

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

In re	:	Chapter 11
	:	
SWIFT ENERGY COMPANY, <i>et al.</i> , ¹	:	Case No. 15-12670 (MFW)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
	:	Re: Docket Nos. 490 & 513

**CERTIFICATION OF COUNSEL REGARDING
AGREED ORDER REGARDING GARZA AND
SWIFT ENERGY OPERATING, LLC AND SWIFT ENERGY COMPANY**

The undersigned hereby certifies as follows:

1. We are counsel for the reorganized above-captioned debtors (the "Reorganized Debtors").
2. Joe Garza ("Garza") has a currently pending lawsuit against Swift Energy Operating, LLC ("Operating") and Swift Energy Company ("Energy" and, together with Operating, "Swift") in La Salle County, Texas (the "State Court Action").
3. On March 31, 2016, the Court entered an order [Docket No. 513] (the "Confirmation Order") confirming the Second Amended Joint Plan of Reorganization of the Debtors and Debtors in Possession [Docket No. 490] (as amended, supplemented and modified, the "Plan").
4. Garza seeks to modify the post-confirmation discharge injunction in the Plan, the post-confirmation discharge injunction in the Confirmation Order, and any stays,

¹ The Reorganized Debtors are the following nine entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Swift Energy Company (0661); Swift Energy International, LLC (6721); Swift Energy Group, Inc. (8150) (dissolved August 2016); Swift Energy USA, Inc. (8212); Swift Energy Alaska, Inc. (6493) (dissolved July 2016); Swift Energy Operating, LLC (2961); GASRS LLC (4381); SWENCO-Western, LLC (0449); and Swift Energy Exploration Services, Inc. (2199) (dissolved October 2016). The address of each of the Reorganized Debtors is 17001 Northchase Drive, Suite 100, Houston, Texas 77060.



automatic or otherwise, currently in existence with respect to Swift, whether pursuant to section 362(a) of the Bankruptcy Code, the Plan, the Confirmation Order or otherwise solely to the extent necessary to allow Garza to (i) adjudicate his claims for personal injuries and damages in the State Court Action against Swift to a judgment in the District Court of La Salle County, Texas; and (ii) execute or enforce any judgment obtained as to Swift against only the insurers of those companies owing Swift indemnification arising out of the occurrence made basis of the State Court Action.

5. Garza and the Reorganized Debtors are in agreement with respect to the terms and provisions of the proposed form of order (the "Proposed Order") attached hereto as Exhibit A.

WHEREFORE, the Reorganized Debtors respectfully request that the Court enter the Proposed Order at its earliest convenience.

Dated: December 13, 2016
Wilmington, Delaware

Respectfully submitted,

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ATTORNEYS FOR THE REORGANIZED
DEBTORS

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re	:	Chapter 11
	:	
SWIFT ENERGY COMPANY, <i>et al.</i> , ¹	:	Case No. 15-12670 (MFW)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
	:	
	:	Re: Docket Nos. 490, 513 & _____

**AGREED ORDER REGARDING GARZA
AND SWIFT ENERGY OPERATING, LLC AND SWIFT ENERGY COMPANY**

Upon the request of Joe Garza (the "Plaintiff") regarding his lawsuit against Swift Energy Operating, LLC and Swift Energy Company ("Swift") currently pending in La Salle County, Texas (the "State Court Action"), upon being apprised that Swift and the Plaintiff are in agreement with respect to the terms and provisions of this Order, after due deliberation, and sufficient cause therefor, it is hereby ordered that:

1. The post-confirmation discharge injunction in the Second Amended Joint Plan of Reorganization of the Debtors and Debtors in Possession [Docket No. 490] (as amended, supplemented and modified, the "Plan"), confirmed by this Court on March 31, 2016 in the Findings of Fact, Conclusions of Law and Order Confirming Pursuant to Section 1129(a) and (b) of the Bankruptcy Code, the Second Amended Joint Plan of Reorganization of the Debtors and Debtors in Possession [Docket No. 513] (the "Confirmation Order"), the post-confirmation

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discharge injunction in the Confirmation Order, and any stays, automatic or otherwise, currently in existence with respect to Swift, whether pursuant to section 362(a) of the Bankruptcy Code, the Plan, the Confirmation Order or otherwise, shall be modified solely to the extent necessary to allow Plaintiff to (i) adjudicate his claims for personal injuries and damages in the State Court Action against Swift to a judgment in the District Court of La Salle County, Texas; and (ii) execute or enforce any judgment obtained as to Swift against only the insurers of those companies owing Swift indemnification arising out of the occurrence made basis of the State Court Action.

2. No execution on any judgment obtained by Plaintiff will take place with respect to Swift or any asset of Swift.

3. Nothing contained herein shall be construed to limit, modify or impair the rights of Swift or any insurer under any contractual agreement between the Swift and any insurer.

4. Nothing in this Order shall limit the rights of Swift to oppose or defend against the State Court Action.

5. This Court shall retain jurisdiction with respect to all matters arising from or related to the interpretation and implementation of this Order.

Dated: _____, 2016
Wilmington, Delaware

THE HONORABLE MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE