

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

----- X
In re: : Chapter 11
: :
HI-CRUSH INC., *et al.*,¹ : Case No. 20-33495 (DRJ)
: :
Reorganized Debtors. : (Jointly Administered)
: :
----- X

**REORGANIZED DEBTORS’ THIRD OMNIBUS
OBJECTION TO CERTAIN CLAIMS (MODIFY AND ALLOW CLAIMS)**

This objection seeks to disallow certain claims. Claimants receiving this objection should locate their names and claims on Schedule 1 attached to the proposed form of order attached to this objection. If you do not file a response within 30 days after the objection was served on you, your claim may be modified without a hearing.

A hearing will be conducted on this matter on January 25, 2021 at 10:30 a.m. (Prevailing Central Time) in Courtroom 400, 4th floor, United States Bankruptcy Court for the Southern District of Texas, 515 Rusk Street, Houston, Texas 77002. You may participate in the hearing by audio/video connection.

Audio communication will be by use of the Court’s regular dial-in facility. You may access the facility at (832) 917-1510. You will be responsible for your own long-distance charges. Once connected, you will be asked to enter the conference room number. Judge Jones’ conference room number is 205691.

You may view video via GoToMeeting. To use GoToMeeting, the Court recommends that you download the free GoToMeeting application. To connect, you should enter the meeting Code “JudgeJones” in the GoToMeeting app or click the link on Judge Jones’ home page on the Southern District of Texas website. Once connected, click the settings icon in the upper right corner and enter your name under the personal information setting.

¹ The Reorganized Debtors in these cases, along with the last four digits of each Reorganized 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 Reorganized Debtors’ address is 1330 Post Oak Blvd, Suite 600, Houston, Texas 77056.



Hearing appearances must be made electronically in advance of the hearing. To make your electronic appearance, go to the Southern District of Texas website and select “Bankruptcy Court” from the top menu. Select “Judges’ Procedures,” then “View Home Page” for Judge Jones. Under “Electronic Appearance” select “Click here to submit Electronic Appearance”. Select the case name, complete the required fields and click “Submit” to complete your appearance.

If you object to the relief requested or you believe that emergency consideration is not warranted, you must either appear at the hearing or file a written response prior to the hearing. Otherwise, the Court may treat the pleading as unopposed and grant the relief requested.

The above-captioned reorganized debtors (collectively, the “**Debtors**” or “**Reorganized Debtors**,” as applicable) respectfully state the following in support of this omnibus claims objection (this “**Objection**”):

RELIEF REQUESTED

1. By this Objection, the Reorganized Debtors seek entry of an order (the “**Order**”), substantially in the form attached hereto, modifying and allowing the claims identified on **Schedule 1** to the Order in accordance with the terms therein (the “**Disputed Claims**”). In support hereof, the Reorganized Debtors submit the declaration of Jeffrey Sielinski, Senior Director of Alvarez and Marsal North America, LLC, attached here as **Exhibit A**.

JURISDICTION AND VENUE

2. The United States Bankruptcy Court for the Southern District of Texas (the “**Court**”) has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157, and this Court may enter a final order consistent with Article III of the United States Constitution. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The bases for the relief requested herein are sections 105(a) and 502(b) of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “**Bankruptcy Code**”), rule 3007 of the

Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), rule 3007-1(b) of the Bankruptcy Local Rules for the Southern District of Texas, and the Procedures for Complex Cases in the Southern District of Texas.

BACKGROUND

4. On July 12, 2020 (the “**Petition Date**”), the Debtors filed voluntary petitions for relief in this Court commencing cases (the “**Chapter 11 Cases**”) under chapter 11 of the Bankruptcy Code. The factual background regarding the Debtors, including their business operations, their capital and debt structures, and the events leading to the filing of the Chapter 11 Cases, is set forth in detail in the *Declaration of J. Philip McCormick, Jr., Chief Financial Officer of the Debtors, in Support of Chapter 11 Petitions and First Day Pleadings* [Docket No. 24] (the “**First Day Declaration**”), filed on the Petition Date.

5. On August 15, 2020, the Debtors filed their *Joint Plan of Reorganization for Hi-Crush Inc. and Its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 289] (as may be amended, modified, or supplemented, the “**Plan**”). On September 23, 2020, the Court entered the *Findings of Fact, Conclusions of Law and Order Confirming the Plan of Reorganization for Hi-Crush Inc. and Its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code* [Docket No. 420] (the “**Confirmation Order**”). The Plan provides that the Reorganized Debtors are authorized to object to scheduled claims and proofs of claim and interests. See Plan Article VIII. On October 9, 2020, the Plan was substantially consummated, and the Effective Date (as defined in the Plan) occurred. See *Notice of (I) Effective Date of the Joint Plan or Reorganization for Hi-Crush Inc. and its Affiliate Debtors Under Chapter 11 of the Bankruptcy Code and (II) Establishing Deadline for the Filing of Administrative Claims Against the Debtors* [Docket No. 452].

6. On August 11, 2020, the Debtors filed their respective schedules of assets and liabilities (“**Schedules**”) and statements of financial affairs, pursuant to Bankruptcy Rule 1007. See Docket Nos. 231-274

7. On July 13, 2020, the Court entered the *Order (I) Establishing (A) Bar Dates and (B) Related Procedures for Filing Proofs of Claim, (II) Approving the Form and Manner of Notice Thereof and (III) Granting Related Relief* [Docket No. 88] (the “**Bar Date Order**”) pursuant to which the Court, among other things, established August 16, 2020, at 5:00 p.m. (prevailing Central Time) (the “**General Bar Date**”), as the deadline for all non-governmental entities² holding or wishing to assert a “claim” (as defined in section 101(15) of the Bankruptcy Code).

8. On October 16, 2020, the Reorganized Debtors filed the *Reorganized Debtors’ Motion for Entry of an Order Approving Omnibus Claims Objection Procedures and Filing of Substantive Omnibus Claim Objections* [Docket No. 456] (the “**Omnibus Procedures Motion**”) seeking approval of certain omnibus claims objection procedures (the “**Omnibus Objection Procedures**”). On November 10, 2020, the Court entered an order granting the Omnibus Procedures motion [Docket No. 477] (the “**Omnibus Procedures Order**”) and approving the Omnibus Objection Procedures.

DISPUTED CLAIMS

9. Based on the Reorganized Debtors’ review of their books and records and the filed proofs of claims, the Reorganized Debtors object to the Disputed Claims for the reasons set forth on **Schedule 1** to the Order. Accordingly, the Reorganized Debtors request that the Court enter

² The deadline for all governmental units asserting a “claim” (as defined in section 101(15) of the Bankruptcy Code) against the Reorganized Debtors that arose on or prior to the Petition Date to file written proof of such claim is January 8, 2021, at 5:00 p.m. (prevailing Central Time) (together with the General Bar Date, the “**Bar Dates**”).

the Order modifying and allowing the Disputed Claims in accordance with the terms on **Schedule 1** to the Order.

BASIS FOR RELIEF

10. Section 502(a) of the Bankruptcy Code provides, in pertinent part, as follows: “[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502. Moreover, section 502(b)(1) of the Bankruptcy Code provides, in relevant part, that a claim may not be allowed if “such claim is unenforceable against the debtor and property of the debtor, under any agreement or applicable law” 11 U.S.C. § 502(b)(1).

11. The Omnibus Objection Procedures allow the Reorganized Debtors to file omnibus objections with respect to claims that “are incorrectly or improperly classified, including any Claims and Proofs of Claim filed as secured claims, priority claims, or under section 503(b)(9) of the Bankruptcy Code that are to be reclassified as unsecured claims, in whole or in part.”

12. As set forth in Bankruptcy Rule 3001(f), a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and the amount of the claim under section 502(a) of the Bankruptcy Code. *See, e.g., In re Jack Kline Co., Inc.*, 440 B.R. 712, 742 (Bankr. S.D. Tex. 2010). A proof of claim loses the presumption of *prima facie* validity under Bankruptcy Rule 3001(f) if an objecting party refutes at least one of the allegations that are essential to the claim’s legal sufficiency. *See In re Fidelity Holding Co., Ltd.*, 837 F.2d 696, 698 (5th Cir. 1988). Once such an allegation is refuted, the burden reverts to the claimant to prove the validity of its claim by a preponderance of the evidence. *Id.* Despite this shifting burden during the claim objection process, “the ultimate burden of proof always lies with the claimant.” *In re Armstrong*,

347 B.R. 581, 583 (Bankr. N.D. Tex. 2006) (citing *Raleigh v. Ill. Dep't of Rev.*, 530 U.S. 15 (2000)).

13. Failure to modify the Disputed Claims in accordance with the terms provided on **Schedule 1** to the Order could result in the applicable claimants receiving unwarranted recoveries, to the detriment of similarly situated creditors with legitimate claims. Moreover, modification of the Disputed Claims will enable the Reorganized Debtors to maintain a more accurate claims register.

RESERVATION OF RIGHTS

14. This Objection is without prejudice to the rights of the Reorganized Debtors or any other party in interest to object to any of the Disputed Claims on any grounds whatsoever, and the Reorganized Debtors expressly reserve all further substantive or procedural objections they may have.

SEPARATE CONTESTED MATTER

15. To the extent that a response is filed regarding any Disputed Claim and the Reorganized Debtors are unable to resolve any such response, each such Disputed Claim, and the Objection as it pertains to such Disputed Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. Further, the Reorganized Debtors request that any order entered by the Court regarding an objection or other reply asserted in response to this Objection be deemed a separate order with respect to each claim.

WHEREFORE, the Reorganized Debtors respectfully request that the Court enter the proposed Order, granting the relief requested herein and such other and further relief as may be just and proper.

Dated: December 3, 2020
Houston, Texas

Respectfully Submitted,

/s/ Philip M. Guffy

Philip M. Guffy (TX Bar No. 24113705)
Timothy A. (“Tad”) Davidson II (TX Bar No. 24012503)
Joseph P. Rovira (TX Bar No. 24066008)
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Counsel for the Reorganized Debtors

CERTIFICATE OF SERVICE

I certify that on December 3, 2020, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Philip M. Guffy _____
Philip M. Guffy

Exhibit A

Sielinski Declaration

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

	X	
In re:	:	Chapter 11
	:	
HI-CRUSH INC., <i>et al.</i> , ¹	:	Case No. 20-33495 (DRJ)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
	X	

**DECLARATION OF JEFFREY SIELINSKI
IN SUPPORT OF REORGANIZED DEBTORS’ THIRD OMNIBUS
OBJECTION TO CERTAIN CLAIMS (MODIFY AND ALLOW CLAIMS)**

I, Jeffrey Sielinski, hereby declare under penalty of perjury:

1. I am a Senior Director with Alvarez & Marsal North America, LLC, (“**A&M**”), a restructuring advisory services firm with numerous offices throughout the country.² I, along with my colleagues at A&M, have been engaged by the Reorganized Debtors to provide various restructuring and financial services. In my current position with the Reorganized Debtors, I am responsible for all claims management related matters. I am generally familiar with the Reorganized Debtors’ day-to-day operations, financing arrangements, business affairs, and books and records that reflect, among other things, the Reorganized Debtors’ liabilities and the amount

¹ The Reorganized Debtors in these cases, along with the last four digits of each Reorganized 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 Reorganized Debtors’ address is 1330 Post Oak Blvd, Suite 600, Houston, Texas 77056.

² Capitalized terms used but not otherwise defined in this Declaration have the meanings given to them in the Objection.

thereof owed to their creditors as of the Petition Date. I am above 18 years of age, and I am competent to testify.

2. I submit this declaration (this “**Declaration**”) in support of the *Reorganized Debtors’ Third Omnibus Objection to Certain Claims (Modify and Allow Claims)* (the “**Objection**”) and am directly, or by and through the Reorganized Debtors’ advisors and personnel, familiar with the information contained therein and the Disputed Claims. I am authorized to submit this declaration on the Reorganized Debtors’ behalf. Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge of the Reorganized Debtors’ operations and finances, information learned from my review of relevant documents, and information I have received from other members of the Reorganized Debtors’ management, the Reorganized Debtors’ employees or the Reorganized Debtors’ advisors. As to matters regarding state and federal law, including bankruptcy law, I have relied on the advice of counsel. If I were called upon to testify, I could and would testify competently to the facts set forth in this Declaration on that basis.

3. To the best of my knowledge, information, and belief, insofar as I have been able to ascertain after reasonable inquiry, considerable time and resources have been expended to ensure a high level of diligence in reviewing and reconciling the proofs of claim filed against the Reorganized Debtors in the chapter 11 cases. In evaluating the Disputed Claims, the Reorganized Debtors and/or their advisors thoroughly reviewed the Reorganized Debtors’ books and records and the Disputed Claims (as well as any supporting documentation) and have determined that each Disputed Claim should be modified according to **Schedule 1** of the Order. Failure to do so could result in such claimants receiving an unwarranted recovery—to the detriment of similarly situated

creditors with legitimate claims. Thus, I believe that modification of the Disputed Claims is appropriate.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: December 3, 2020

Respectfully submitted,

/s/ Jeffrey Sielinski

Jeffrey Sielinski, Senior Director
Alvarez & Marsal North America, LLC

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

	X	
In re:	:	Chapter 11
	:	
HI-CRUSH INC., <i>et al.</i> , ¹	:	Case No. 20-33495 (DRJ)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
	X	

**ORDER SUSTAINING REORGANIZED DEBTORS’ THIRD
OMNIBUS OBJECTION TO CERTAIN CLAIMS (MODIFY AND ALLOW CLAIMS)**

Upon the objection (the “**Objection**”)² of the above-captioned reorganized debtors (collectively, the “**Reorganized Debtors**”) seeking entry of an order (this “**Order**”) modifying and allowing the Disputed Claims in accordance with the terms on **Schedule 1** hereto, all as more fully set forth in the Objection; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that the Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the Debtors’ notice of the Objection and opportunity for a hearing on the Objection were appropriate under the circumstances and no other notice need be provided; and the Court having reviewed the Objection; and all

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² Capitalized terms used herein but not defined shall have the meanings ascribed to such terms in the Objection.

responses, if any, to the Objection having been withdrawn, resolved, or overruled; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT**:

1. Each Disputed Claim (i.e., each claim listed on **Schedule 1** hereto) shall be modified and allowed in accordance with the modifications in the “Modified” column on **Schedule 1** hereto.

2. Kurtzman Carson Consultants LLC, as claims agent, is authorized and directed to update the claims register maintained in these chapter 11 cases to reflect the relief granted in this Order.

3. Each Disputed Claim and the objections by the Reorganized Debtors to each Disputed Claim constitute a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each Disputed Claim.

4. The Reorganized Debtors and Kurtzman Carson Consultants LLC are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Objection.

5. This Court shall retain exclusive jurisdiction to resolve any dispute arising from or related to this Order.

Signed: _____, 2020

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Schedule 1

Disputed Claims

Hi-Crush Inc., et al. 20-33495 (DRJ)

Third Omnibus Objection (Modify and Allow)

Schedule 1 – Disputed Claims

NAME	CLAIM#	ASSERTED			CORRECTED		
		DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT
1 ALL AMERICAN DO IT CENTER 1201 N SUPERIOR ST TOMAH, WI 54660	734	Hi-Crush Wyeville Operating LLC	503(b)(9)	\$2,430.02	Hi-Crush Wyeville Operating LLC	503(b)(9)	\$0.00
		Hi-Crush Wyeville Operating LLC	Unsecured	\$292.59	Hi-Crush Wyeville Operating LLC	Unsecured	\$292.59
			Subtotal	\$2,722.61		Subtotal	\$292.59
Reason: Proof of Claim asserts an amount of \$2,722.61 for unpaid invoices. Claim has been partially satisfied pursuant payment made under First Day Relief via electronic payment(s) dated 10/01/2020.							
2 BEST KEPT PORTABLES PO BOX 61 TOMAH, WI 54660	260	Hi-Crush Wyeville Operating LLC	503(b)(9)	\$753.28	Hi-Crush Wyeville Operating LLC	503(b)(9)	\$0.00
					Hi-Crush Wyeville Operating LLC	Unsecured	\$753.28
						Subtotal	\$753.28
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$753.28. Asserted amount is for rental and service fees, and as such is not entitled to administrative priority.							
3 CULLIGAN 1825 MOBILE DRIVE WINONA, MN 55987	577	Hi-Crush Inc.	503(b)(9)	\$197.59	Hi-Crush Inc.	503(b)(9)	\$0.00
					Hi-Crush Inc.	Unsecured	\$197.59
						Subtotal	\$197.59
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$197.59. Asserted amount is for rental fees and sales tax, and as such is not entitled to administrative priority.							
4 DUTCHER PHIPPS CRANE AND RIGGING CO. 5004 S. ARIZONA MONAHANS, TX 79756	32	Hi-Crush Proppants LLC	503(b)(9)	\$24,816.00	Hi-Crush Proppants LLC	503(b)(9)	\$0.00
					Hi-Crush Proppants LLC	Unsecured	\$24,816.00
						Subtotal	\$24,816.00
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$24,816.00. Asserted amount is for labor and services, and as such is not entitled to administrative priority.							
5 GEOFORCE, INC. KRISTIE L BLUMENSCHNEIN 5830 GRANITE PARKWAY, SUITE 1200 PLANO, TX 75024	587	Pronghorn Logistics, LLC	503(b)(9)	\$3,645.60	Pronghorn Logistics, LLC	503(b)(9)	\$0.00
					Pronghorn Logistics, LLC	Unsecured	\$3,645.60
						Subtotal	\$3,645.60
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$3,645.60. Asserted amount is for subscription fees, and as such is not entitled to administrative priority.							

Hi-Crush Inc., et al. 20-33495 (DRJ)

Third Omnibus Objection (Modify and Allow)

Schedule 1 – Disputed Claims

NAME	CLAIM#	ASSERTED			CORRECTED		
		DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT
6 IOWA NORTHERN RAILWAY CO MATTHEW WALZ 201 TOWER PARK DRIVE, SUITE 300 WATERLOO, IA 50701	227	D & I Silica, LLC	503(b)(9)	\$15,480.00	D & I Silica, LLC	503(b)(9)	\$0.00
		D & I Silica, LLC	Unsecured	\$15,480.00	D & I Silica, LLC	Unsecured	\$15,480.00
			Subtotal	\$30,960.00		Subtotal	\$15,480.00
Reason: Proof of Claim asserts an amount of \$30,960.00 for unpaid invoices. Claim has been partially satisfied pursuant payment made under First Day Relief via check number(s) 14735 dated 08/26/2020.							
7 KELLEHER, HELMRICH AND ASSOCIATES, INC. 6920 HOHMAN AVENUE HAMMOND, IN 46324	413	Hi-Crush Inc.	503(b)(9)	\$2,900.00	Hi-Crush Inc.	503(b)(9)	\$0.00
					Hi-Crush Inc.	Unsecured	\$2,900.00
						Subtotal	\$2,900.00
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$2,900.00. Asserted amount is for software services, and as such is not entitled to administrative priority.							
8 NORTHINGTON, JOHN W.B. NORTHINGTON STRATEGY GROUP 1001 4TH ST. SW, #810 WASHINGTON, DC 20024	49	Hi-Crush Inc.	Priority	\$8,000.00	Hi-Crush Inc.	Priority	\$0.00
					Hi-Crush Inc.	Unsecured	\$8,000.00
						Subtotal	\$8,000.00
Reason: Proof of Claim asserts priority under 11 U.S.C. § 507(a)(4) and § 507(a)(7) in the amount of \$8,000.00. Claimant is not an employee and does not assert that it is an individual or corporation with only one employee acting as an independent contractor and earning greater than 75% and therefore is not eligible for priority under 11 U.S.C. § 507(a)(4). In addition, claimant does not hold a deposit towards a purchase, lease, or rental of property and therefore is not eligible for priority under 11 U.S.C. § 507(a)(7).							
9 RELIANT ENERGY RETAIL SERVICES, LLC ATTN BANKRUPTCY DEPT. - SANDRA MARTEL PO BOX 1046 HOUSTON, TX 77251-9995	418	Hi-Crush Permian Sand LLC	503(b)(9)	\$43,006.31	Hi-Crush Permian Sand LLC	503(b)(9)	\$0.00
		Hi-Crush Permian Sand LLC	Unsecured	\$95,825.21	Hi-Crush Permian Sand LLC	Unsecured	\$138,831.52
			Subtotal	\$138,831.52		Subtotal	\$138,831.52
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$43,006.31. Asserted amount is for electric utility service which is not a transferable good, and as such is not entitled to administrative priority.							
10 TBC. INC. D/B/S TEXAS BEARING COMPANY PO BOX 1579 AMARILLO, TX 79105	104	Hi-Crush Inc.	503(b)(9)	\$713.56	Hi-Crush Inc.	503(b)(9)	\$0.00
		Hi-Crush Inc.	Unsecured	\$13,429.72	Hi-Crush Inc.	Unsecured	\$13,429.72
			Subtotal	\$14,143.28		Subtotal	\$13,429.72
Reason: Proof of Claim asserts an amount of \$14,143.28 for unpaid invoices. Claim has been partially satisfied pursuant payment made under First Day Relief via check number(s) 13517 dated 11/11/2020.							

Hi-Crush Inc., et al. 20-33495 (DRJ)

Third Omnibus Objection (Modify and Allow)

Schedule 1 – Disputed Claims

NAME	CLAIM#	ASSERTED			CORRECTED			
		DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT	
11 TRI-COUNTY COMMUNICATIONS COOPERATIVE INC CHERYL RUE AND MARY PETERSON 417 5TH AVE N PO BOX 578 STRUM, WI 54770	455	Hi-Crush Inc.	503(b)(9)	\$9,831.16	Hi-Crush Inc.	503(b)(9)	\$0.00	
					Hi-Crush Inc.	Unsecured	\$9,831.16	
						Subtotal	\$9,831.16	
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$9,831.16. Asserted amount is for telecommunications services, and as such is not entitled to administrative priority.								
12 WYOMING MACHINERY COMPANY DBA WYOMING RENTS CODY FRIEDLAN 5300 W OLD YELLOWSTONE HWY CASPER, WY 82604	543	Pronghorn Logistics, LLC	503(b)(9)	\$2,940.00	Pronghorn Logistics, LLC	503(b)(9)	\$0.00	
		Pronghorn Logistics, LLC	Unsecured	\$2,984.10	Pronghorn Logistics, LLC	Unsecured	\$5,924.10	
			Subtotal	\$5,924.10		Subtotal	\$5,924.10	
Reason: Proof of Claim asserts administrative priority under 11 U.S.C. § 503(b)(9) in the amount of \$2,940.00. Asserted amount is for rental fees and finance charges, and as such is not entitled to administrative priority.								
		TOTAL			\$ 242,725.14	TOTAL		\$ 224,101.56