



ENTERED
08/26/2019

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

In re:	§	Chapter 11
	§	
KP ENGINEERING, LP, <i>et al.</i> ,	§	Case No. 19-34698 (DRJ)
	§	
	§	(Joint Administration Requested)
Debtors. ¹	§	(Emergency Hearing Requested)
	§	

ORDER (I) AUTHORIZING THE DEBTORS TO FILE A CONSOLIDATED CREDITOR MATRIX AND LIST OF THE 30 LARGEST UNSECURED CREDITORS, (II) AUTHORIZING REDACTION OF CERTAIN PERSONAL IDENTIFYING INFORMATION, AND (III) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE CHAPTER 11 CASES AND OTHER INFORMATION

[Relates to Motion at Docket No. 4]

Upon the motion (the “**Motion**”)² of the Debtors for an order (i) authorizing the Debtors to file a consolidated creditor matrix and list of the 30 largest unsecured creditors, (ii) authorizing redaction of certain personal identifying information, and (iii) approving the form and manner of notifying creditors of the commencement of the chapter 11 cases and other information; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: KP Engineering, LP (7785) and KP Engineering, LLC (0294). The location of the Debtors’ corporate headquarters and the Debtors’ service address is: 5555 Old Jacksonville Highway, Tyler, TX 75703.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the Debtors provided appropriate notice of the Motion and the opportunity for a hearing on the Motion under the circumstances and that no other or further notice is necessary; and the Court having determined that the legal and factual bases set forth in the Motion and the hearing with respect to the Motion establish just cause for the relief granted herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Debtors are authorized to file a single consolidated Creditor Matrix for all of these Chapter 11 Cases.

2. The Debtors are authorized to file a consolidated Top 30 List.

3. The Debtors are authorized to redact address information of employees listed on the Creditor Matrix; provided that the Debtors shall provide an unredacted version of the Creditor Matrix to the Court, the U.S. Trustee, and counsel to any official committees appointed in these Chapter 11 Cases.

4. The Debtors are authorized to serve the Notice of Commencement, substantially in the form attached hereto as Exhibit 1, on the Creditor Matrix. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (a) the commencement of these Chapter 11 Cases, and (b) the scheduling of the meeting of creditors under Section 341 of the Bankruptcy Code, if any.

5. Notwithstanding any Bankruptcy Rule to the contrary, the terms and conditions of this Order are immediately effective and enforceable upon its entry.

6. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: August 26, 2019.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

Notice of Commencement

Information to identify the case:

Debtor KP Engineering, LP, et al.

United States Bankruptcy Court for the: Southern District of Texas, Houston Division

Date case filed for chapter 11: August 23, 2019

Case number: 19-34698 (DRJ) (Jointly Administered)

Official Form 309F (For Corporations of Partnerships)

Notice of Chapter Bankruptcy Case

12/17

For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov).

You may sign up for email notices by completing the form that can be accessed at: <http://www.txs.uscourts.gov/sites/files/CRECFform.pdf>, attached hereto as **Exhibit 1A**

The staff of the bankruptcy clerk's office cannot give legal advice.

Do not file this notice with any proof of claim or other filing in the case.

1. Debtor's full name

<u>Name of Debtors</u>	<u>Prior Names</u>	<u>Case No.</u>	<u>EIN:</u>
1) KP Engineering, LP		19-34698 (DRJ)	32-0107785
2) KP Engineering, LLC		19-34699 (DRJ)	30-0230294

2. All other names used in the last 8 years: See chart above.

3. Address: 5555 Old Jacksonville Highway
Tyler, Texas 75703

4. Debtor KP Engineering LP attorneys:

HUNTON ANDREWS KURTH LLP
Attention: Gregory G. Hesse
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
Tel: (214) 979-3000
Fax: (214) 880-0011
Email: ghesse@HuntonAK.com

Debtors' notice and claims agent (for court documents and case information inquiries):

If by First-Class Mail:
KP Engineering, LP, et al.
Claims Processing Center
c/o Omni Agent Solutions
5955 De Soto Ave., Suite 100
Woodland Hills, CA 91367

<p>Debtor KP Engineering LLC attorneys:</p> <p>OKIN ADAMS LLP Attention: Christopher Adams 1113 Vine Street, Suite 240 Houston, Texas 77002 Tel: (713) 228-4100 Fax: (888) 865-2118 Email: cadams@OkinAdams.com</p>	<p>If by Hand Delivery or Overnight Mail: KP Engineering, LP, <i>et al.</i> Claims Processing Center c/o Omni Agent Solutions 5955 De Soto Ave., Suite 100 Woodland Hills, CA 91367</p> <p>Telephone: (866) 662-2044 (Domestic) (818) 906-8300 (International) Email: kpengeering@OmniAgent.com Case website: https://omniagentsolutions.com/kpengeering</p> <p>This form, as well as copies of all other documents in this case, are available free of charge on the website of the Debtors' notice and claims agent: _____</p> <p>You may also request free electronic notification of documents filed in these cases by completing an electronic Request for Electronic Notification of Documents on the website of the Debtors' notice and claims agent: https://omniagentsolutions.com/kpengeering</p>
<p>5. Bankruptcy clerk's office</p> <p>Documents in this case may be filed at this Address.</p> <p>You may inspect all records filed in this case at this office or online at www.pacer.com.</p> <p>David J. Bradley Clerk of Court P.O. Box 61010 Houston, TX 77208</p> <p>Hours open: 8:00 a.m. to 5:00 p.m. Central Monday through Friday Contact phone: (713) 250-5500</p>	
<p>6. Meeting of creditors</p> <p>The debtor's representative must attend the meeting to be questioned under oath.</p> <p>Creditors may attend, but are not required to do so.</p> <p>_____ at _____ Date Time</p> <p>Location:</p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	
<p style="text-align: right;">For more information, see page 3 ►</p>	

<p>7. Proof of claim deadline</p>	<p>Deadline for filing proof of claim: Not yet set. If a deadline is set, the court will send you another notice.</p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk's office.</p> <p>Your claim will be allowed in the amount scheduled unless:</p> <ul style="list-style-type: none"> • your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>; • you file a proof of claim in a different amount; or • you receive another notice. <p>If your claim is not scheduled or if your claim is designated as <i>disputed</i>, <i>contingent</i>, or <i>unliquidated</i>, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.</p> <p>You may review the schedules at the bankruptcy clerk's office or online at www.pacer.gov</p> <p>Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>
<p>8. Exception to discharge deadline</p> <p>The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline</p>	<p>If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below.</p> <p>Deadline for filing the complaint: <u>To Be Determined</u></p>
<p>9. Creditors with a foreign address</p>	<p>If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>
<p>10. Filing a Chapter 11 bankruptcy case</p>	<p>Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.</p>
<p>11. Discharge of debts</p>	<p>Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.</p>

Exhibit 1A

**United States Bankruptcy Court Southern District of Texas
Creditor Registration Form for Electronic Filing**

See attached; also available at: <http://www.txs.uscourts.gov/sites/files/CRECFform.pdf>

United States Bankruptcy Court Southern District of Texas
Creditor Registration Form for Electronic Filing

Please complete this form to open an account on the Court's Bankruptcy electronic case filing (ECF) system.

If you have already participated in an instructional ECF course or have an ECF password in another district, indicate the district and the date in the space provided.

District/Date_____

First/Middle/Last Name:_____

Company or Agency for which you are authorized to sign or file bankruptcy claims:_____

Street and Suite:_____

City State Zip:_____

Voice:_____ Facsimile:_____

E-Mail:_____

By submitting this form, I agree to abide by these rules:

1. I will maintain familiarity with the technical and procedural requirements as they are adopted by the court.
2. Use of my login and password constitutes my signature on documents filed electronically for purposes the Federal Rule of Bankruptcy Procedure 9011.
3. I am responsible for all use of my login and password, authorized or not.
4. By registering, I consent to electronic service of documents and notices through the Court's Electronic Filing System and waive service by other means.
5. I agree to electronically file bankruptcy claims and/or transfers/assignment claims only.

Applicant's Signature_____

Please return to: Electronic Registration
United States Bankruptcy Court
P.O. Box 61010
Houston, TX 77208-1010