



ENTERED  
12/15/2009

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 GRANTING DEBTORS' EMERGENCY SECOND SUPPLEMENT TO THE DEBTORS' EMERGENCY MOTION FOR AUTHORITY TO PAY (I) UNDISPUTED PREPETITION OBLIGATIONS OWED TO POTENTIAL LIEN CLAIMANTS; (II) UNDISPUTED PREPETITION SOLE SOURCE PROVIDER OBLIGATIONS; AND (III) THE UNDISPUTED PREPETITION REFUND OBLIGATION**

[Related to Docket No. 61, 70, 74, 75, and 190]

Upon the Emergency Second Supplement (the "Second Supplement") to the Emergency Motion for Authority to Pay (i) Undisputed Prepetition Obligations Owed to Potential Lien Claimants; (ii) Undisputed Prepetition Sole Source Provider Obligations; and (iii) the Undisputed Prepetition Refund Obligation [Docket No. 61] (as supplemented [Docket No. 70], the "Motion")<sup>1</sup> 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") for an Order granting the Debtors authority to pay the undisputed Invoices; and the Court having jurisdiction to consider the Second Supplement and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Second Supplement and the requested relief being a core proceeding the Court can determine pursuant to 28 U.S.C. § 157(b);

<sup>1</sup> Capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Motion and the Second Supplement, as applicable.

and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Second Supplement and the hearing thereon has been given 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 Second Supplement 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 Second Supplement is GRANTED to the extent provided herein.
2. The Debtors are authorized, but not directed, to pay the undisputed Invoices in the amount of up to \$21,900 to the Potential Lien Claimant being owed approximately \$19,200 under the Essential Payments Order.
3. The requirements of Bankruptcy Rule 6004(a) are hereby waived and notice of the Second Supplement as provided therein constitutes good and sufficient notice.
4. Notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order are immediately effective and enforceable upon entry of this Order.
5. This Court shall retain jurisdiction to hear and consider all disputes arising from the interpretation or implementation of this Order.

Dated: Houston, Texas  
December 15, 2009



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HONORABLE JEFF BOHM  
UNITED STATES BANKRUPTCY JUDGE