



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 16, 2020

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.,¹ §
§ Case No. 20-42002-ELM-11
§
Debtors. § Jointly Administered

ORDER GRANTING COMPLEX CHAPTER 11 BANKRUPTCY CASE TREATMENT

On June 9, 2020, Vista Proppants and Logistics, LLC and its above-captioned debtor affiliates, as debtors and debtors in possession (collectively, the “Debtors”) filed for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). A Notice of Designation as Complex Chapter 11 Cases (see General Order No. 2006-02) was filed. After

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Vista Proppants and Logistics, LLC (7817) (“Vista OpCo”); VPROP Operating, LLC (0269) (“VPROP”); Lonestar Prospects Management, L.L.C. (8451) (“Lonestar Management”); MAALT Specialized Bulk, LLC (2001) (“Bulk”); Denetz Logistics, LLC (8177) (“Denetz”); Lonestar Prospects, Ltd. (4483) (“Lonestar Ltd.”); and MAALT, LP (5198) (“MAALT”). The location of the Debtors’ service address is 4413 Carey Street, Fort Worth, TX 76119-4219.



review of the initial pleadings filed in these cases, the Court concludes that these cases appear to be complex Chapter 11 cases. Accordingly, unless the Court orders otherwise,

IT IS ORDERED:

SERVICE LIST

1. The Debtors shall maintain a service list identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), or the Local Bankruptcy Rules of the United States Bankruptcy Court for the Northern District of Texas (the “Local Rules”), notices of motions and other matters will be limited to the parties on the service list.

- a. **Initial Service List.** The service list shall initially include the Debtors; Debtors’ counsel; counsel for Ares Capital Corporation; counsel for any statutory committee appointed in these cases; counsel for PlainsCapital Bank; the U.S. Trustee, all secured creditors, the 20 largest unsecured creditors of each Debtor (until such time as an official committee of unsecured creditors is appointed), and any party that requests notice pursuant to Bankruptcy Rule 2002;
- b. **Procedure to Add Parties-in-Interest to Service List.** Any party-in-interest that wishes to receive notice, other than as listed on the service list, shall be added to the service list by filing and serving Debtors’ counsel with a notice of appearance and request for service;
- c. **Consent to E-Mail Service.** Parties on the service list, who have not otherwise consented to service by e-mail through the act of becoming a registered e-filer in this district, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party’s notice of appearance and request for service; in the event a party has not consented to e-mail service, a “hard copy” shall be served by fax or by regular mail, unless otherwise provided by order of this Court;
- d. **Filing of Initial Service List.** The initial service list shall be filed within 3 business days after entry of this order. A revised list shall be filed 7 days after the initial service list is filed. The Debtors shall update the service list and shall file a copy of the updated service list (i) at least every 7 days during the first 30 days of the cases; (ii) at least every 15 days during the

next 60 days of the cases; and (iii) at least every 30 days thereafter throughout the cases.

OMNIBUS HEARING DATES

2. The Court sets the following dates and times for the next two months as the pre-set hearing date and time for hearing all motions and other matters in these cases:

Monday, July 6, 2020 at 2:30 p.m.

Friday, July 24, 2020 at 1:30 p.m.

Tuesday, August 25, 2020 at 1:30 p.m.

3. Hearings will be held before The Honorable Edward L. Morris, United States Bankruptcy Court for the Northern District of Texas, U.S. Courthouse, 501 W. Tenth Street, Room 204, Fort Worth, Texas 76102.

4. Settings for the following months will be published by the Court no later than 30 days prior to the first hearing date in the said following months. (There may be exceptions; those exceptions will be noted on the Court's internet schedule, available at www.txnb.uscourts.gov).

HEARING, NOTICE AND OBJECTION PROCEDURES

5. The following hearing, notice and objection procedures will apply to motions and other matters in these chapter 11 cases:

- a. **Ordinary Notice Requirements.** All motions and other matters requiring hearing, but not requiring expedited or emergency hearing, shall be noticed for hearing on the next hearing day that is at least 24 days after the notice is mailed. As a preface to each pleading, just below the case caption, in lieu of the language required by any Local Bankruptcy Rule, the pleading shall state:

A HEARING WILL BE CONDUCTED ON THIS MATTER ON _____ AT ____M. IN ROOM 204, U.S. COURTHOUSE, 501 W. TENTH STREET, FORT WORTH, TEXAS 76102.

In addition, if the relief sought in the pleading may be urged subject to negative notice, as permitted by Local Rules 9007.1 and 9014.1, and General Order 2005-01, the pleading may state:

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 501 W. 10TH STREET, ROOM 147, FORT WORTH, TEXAS 76102 BEFORE CLOSE OF BUSINESS ON [●] WHICH IS AT LEAST 21 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

- b. **Notice for Expedited or Emergency Hearings.** All motions and other matters requiring expedited or emergency hearing shall comply with the usual Court requirements for explanation and verification of the emergency. Specifically, if a party in interest has an emergency or other situation that it believes requires consideration on less than 24-days' notice, or an emergency that it believes requires consideration on less than five business days' notice, then the party should file and serve a separate, written motion for expedited hearing with respect to the underlying motion.

The Court will make its best effort to rule on the motion for expedited or emergency hearing within twenty-four (24) hours of the time it is presented. If the Court grants the motion for expedited hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the Court. The party requesting the hearing shall be responsible for providing proper notice in accordance with this order and the Bankruptcy Code and Rules.

Emergency and expedited hearings (and other hearings in limited circumstances) in these cases may be conducted by telephone or, where available, video.

- c. **Objection Deadlines.** Unless the Court orders otherwise, where a motion or other matter is filed and served in accordance with this Order, the

deadline for objections or responses to such motion or matter shall be no later than 21 days after service of the motion or other matter. Any objection deadline may be extended by agreement of the movant, provided, however, that no objection deadline may extend beyond the deadline for filing the agenda. In all instances, any objection must be filed and served so as to be received on or before the applicable objection deadline.

- d. **Hearing Agenda Requirements.** The Debtors shall file an agenda conforming to the guidelines in Exhibit F to this Court's General Order Regarding Procedures for Complex Chapter 11 Cases (the "Complex Case Procedures") no later than 24 hours prior to the date and time of the hearing.

3. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated), the Court may approve the settlement at the hearing without further notice of the terms of the settlement.

4. The Debtors shall give notice of this order to all parties in interest within seven days. If any party in interest, at any time, objects to the provisions of this order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses, the Court may reconsider any part of this order and may grant relief, if appropriate.

END OF ORDER

Submitted by:

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PROPOSED ATTORNEYS FOR DEBTORS