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Attorneys for Sequitur Permian, LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:

**VISTA PROPPANTS AND LOGISTICS,
LLC, ET AL.,¹**

Debtors.

MAALT, LP,

Plaintiff,

V.

SEQUITUR PERMIAN, LLC,

Defendant.

ADV. PROC. NO. 20-04064-ELM

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Vista Proppants and Logistics, LLC (7817) ("Vista HoldCo"); VPROP Operating, LLC (0269) ("VPROP"); Lonestar Prospects Management, L.L.C. (8451) ("Lonestar Management"); MAALT Specialized Bulk, LLC (2001) ("Bulk"); Denetz Logistics, LLC (8177) ("Denez"); 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.

SEQUITUR PERMIAN, LLC'S SUPPLEMENTAL
NOTICE OF UNAVAILABILITY FOR TRIAL

Pursuant to the Court's Order of June 8, 2021 (DOC 201), SEQUITUR PERMIAN, LLC ("Sequitur" or "Defendant") respectfully submits the following supplement to its Notice of Unavailability for dates in August and September 2021 when it is unavailable for trial:

1. Counsel hereby certifies that Sequitur's trial team are unavailable for trial on the following dates in August and September 2021² due to the following unavoidable conflicts:

a. Mr. Matthew A Kornhauser, counsel for Sequitur, is unavailable from August 2-6, 2021 due to a previously scheduled vacation. He is also unavailable on August 16-27 due to a scheduled trial in Cause No. 2019-42834; *Junshuo Xu et al v. Ze Run et al.*; In the 129th District Court of Harris County, Texas, subject to an opposed motion for continuance filed by an opposing party. He is also unavailable on September 7-8, and 16, 2021 in observance of religious holidays. Mr. Kornhauser is also unavailable on September 29-30, 2021, due to a previously scheduled vacation.

b. Mr. Christopher J. Kronzer, counsel for Sequitur, is unavailable from August 2-18, 2021 due to a previously scheduled vacation. He is also unavailable on September 7-8, and 16, 2021 in observance of religious holidays.

c. Mr. Alan Aronowitz, assistant general counsel for Sequitur, is unavailable due to a previously scheduled vacation on August 27 – September 3, 2021. He is also unavailable on September 7-8, and 16, 2021 in observance of religious holidays. His attendance is mandatory because, since the inception of the lawsuit, he is and has been managing the litigation on behalf of Sequitur and has the authority to make key decisions for Sequitur in connection with this lawsuit.

² Sequitur has not designated the federal holiday of Labor Day on September 6, 2021.

d. Suki Rosen, local counsel for Sequitur, is unavailable on a August 2, 9-11, 2021 due to a previously scheduled vacation, her attendance is not viewed as mandatory, subject to the local rule requirements for local counsel. Another attorney with her firm could be available during Ms. Rosen's conflicts.

2. Key witnesses and representatives of Sequitur are unavailable as follows:

a. Mike van den bold is the COO of Sequitur, and he is unavailable from September 7-10, 2021 due to a previously scheduled vacation. His attendance is not viewed as mandatory on trial days except that his live testimony is viewed as mandatory in this matter as he was the signatory of the contract at issue on Sequitur's behalf.

b. Russ Perry is the Health, Safety and Environmental Manager of Sequitur. He is unavailable from September 7-10, 2021 due to a previously scheduled vacation. His attendance is not viewed as mandatory on trial days except that his live testimony is mandatory as he was tasked with HSE compliance under the contract on behalf of Sequitur. He has been designated by both parties as a trial witness and was not deposed.

Respectfully Submitted,

/s/ Matthew A. Kornhauser

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**LOCAL COUNSEL FOR DEFENDANT,
SEQUITUR PERMIAN, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2021 a copy of the foregoing Notice of Unavailability was served through the Court's ECF system on those parties receiving ECF notice, and as indicated below on the parties reflected below.

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/s/ Matthew A. Kornhauser

Matthew A. Kornhauser