SERVICES, INC., et al Chapter 11

Case No. 20-35812 (DRJ)

AMENDED Designation of Items to be Included in the Record on
Appeal, and a Statement of the Issues on Appeal

Appellants/creditors Stephen Sammons, Elena Sammons, and Michael Sammons, *pro se*, pursuant to FRBP 8009(a) hereby designate the following docket entries to be included in the record on appeal:

1. Voluntary Petition for Chapter 11 Bankruptcy, Dkt. 1 (12/7/2020)
2. Disclosure Statement, Dkt. 12 (12/7/2020);
3. Order Approving Disclosure Statement and Confirming Plan, Dkt. 289 (1/19/2021)
4. Motion to Reconsider Order Approving Disclosure Statement and Confirming Plan, Dkt. 306 (1/27/2021)
5. Order summarily denying Motion to Reconsider Order Approving Disclosure Statement and Confirming Plan, Dkt. 323 (2/4/2021)
6. Notice of Appeal, Dkt. 332 (filed 2/10/2021)
7. Emergency Motion for Stay Pending Appeal, Dkt. 333 (filed 2/10/2021)

Statement of the Issues on Appeal


1. Whether *pro se* creditors are entitled to be heard in a Chapter 11 case pursuant to 11 USC 1109(b).
2. Whether a \$1 billion complex Chapter 11 plan, rammed through from filing to confirmation in only 60 days, considered without fundamental due process such as appointment of a



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creditors committee or allowed active participation by pro se creditors, is void (a) where the plan offers holders of \$1.3 billion in defaulted bonds two options: one with a 60% recovery in new stock, and for those that do not make an active election only a 2% recovery (undoubtedly caused by vacation, illness, mistake or some other unfortunate event preventing actual notice), or (b) where a majority of bondholders would have voted against the plan had an intended material subsequent modification been disclosed.

3. Whether the plan's "default" bond election, 2% recovery in cash, violated Section 1129(a)(7)(A), where the liquidation recovery value under the plan was 19%.
4. Whether a unilateral material modification to a confirmed but not yet final plan, unnecessarily threatening dozens, perhaps hundreds, of creditor retirement accounts, is a contested matter warranting due process protections, including the right to necessary limited discovery. 11 USC 1127(b) ("after notice and a hearing").
5. Whether such a material plan modification contested matter involving millions of dollars and unnecessarily threatening the value of numerous creditor retirement accounts requires the U.S. Trustee or the court to immediately appoint a creditors committee (requested by creditors) to pursue the matter pursuant to the mandatory 11 USC 1102(a)(1).



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CERTIFICATE OF FILING AND SERVICE

A true copy provided all parties.



Michael Sammons