

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

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In re	:	Chapter 11
	:	
SWIFT ENERGY COMPANY, <sup>1</sup>	:	Case No. 15-12670 (MFW)
	:	
Reorganized Debtor.	:	<b>Hearing Date: May 4, 2020 at 11:30 a.m. (ET)</b>
	:	<b>Obj. Deadline: April 15, 2020 at 4:00 p.m. (ET)</b>
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**TWELFTH MOTION OF THE REORGANIZED DEBTOR  
FOR THE ENTRY OF AN ORDER EXTENDING THE DEADLINE  
TO OBJECT TO CLAIMS UNDER THE PLAN OF REORGANIZATION**

The above-captioned reorganized debtor (the "Reorganized Debtor") hereby moves the Court for entry of an order, pursuant to the Second Amended Plan of the Debtors and Debtors in Possession (the "Plan") and section 105(a) of the Bankruptcy Code, extending the deadline for objecting to claims by not less than 120 days.<sup>2</sup> In support of this motion, the Reorganized Debtor respectfully represents as follows:<sup>3</sup>

**Background**

***General Case Background***

1. On December 31, 2015 (the "Petition Date"), each of the Debtors commenced a case by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

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<sup>1</sup> The Reorganized Debtor is and the last four digits of its taxpayer identification number are Swift Energy Company (0661) (effective May 5, 2017, renamed SilverBow Resources, Inc.). The address of the Reorganized Debtor is 575 North Dairy Ashford Road, Suite 1200, Houston, TX 77079.

<sup>2</sup> Pursuant to Rule 9006-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), the filing of this motion prior to the expiration of the current deadline to object to claims automatically extends such deadline until such time as the Court rules on this motion.

<sup>3</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Plan.



2. On March 30, 2016, the Court entered an order confirming the Plan (the "Confirmation Order"). The Plan became effective on April 22, 2016 (the "Effective Date").

3. Section VII.A of the Plan provides that objections to all claims must be filed by the Claims Objection Bar Date, which is defined in the Plan as the latest of: "(a) 120 days after the Effective Date; (b) 60 days after the filing of a proof of Claim for such Claim; and (c) such other period of limitation as may be specifically fixed by the Plan, the Confirmation Order, the Bankruptcy Rules or an order of the Bankruptcy Court." (Plan § I.A.32.)

***The Current Claim Objection Deadline***

4. On September 8, 2016, the Court entered the First Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to December 19, 2016.

5. On January 18, 2017, the Court entered the Second Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to April 18, 2017.

6. On May 25, 2017, the Court entered the Third Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to August 16, 2017.

7. On September 5, 2017, the Court entered the Fourth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to December 14, 2017.

8. On January 2, 2018, the Court entered the Fifth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to April 13, 2018.

9. On May 1, 2018, the Court entered the Sixth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to August 13, 2018.

10. On August 29, 2018, the Court entered the Seventh Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to December 11, 2018.

11. On January 3, 2019, the Court entered the Eighth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to April 10, 2019.

12. On April 26, 2019, the Court entered the Ninth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to August 8, 2019.

13. On August 23, 2019, the Court entered the Tenth Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to December 6, 2019.

14. On December 30, 2019, the Court entered the Eleventh Order Extending the Deadline to Object to Claims Under the Plan of Reorganization, extending the deadline under the Plan to object to all claims to April 6, 2020.

***The Status of the Claims Reconciliation Process***

15. As of the date hereof, 1,146 proofs of claim have been filed against the Debtors. Since the Effective Date, the Reorganized Debtors have settled, extinguished, satisfied

or otherwise resolved more than 1,143 proofs of claim. The Reorganized Debtor is continuing to attempt to resolve the last few remaining claims.<sup>4</sup>

16. Though the Reorganized Debtors have made and the Reorganized Debtor continues to make progress in the claims reconciliation process, the Reorganized Debtor requires additional time to address the remaining claims and to attempt to resolve them without the need for commencing claims litigation.

### **Jurisdiction**

17. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Article X of the Plan. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue for this matter is proper in this district pursuant to 28 U.S.C. § 1409.

18. Pursuant to Local Rule 9013-1(f), the Reorganized Debtor consents to the entry of a final judgment or order with respect to this motion if it is determined that the Court would lack Article III jurisdiction to enter such final order or judgment absent consent of the parties.

### **Relief Requested and the Basis Thereof**

19. Pursuant to the Plan and section 105(a) of the Bankruptcy Code, the Reorganized Debtor seeks the entry of an order extending the deadline to object to claims under the Plan by not less than an additional 120 days (i.e., Tuesday, August 4, 2020). The Reorganized Debtor further requests that the proposed extension be granted without prejudice to its right to request additional extensions of the deadline.

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<sup>4</sup> See Plan § VII.A.2 ("After the Effective Date, the Reorganized Debtors may settle, compromise or otherwise resolve any Disputed Claim or any objection or controversy relating to any Claim without approval of the Bankruptcy Court.").

20. The Plan expressly authorizes this Court to extend the deadline to object to claims. (See Plan § I.A.32.) Moreover, section 105(a) of the Bankruptcy Code empowers the Court to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105.

21. The Reorganized Debtor respectfully submits that the proposed extension of the deadline to object to claims under the Plan is appropriate. The Reorganized Debtor continues to be in the midst of attempting to resolve the last few remaining claims. These discussions are ongoing and will not be completed until after the current deadline to object to claims. The Reorganized Debtor believes it would be a waste of resources to prematurely file objections to claims while discussions are ongoing. Finally, the requested extension of not less than 120 days is (a) reasonable, (b) consistent with extensions granted in other chapter 11 cases in this jurisdiction and (c) will provide sufficient time for the Reorganized Debtor to continue to pursue consensual resolutions of disputed claims and/or file claim objections.

**Notice**

22. Notice of this motion has been provided to: (a) the U.S. Trustee; and (b) all parties entitled to notice pursuant to Bankruptcy Rule 2002. Due to the nature of the relief requested herein, the Reorganized Debtor respectfully submits that no further notice of this motion is necessary.

**No Prior Request**

23. No prior request for the relief sought herein has been made to this Court or any other Court.

WHEREFORE, the Reorganized Debtor respectfully requests that the Court  
(a) enter an order granting the relief requested herein, substantially in the form attached hereto as Exhibit A; and (b) grant such other and further relief to the Reorganized Debtor as the Court may deem just and proper.

Dated: April 1, 2020  
Wilmington, Delaware

Respectfully submitted,

/s/ David T. Queroli

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ATTORNEYS FOR REORGANIZED DEBTOR

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

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In re

SWIFT ENERGY COMPANY, <sup>1</sup>

Reorganized Debtor.

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: Chapter 11  
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: Case No. 15-12670 (MFW)  
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: **Hearing Date: May 4, 2020 at 11:30 a.m. (ET)**  
: **Obj. Deadline: April 15, 2020 at 4:00 p.m. (ET)**  
:  
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**NOTICE OF MOTION AND HEARING THEREON**

PLEASE TAKE NOTICE that, on April 1, 2020, the above-captioned reorganized debtor (the "Reorganized Debtor") filed the Twelfth Motion of the Reorganized Debtor for the Entry of an Order Extending the Deadline to Object to Claims Under the Plan of Reorganization (the "Motion") with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be in writing and filed with the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801 on or before **April 15, 2020 at 4:00 p.m. (ET)**.

PLEASE TAKE FURTHER NOTICE that if any objections to the Motion are filed, the Motion and such objections shall be considered at a hearing before The Honorable Mary F. Walrath, United States Bankruptcy Judge for the District of Delaware, at the Bankruptcy Court, 824 North Market Street, 5th Floor, Courtroom 4, Wilmington, Delaware 19801 on **May 4, 2020 at 11:30 a.m. (ET)**.

**PLEASE TAKE FURTHER NOTICE THAT IF NO OBJECTIONS TO THE MOTION ARE TIMELY FILED IN ACCORDANCE WITH THIS NOTICE, THE**

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**BANKRUPTCY COURT MAY GRANT THE RELIEF REQUESTED IN THE MOTION  
WITHOUT FURTHER NOTICE OR HEARING.**

Dated: April 1, 2020  
Wilmington, Delaware

Respectfully submitted,

/s/ David T. Queroli

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ATTORNEYS FOR REORGANIZED  
DEBTOR



**EXHIBIT A**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE**

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SWIFT ENERGY COMPANY, <sup>1</sup>	:	Case No. 15-12670 (MFW)
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Reorganized Debtor.	:	
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**TWELFTH ORDER EXTENDING THE DEADLINE  
TO OBJECT TO CLAIMS UNDER THE PLAN OF REORGANIZATION**

This matter coming before the Court on the Twelfth Motion of the Reorganized Debtor for the Entry of an Order Extending the Deadline to Object to Claims Under the Plan of Reorganization (the "Motion");<sup>2</sup> the Court having reviewed the Motion and no objections having been filed; the Court having found that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and Article X of the Plan, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b) and (c) notice of the Motion was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. Pursuant to the Plan and section 105(a) of the Bankruptcy Code, the deadline under the Plan to object to all claims filed against the Debtors is hereby extended to August 4, 2020.

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<sup>2</sup> Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

3. This Order is without prejudice to the Reorganized Debtor's right to request additional extensions of the deadline to object to claims.

4. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, enforcement or interpretation of this Order.