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



In re:

State Chapter 11

Epic Companies, LLC, et al., 1

Debtors.

State Chapter 11

Case No. 19-34752

(Jointly Administered)

# ORDER GRANTING EMERGENCY MOTION TO EXTEND DEADLINE TO CHALLENGE CERTAIN PREPETITION CLAIMS AND LIENS [Relates to Dkt. No. 368]

Before the Court is the *Emergency Motion to Extend Deadline to Challenge Certain Prepetition Claims and Liens* (the "Motion"), filed by the Official Committee of Unsecured Creditors (the "Committee") appointed in the above-captioned, jointly-administered bankruptcy cases (the "Bankruptcy Cases") of Epic Companies, LLC, and its affiliated debtors in bankruptcy (collectively, the "Debtors"), by which the Committee seeks an extension of the November 8, 2019 Challenge Deadline, as that term is defined in paragraph 29 of the Court's *Final Order (I) Authorizing Debtors to (A) Obtain Postpetition Secured Financing Pursuant to Section 364 of the Bankruptcy Code and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying Automatic Stay, and (V) Granting Related Relief (Dkt. No. 234, the "DIP Financing Order").<sup>2</sup>* 

Upon consideration of the Motion and the record before it, this Court finds: (i) that sufficient notice of the Motion and this Court's consideration thereof has been provided under the particular circumstances; (ii) that the DIP Financing Order expressly contemplates extension

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtors' federal tax identification number, are as follows: Epic Companies, LLC (1473), Epic Diving & Marine Services, LLC (2501), Epic Applied Technologies, LLC (5844), EPIC Specialty Services, LLC (8547), Epic Alabama Steel, LLC (6835), Epic San Francisco Shipyard, LLC (5763) and Zuma Rock Energy Services, LLC (1022).

<sup>&</sup>lt;sup>2</sup> Capitalized terms used and not otherwise defined herein have those same definitions as are set forth in the Motion.

Case 19-34752 Document 445 Filed in TXSB on 11/28/19 Page 2 of 5

of the Challenge Deadline by this Court, "for good cause shown pursuant to an application filed

by a party in interest prior to the expiration of the Challenge Deadline"; (iii) Fed. R. Bankr. P.

9006 authorizes the relief set forth herein; (iii) no party-in-interest would be prejudiced by the

requested extension of the Challenge Deadline; (iv) the Committee has acted in good faith in

making its Motion to extend the Challenge Deadline; and (v) "good cause" exists to grant the

relief set forth herein, in the best interests of the Debtors, their estates and their creditors.

ACCORDINGLY, IT IS HEREBY

ORDERED that the Motion is GRANTED, and the Challenge Deadline set forth in the

DIP Order (including any interim iterations) is extended to and through December 13, 2019, for

all purposes. It is further,

ORDERED that neither this Order, nor any relief provided herein shall be deemed to

extend, amend, modify, or adversely impact the validity, enforceability or timing of, the Bid

Procedures, the Sale Objection Deadline, the Sale Hearing, the Court's approval of the Sale or

the closing of any approved sale transaction(s). It is further,

ORDERED that none of the Sale, the Bid Procedures, the Stalking Horse Bid, nor the

Court's approval, authorization or closing thereof or of the prevailing bidder, including but not

limited to pursuant to credit bidding, may or shall adversely impact the estates' rights, or any of

them, to assert any counterclaim, setoff, subordination, recharacterization, defense, avoidance, or

other cause of action against any Prepetition Secured Party or any affiliate, or to obtain

equivalent recoveries or other relief therefrom.

Signed: November 25, 2019.

DAVID R. JONES

UNITED STATES BANKRUPT Y JUDGE

ORDER GRANTING EMERGENCY MOTION TO EXTEND DEADLINE TO CHALLENGE CERTAIN PREPETITION CLAIMS AND LIENS

Page 2

### **AGREED AS TO FORM AND SUBSTANCE:**

# MUNSCH HARDT KOPF & HARR, P.C.

By: /s/ Jay H. Ong

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Tex. Bar No. 24028756
Christopher D. Johnson
Tex. Bar No. 24012913
John D. Cornwell
Tex. Bar No. 24050450
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COUNSEL FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS

## Case 19-34752 Document 445 Filed in TXSB on 11/28/19 Page 4 of 5

United States Bankruptcy Court Southern District of Texas

In re: Epic Companies, LLC Epic Alabama Steel, LLC Debtors

Austin Waterman

Candy Apple, LLC

Bollinger Fourchon, LLC

Curtin Maritime Corporation

Cypress Energy Partners L.P.

Bordelon Marine, LLC

Blue Cross Blue Shield of Texas, a Division of Hea

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Case No. 19-34752-drj Chapter 11

#### **CERTIFICATE OF NOTICE**

District/off: 0541-4 User: VrianaPor Page 1 of 2 Date Rcvd: Nov 26, 2019 Form ID: pdf002 Total Noticed: 34

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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Nov 28, 2019.
                 +Epic Alabama Steel, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-2583
+Epic Applied Technologies, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-2583
+Epic Companies, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-2583
db
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                 +Epic Diving & Marine Services, LLC,
                                                             1080 Eldridge Parkway, Suite 1300,
                   Houston, TX 77077-2583
                 +Epic San Francisco Shipyard, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-25
+Epic Specialty Services, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-2583
+Zuma Rock Energy Services, LLC, 1080 Eldridge Parkway, Suite 1300, Houston, TX 77077-2583
db
                                                                                                    Houston, TX 77077-2583
db
db
                 +Andrew V. Tenzer, PaulHastings, LLP,
                                                                600 Travis Street, 58th Floor,
aty
                   Houstno, TX 77002-3009
                 +Michael S Waskiewicz,
                                            Burr Forman LLP, 50 N Laura Street, Ste 3000,
aty
                   Jacksonville, FL 32202-3658
                 +Thomas M Dupont, 5900 Highway 90 East, Broussard, LA 70518-5701
aty
                 +Alliance Offshore, LLC, c/o David F. Waguespack, 1100 Poydras Street, New Orleans, LA 70163, USE 70163-1102
                                                                                                         Suite 3100,
intp
cr
                 +American Longshore Mutual Association, Ltd. throug,
                                                                               c/o Leann O. Moses,
                                                                                                        1100 Poydras Street,
                   Suite 3100, New Orleans, LA 70163-1102
                 +Arena Offshore LP, Arena Offshore LP, 4200 Research Forest Drive, Suite 500, The Woodlands, TX 77381, UNITED STATES 77381-4224
intp
                                                                  7210 Tickner Street, Houston, TX 77055,
                 +Chalos & Co, P.C.,
                                         Chalos & Co, P.C.,
cr
                   UNITED STATES 77055-6935
                 +David Wright,
                                   28019 Buena Way, Spring, Tx 77386-2819
cr
intp
                 +Fairways Offshore Exploration, Inc., c/o McDowell Hetherington LLP, Attention: Jarrod B. Martin, 1001 Fannin, Suite 2700, Houston, TX 77002-6736
                 +Frederick J. Guidry, c/o Jason Welborn, P. O. Box 2053, Lafayette, LA 70502-2053
                 +Greene's Energy Group, LLC,
UNITED STATES 77002-1058
                                                    440 Louisiana, Suite 718,
cr
                                                                                    Houston, TX 77002,
                 +Gulf Oceanic Marine Contractors, Inc., P.O. Box 99,
                                                                                  Bourg, LA 70343-0099
cr
                 +McMoran Oil & Gas, LLC, Locke Lord LLP, Omer F. Kuebel, III, Bradley C. Knapp,
cr
                   601 Poydras St., Suite 2660, New Orleans, LA 70130-6032
                 +New Industries, LLC, c/o Barnet B. Skelton, Jr.,
                                                                              815 Walker, Suite 1502,
cr
                   Houston, TX 77002-5832
intp
                 +Offshore Domestic Group, LLC, c/o McDowell Hetherington LLP, Attention: Jarrod B. Martin,
                   1001 Fannin, Suite 2700, Houston, TX 77002-6736
intp
                 +Offshore Express, LLC, c/o McDowell Hetherington LLP,
                                                                                   Attention: Jarrod B. Martin,
                   1001 Fannin, Suite 2700, Houston, TX 77002-6736
                 +Offshore Technical Solutions, LLC, 690 S. Hollywood Rd, Houma, LA 70360-3226 Taylors International Services, Inc., C/O Stephen C. Jackson, 1901 6th Ave North,
cr
cr
                 2400 Regions/Harbert Plaza, Birmingham, AL 35203
+Triton Heavy Lift Services, LLC, c/o David F. Waguespack, 1100 Poydras Street, Suite 3100,
intp
                   New Orleans, LA 70163-1102
                 +White Oak Global Advisors, LLC,
                                                         PaulHastings, LLP, c/o Peter S. Burke,
intp
                                                  25th Floor, Los Angeles, CA 90071-2228
                   515 South Flower Street,
                 +Williams Field Services-Gulf Coast Company, L.P., c/o Steven W. Soule,
                                                                                                        Hall, Estill, et al.,
cr
                   320 South Boston Avenue, Suite 200, Tulsa, OK 74103-3705
                 +Wilson Heavy Industry Co. Ltd., 2925 Briarpark Dr., Suite 675,
cr
                                                                                                 Houston, TX 77042-3781
                                                                                   Spring, Tx 77386-2819
                 +Wright's Well Control Services LLC,
                                                            28019 Buena Way,
cr
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
                 +E-mail/Text: c.rodrigue@bluewaterrubber.com Nov 26 2019 22:01:53
cr
                   Bluewater Rubber & Gasket Company, 1119 Barrow Street,
                                                                                     P O Drawer 190,
                   Houma, LA 70361-0190
                  E-mail/Text: david.cedro@danos.com Nov 26 2019 22:01:07
cr
                                                                                       Danos, L.L.C.,
                   3878 West Main Street,
                                              Gray, LA 70359
                  E-mail/Text: accounting@dhdoffshore.com Nov 26 2019 21:58:56
                                                                                             DHD Offshore Services, LLC,
                   7889 Hwy 182 E, Morgan City, LA 70380
                  E-mail/Text: houston_bankruptcy@LGBS.com Nov 26 2019 22:02:01
                                                                                              Harris County,
cr
                   Linebarger Goggan Blair & Sampson LLP, C/O John P. Dillman, PO Box 3064,
                   Houston, TX 77253-3064
                                                                                                          TOTAL: 4
             ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
aty
                  Norton Rose Fulbright US LLP
cr
                  Acadiana Rubber & Gasket Co.
cr
                  Acqua Liana Capital Partners, LLC
cr
                  Aqueos Corporation
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District/off: 0541-4
                               User: VrianaPor
                                                             Page 2 of 2
                                                                                           Date Royd: Nov 26, 2019
                               Form ID: pdf002
                                                             Total Noticed: 34
           ***** BYPASSED RECIPIENTS (continued) *****
cr
                Dan Bunkering (America) Inc.
                Echo Offshore, LLC
                Epiq Corporate Restructuring, LLC
op
                Express Supply and Steel, LLC
cr
                Fugro USA Marine, Inc.
cr
                Garber Bros, Inc.
cr
                Goliath Offshore Holdings PTE.LTD, in pesonam
cr
cr
                Gulf Coast Manufacturing, LLC
                Hilco Valuation Services, LLC
app
                ITC Global, Inc.
Industrial Diesel Services, Inc.
cr
cr
                M/V Nor Goliath, in rem
cr
                MM Industrial Fabrication, LLC
cr
cr
                Medsafe, Inc. and W. Joe Shaw, Ltd.
                Mule Services, LLC
intp
                National Oilwell Varco, L.P. d/b/a NOV Quality Tub
cr
                Oceanwide Cypress Ltd.
cr
                Oceanwide Netherlands BV
cr
                Oceanwide Texas, Inc.
cr
                Stern Offshore, B.V.
cr
                The Official Committee of Unsecured Creditors
crcm
intp
                Vertex Services, LLC
cr
                Work Boat Electric Services, Inc.
                                                                                               TOTALS: 34, * 0, ## 0
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Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 28, 2019 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 26, 2019 at the address(es) listed below:

NONE. TOTAL: 0