



ENTERED
12/07/2009

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

Jointly Administered

**ORDER PURSUANT TO SECTION 365(a) OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 6006 AND 9014 GRANTING THE DEBTORS'
SECOND OMNIBUS MOTION TO REJECT CERTAIN EMPLOYMENT AGREEMENTS**

[Related to Docket No. 96]

Upon the motion (the "**Motion**")¹ of Express Energy Services Operating, LP and its affiliated debtors in the above referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "**Debtors**"), pursuant to section 365(a) of title 11 of the United States Code (the "**Bankruptcy Code**") and Rules 6006 and 9014 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), for an order rejecting, as of November 12, 2009, the employment agreements identified on **Exhibit A** to this Order (the "**Employment Agreements**"), all as is more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and upon consideration of the Motion and the requested relief being a core proceeding the Court can determine pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion and the hearing thereon has been provided pursuant to this Court's Order dated October 29, 2009 (Docket No. 39) on the Master Service List (as defined therein), all parties entitled

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

to receive notice of this Motion under the Bankruptcy Rules or the Bankruptcy Local Rules for the Southern District of Texas, and all counterparties to the Employment Agreements, and that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is ORDERED that

1. The Motion is GRANTED as set forth herein.
2. Pursuant to section 365(a) of the Bankruptcy Code, each of the Employment Agreements identified on **Exhibit A** to this Order are hereby rejected, effective as of November 12, 2009.
3. The counterparties to the Employment Agreements may file proofs of claim asserting any damages arising from the rejection of the Employment Agreements on or before 5:00 p.m. (prevailing Central Time) thirty (30) days after entry of this Order.
4. The Debtors shall serve a copy of this Order on all counterparties to the Employment Agreements and/or their respective attorneys (if known) within three business days of entry of this Order.
5. This Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

Dated: December 7, 2009
Houston, Texas



HONORABLE JEFF BOHM
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

List of Employment Agreements to be Rejected

Employment Agreements to be Rejected
(all counterparties are listed alphabetically by last name)

Counterparty	Debtor Entity	Title or Description of Contract	Notice Address for Counterparty ¹
Alvarez, Erik	Express Energy Services Operating, LP	Employment Agreement	Ganado, TX
Becerra, Joel	Express Energy Services Operating, LP	Employment Agreement	Weslaco, TX
Bridges, Steve	Express Energy Services Operating, LP	Employment Agreement	Houston, TX
Chandler, Terry Wayne	Express Energy Services Operating, LP	Employment Agreement	Edna, TX
Christensen, Toby	Express Energy Services Operating, LP	Employment Agreement	League City, TX
Goff, Amos Wesley	Express Energy Services Operating, LP	Employment Agreement	Granbury, TX

¹ To protect the privacy of the counterparties to the Employment Agreements, the notice address has been redacted to list only the applicable city and state.

Counterparty	Debtor Entity	Title or Description of Contract	Notice Address for Counterparty ¹
Hight, Kay	Express Energy Services Operating, LP	Employment Agreement	Abilene, TX
Johnson, James	Express Energy Services Operating, LP	Employment Agreement	Sulphur, OK
Johnson, Jeremiah	Express Energy Services Operating, LP	Employment Agreement	Sulphur, OK
McCoy, Donald	Express Energy Services Operating, LP	Employment Agreement	Purcell, OK
Miller, Ken	Express Energy Services Operating, LP	Employment Agreement	McAlester, TX
Noles, Jerry	Express Energy Services Operating, LP	Employment Agreement	New Castle, OK
Prickett, Tim	Express Energy Services Operating, LP	Employment Agreement	Hallettsville, TX

Counterparty	Debtor Entity	Title or Description of Contract	Notice Address for Counterparty ¹
Rockey, Kirby	Express Energy Services Operating, LP	Employment Agreement	Aledo, TX
Sorrels, Jimmy	Express Energy Services Operating, LP	Employment Agreement	McAlester, OK
Welborn, Kyle	Express Energy Services Operating, LP	Employment Agreement	Victoria, TX