

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

<p>In re</p> <p>EXPRESS ENERGY SERVICES OPERATING, LP, et al.,</p> <p>Reorganized Debtors.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>Chapter 11</p> <p>Case No. 09-38044</p> <p>Jointly Administered</p>
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AGREED MOTION TO CONTINUE THE HEARING ON THE REORGANIZED DEBTORS' MOTION TO ESTIMATE WITH RESPECT TO THE BELLS' CLAIMS

TO THE HONORABLE JEFF BOHM,
UNITED STATES BANKRUPTCY JUDGE:

Express Energy Services Operating, LP ("**EES Operating**") and its affiliated reorganized debtors in the above-captioned chapter 11 cases (collectively, the "**Debtors**" and/or the "**Reorganized Debtors**"),¹ file this agreed motion and respectfully represent as follows:

1. On June 30, 2010, the Reorganized Debtors filed their *Motion to Estimate Proofs of Claim Nos. 370, 372, 373, 374, 508, 538, 584, 590, 620, 621, 628, and 688 for \$1.00 Each for Plan Distribution Purposes* [Docket No. 298] (the "**Motion to Estimate**").

2. As more fully described in the Motion to Estimate, the Reorganized Debtors seek, among other things, to estimate Proofs of Claim Nos. 620 and 621 (the "**Bells' Claims**") filed by Wanda Bell and Jeffrey Bell (the "**Bells**"), respectively. The Bells' Claims relate to a prepetition lawsuit (Cause No. 09-04-338, the "**Bells' Action**") pending in the Texas State District Court for the 271st Judicial District located in Wise County, Texas (the "**State**

¹ On October 27, 2009, each of the Debtors filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code. On December 7, 2009, the Court entered an order confirming the Debtors' Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code (the "**Plan**"). The Plan went effective pursuant to its own terms on December 31, 2009.

Court”). At least 13 defendants, including the Reorganized Debtors, have filed motions for summary judgment (the “**Summary Judgment Motions**”) in the Bells’ Action.

3. On August 11, 2010, the Court issued an order [Docket No. 318] (the “**Order**”) that, among other things, continued the hearing on the Motion to Estimate with respect to the Bells’ Claims to October 20, 2010 to allow the State Court to consider the Reorganized Debtors’ Summary Judgment Motion.

4. On September 27 2010, the State Court continued the hearing on the Summary Judgment Motions to November 22, 2010. Accordingly, the Reorganized Debtors and the Bells have agreed, subject to the Court’s availability, to continue the hearing on the Motion to Estimate with respect to the Bells’ Claims to December 16, 2010 at 3:30 p.m. (prevailing Central Time) in order to provide the State Court adequate time to consider the Summary Judgment Motions.

WHEREFORE, the Reorganized Debtors respectfully request the Court grant the relief requested in this agreed motion and enter the proposed order attached hereto as **Exhibit 1**.

Dated: Houston, Texas
October 15, 2010

Respectfully submitted,

By: /s/ Alfredo R. Pérez

Alfredo R. Pérez

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Attorneys for the Reorganized Debtors

Exhibit 1

Proposed Order

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

In re	§	
	§	Chapter 11
	§	
EXPRESS ENERGY SERVICES	§	
OPERATING, LP, <i>et al.</i> ,	§	Case No. 09-38044
	§	
	§	
Reorganized Debtors.	§	Jointly Administered
	§	

**ORDER GRANTING AGREED MOTION TO CONTINUE THE
HEARING ON THE REORGANIZED DEBTORS' MOTION TO
ESTIMATE WITH RESPECT TO THE BELLS' CLAIMS**

[Related to Docket Nos. 298, 318, and ____]

Upon the agreed motion (the "Motion"),¹ of Express Energy Services Operating, LP, its affiliated reorganized debtors (collectively, the "Debtors" or the "Reorganized Debtors"), and Wanda Bell and Jeffery Bell, which seeks entry of an order continuing a hearing on the Motion to Estimate with respect to the Bells' Claims, as more fully set forth in the Motion; and the relief requested in the Motion having been agreed to by all parties affected thereby; and the relief requested in the Motion being in the best interests of the Reorganized Debtors and the Debtors' estates and their creditors; 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 after due deliberation and sufficient cause appearing therefor, it is ORDERED that:

1. The hearing on the Motion to Estimate with respect to the Bells' Claims is hereby continued to December 16, 2010 at 3:30 p.m. (prevailing Central Time).

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

2. The Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: Houston, Texas
_____, 2010

HONORABLE JEFF BOHM
UNITED STATES BANKRUPTCY JUDGE