



ENTERED  
10/29/2009

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

In re

EXPRESS ENERGY SERVICES  
OPERATING, LP, *et al.*,

Debtors.

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Chapter 11

Case No. 09-38044 (JB)

Jointly Administered

**ORDER GRANTING COMPLEX  
CHAPTER 11 BANKRUPTCY CASE TREATMENT**

Express Energy Services Operating, LP ("**EES**") and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "**Debtors**") filed these bankruptcy cases on October 27, 2009. A Notice of Designation as Complex Chapter 11 Cases was filed. After a review of the initial pleadings filed in these cases, the Court concludes that these cases appear to be complex chapter 11 cases. Therefore,

IT IS ORDERED:

1. The Debtors shall maintain a consolidated master service list (the "**Master Service List**") identifying the parties that must be served whenever a motion or other pleading requires notice. Unless otherwise required under title 11 of the United States Code (the "**Bankruptcy Code**") or the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), notices of motions and other matters will be limited to the parties on the Master Service List.

- a. The Master Service List shall initially include (i) the Office of the United States Trustee for the Southern District of Texas; (ii) the Debtors; (iii) Weil, Gotshal & Manges LLP (Attn: Alfredo R. Pérez and Christopher M. López), proposed attorneys for the Debtors; (iv) Credit Suisse, as administrative agent for (a) the Debtors' prepetition secured lenders under the Credit Agreement dated as of July 11, 2008, as amended, and (b) the Swap Agreement dated as of July 11, 2008; (v) Akin Gump Strauss Hauer & Feld (Attn: J. Michael Chambers and Charles R.

Gibbs), attorneys for Credit Suisse; (vi) the Debtors' 20 largest unsecured creditors (on a consolidated basis); (vii) those parties who have formally appeared in these chapter 11 cases and requested service pursuant to Bankruptcy Rule 2002; and (viii) all applicable government agencies, to the extent required by the Bankruptcy Rules or the Bankruptcy Local Rules for the Southern District of Texas (the "**Local Bankruptcy Rules**").

- b. Any party in interest that wishes to receive notice, other than as listed on the Master Service List, shall be added to the Master Service List by filing and serving the Debtors and Debtors' counsel with a notice of appearance and request for service.
- c. Parties on the Master Service List, who have not otherwise consented to service by e-mail, through the act of becoming a registered e-filer in the Southern District of Texas, are encouraged to provide an e-mail address for service of process and to authorize service by e-mail; consent to e-mail service may be included in the party's notice of appearance and request for service; in the event a party has not consented to e-mail service, a "hard copy" shall be served by fax or by regular mail.
- d. The initial Master Service List shall be filed within three (3) days after entry of this order. A revised Master Service List shall be filed seven (7) days after the initial Master Service List is filed. The Debtors shall update the Master Service List, and shall file a copy of the updated Master Service List: (i) at least every seven (7) days during the first 30 days of the cases; (ii) at least every 15 days during the next 60 days of the cases; and (iii) at least every 30 days thereafter throughout the cases.

2. All motions and other matters requiring an expedited or emergency

hearing shall comply with the usual Court requirements for explanation and verification of the need for emergency or expedited hearing. Specifically, if a party in interest has a situation that it believes requires consideration on less than 23-days' notice, or an emergency that it believes requires consideration on less than 5 business days' notice, then the party should file and serve a separate, written motion for expedited or emergency hearing, with respect to the underlying motion. The Court will make its best effort to rule on the motion for expedited or emergency hearing within 24 hours of the time it is presented. If the Court grants the motion for expedited or emergency hearing, the underlying motion will be set by the courtroom deputy at the next available pre-set hearing day or at some other appropriate shortened date approved by the Court.

The party requesting the hearing shall be responsible for providing proper notice in accordance with this Order, the Bankruptcy Code, and the Bankruptcy Rules.

3. Emergency and expedited hearings (and other hearings in limited circumstances) in this case may be conducted by telephone or, where available, video. Parties can review Judge Bohm's webpage for instructions to participate by telephone or email the courtroom deputy, Robin Stennis, at [cma679@txs.uscourts.gov](mailto:cma679@txs.uscourts.gov).

4. If a matter is properly noticed for hearing and the parties reach a settlement of the dispute prior to the final hearing, the parties may announce the settlement at the scheduled hearing. If the Court determines that the notice of the dispute and the hearing is adequate notice of the effects of the settlement, (i.e., that the terms of the settlement are not materially different from what parties in interest could have expected if the dispute were fully litigated), the Court may approve the settlement at the hearing without further notice of the terms of the settlement.

5. The Debtors shall give notice of this Order to all parties on the Master Service List within seven days. If any party in interest, at any time, objects to the provisions of this Order, that party shall file a motion articulating the objection and the relief requested. After hearing the objection and any responses, the Court may reconsider any part of this Order and may grant relief, if appropriate.

Dated: October 29, 2009  
Houston, Texas



UNITED STATES BANKRUPTCY JUDGE