

Fill in this information to identify the case:

Debtor Emerge Energy Services LP

United States Bankruptcy Court for the: _____ District of Delaware
(State)

Case number 19-11563

**Official Form 410
Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>1st Option Investment Inc</u> Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	<u>1st Option Investment Inc</u>	
	<u>John Swapp, President</u>	
	<u>2610 Canyon Road</u>	
	<u>Springville, Utah 84663, USA</u>	
	Contact phone <u>801-491-4061</u>	Contact phone _____
	Contact email <u>js1040_99@yahoo.com</u>	Contact email _____
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <div style="text-align: right;">MM / DD / YYYY</div>	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ _

7. How much is the claim? \$ 4281.35. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

Cost Basis 4281.35

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature or property:
 Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No

Yes. Check all that apply:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.	\$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 01/07/2020
MM / DD / YYYY

/s/John Swapp
Signature

Print the name of the person who is completing and signing this claim:

Name John Swapp
First name Middle name Last name

Title President

Company 1st Option Investment Inc
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____

Contact phone _____ Email _____



KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (877) 634-7165 | International 001-310-823-9000

Debtor: 19-11563 - Emerge Energy Services LP		
District: District of Delaware		
Creditor: 1st Option Investment Inc John Swapp, President 2610 Canyon Road Springville, Utah, 84663 USA Phone: 801-491-4061 Phone 2: Fax: Email: js1040_99@yahoo.com	Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement:	
	Has Related Claim: No Related Claim Filed By:	
	Filing Party: Creditor	
Other Names Used with Debtor:	Amends Claim: No Acquired Claim: No	
Basis of Claim: Cost Basis 4281.35	Last 4 Digits: No	Uniform Claim Identifier:
Total Amount of Claim: 4281.35	Includes Interest or Charges: No	
Has Priority Claim: No	Priority Under:	
Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: No Subject to Right of Setoff: No	Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured:	
Submitted By: John Swapp on 07-Jan-2020 5:21:45 p.m. Eastern Time Title: President Company: 1st Option Investment Inc		

December 1, 2019 - December 31, 2019

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ACCOUNT NUMBER 388-55605-10 RR A34

1ST OPTION INVESTMENT INC.
JOHN SWAPP, PRESIDENT



Ally Invest Securities
P.O. Box 30248, Charlotte, NC 28230
Phone: 855.590.2539 | Fax: 866.599.0563
Member FINRA and SIPC - Ally.com/invest

PORTFOLIO SUMMARY

DESCRIPTION	SYMBOL/ CUSIP	ACCOUNT TYPE	QUANTITY	PRICE	MARKET VALUE	LAST PERIOD'S MARKET VALUE	% CHANGE	EST. ANNUAL INCOME	% OF TOTAL PORTFOLIO
EQUITIES / OPTIONS									
EMERGE ENERGY SERVICES LP COM UNIT REPSTG LTD PARTNER INTS	29102H108	M	400	\$0.005	\$2.00	\$3.20	-38%		.001%
GAMESTOP CORP CLASS A	GME	M	100	6.08	608.00	634.00	-4		.167
CALL GME 07/17/20 12 GAMESTOP CORP EXP 07/17/2020	9CYXS6	M	-1	0.173	-17.27		N/A		.005
IVERIC BIO INC COMMON STOCK	ISEE	M	300	8.58	2,574.00	1,014.00	154		.708
CALL ISEE 01/17/20 7.50 IVERIC BIO INC EXP 01/17/2020	9D30085	M	-3	1.498	-449.28		N/A		.124
CALL ISEE 06/19/20 12.50 IVERIC BIO INC EXP 06/19/2020	9NVDY1	M	-3	1.75	-525.00		N/A		.144
LUMBER LIQUIDATORS HOLDINGS INC	LL	M	200	9.77	1,954.00	1,782.00	10		.538
CALL LL 05/15/20 15 LUMBER LIQUIDATORS HOLDINGS EXP 05/15/2020	9GMFD6	M	-2	0.253	-50.56		N/A		.014
MALLINCKRODT PLC	MNK	M	400	3.49	1,396.00	1,508.00	-7		.384
TEVA PHARMACEUTICAL INDUSTRIES LIMITED ADR	TEVA	M	300	9.80	2,940.00	3,126.00	-6		.809

QUICK QUOTE

Symbol 

(Drag to reorder)

HOLDINGS

(Drag to reorder)

Sym	Description	Qty	Underl. Stock	Days to Exp	Cost Basis	Avg Price	Price	Change (%)	Daily G/L	Total G/L (%)	Market Value
E014542	Emerge Energy Services Lp	400			\$4,281.35	\$10.70	—	\$0.00 (-100.00%)	\$0.00	\$0.00 (—)	\$0.00

01/07/2026