

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Case No. 17-10064 (KG)
Chieftain Sand and Proppant, LLC, <i>et al.</i> ,	)	Chapter 11
	)	
Debtors. <sup>1</sup>	)	(Jointly Administered)
	)	
	)	<b>Re: Docket Nos. 263, 286, 311 &amp; 327</b>

**NOTICE OF (A) ENTRY OF ORDER CONFIRMING DEBTORS’ COMBINED PLAN AND DISCLOSURE STATEMENT FOR CHIEFTAIN SAND AND PROPPANT, LLC AND CHIEFTAIN SAND AND PROPPANT BARRON, LLC; (B) EFFECTIVE DATE OF THE PLAN; (C) SUBSTANTIAL CONSUMMATION OF THE PLAN; AND (D) BAR DATES FOR CERTAIN CLAIMS**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. **Confirmation of the Plan.** On September 14, 2017, the Honorable Kevin Gross, United States Bankruptcy Judge for the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”), entered the Findings of Fact, Conclusions of Law, and Order (the “Confirmation Order”) Confirming the Debtors’ Combined Plan (the “Plan”) and Disclosure Statement (the “Disclosure Statement”) for Chieftain Sand and Proppant, LLC and Chieftain Sand and Proppant Barron, LLC [Docket No. 327] (as amended, supplemented or otherwise modified, collectively the “Combined Plan and Disclosure Statement”) [Docket No. 263].<sup>2</sup>
2. **Effective Date.** Pursuant to the Confirmation Order, the Plan became effective in accordance with its terms, on October 2, 2017 (the “Effective Date”).
3. **Substantial Consummation.** Pursuant to section 1101(2) of the Bankruptcy Code, the Plan has been substantially consummated.
4. **Releases, Exculpation, Injunctions and Bar Provision.** The Plan contains release, exculpation and injunction provisions. The injunctions in the Plan include a permanent injunction of the commencement or prosecution by any person or entity, whether directly,

---

<sup>1</sup> The Debtors in these chapter 11 cases, and the last four digits of their respective federal tax identification numbers, are Chieftain Sand and Proppant, LLC (1729) and Chieftain Sand and Proppant Barron, LLC (0418). The Debtors’ service address is: 331 27<sup>th</sup> Street, New Auburn, WI 54757.

<sup>2</sup> Unless otherwise defined in this Notice, capitalized terms used herein have the meanings set forth in the Combined Plan and Disclosure Statement.

derivatively or otherwise, of any Claim or Equity Interest, including any right, Claim or Cause of Action released pursuant to the Plan.

**5. Bar Date for Professional Fee Claims.** All final requests for payment of Professional Fee Claims (the “Final Fee Applications”) must be filed no later than December 1, 2017 (*i.e.*, sixty (60) days after the Effective Date). The procedures for processing Final Fee Applications are set forth in the Plan. If a Professional does not timely submit a Final Fee Application, such Professional shall be forever barred from seeking payment of such Professional Fee Claim from the Debtors, the Post-Effective Date Debtors or their estates.

**6. Supplemental Administrative Expense Bar Date.** Requests for payment of Administrative Claims (other than Professional Fee Claims) against the Debtors that arose, accrued or otherwise became due and payable at any time on or after January 9, 2017 but on or before the Effective Date (the “Supplemental Administrative Claims Period”) must be filed with the Bankruptcy Court and served on the Debtors or Post-Effective Date Debtors and their counsel, as applicable, no later than November 1, 2017 (*i.e.*, *thirty* (30) days after the Effective Date) (the “Supplemental Administrative Claims Bar Date”). Holders of Administrative Claims that arose, accrued or otherwise become due during the Supplemental Administrative Claims Period that do not file requests for the allowance and payment thereof on or before the Supplemental Administrative Claims Bar Date shall forever be barred from asserting such Administrative Claims against the Debtors or the Post-Effective Date Debtors. Unless the Debtors, the Post-Effective Date Debtors or any other party in interest objects to an Administrative Claim by the Claims Objection Deadline, such Administrative Claim shall be deemed Allowed in the amount requested. In the event that the Debtors, the Post-Effective Date Debtors or any other party in interest objects to an Administrative Claim, and the Administrative Claim is not otherwise resolved, the Bankruptcy Court shall determine the Allowed amount of such Administrative Claim.

**7. Bar Date for Rejection Damages Claims.** Except as otherwise set forth in the Plan or prior Order of the Bankruptcy Court, all Executory Contracts and Unexpired Leases of the Debtors have been rejected as of the Effective Date. If the rejection by the Debtors, pursuant to the Plan, of an Executory Contract or Unexpired Leases gives rise to a Claim, a Proof of Claim must be filed with Donlin Recano & Company, Inc., the Debtors’ claims agent, at the following address: (i) if by mail, Donlin, Recano & Company, Inc., Reference: Chieftain Sand and Proppant, LLC, P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219; and (ii) if by messenger or overnight courier, Donlin, Recano & Company, Inc., Reference: Chieftain Sand and Proppant, LLC, 6201 15<sup>th</sup> Avenue, Brooklyn, NY 11219, by no later than November 1, 2017 (*i.e.*, *thirty* (30) days after the Effective Date). Any Proofs of claim not filed and served within such time periods will be forever barred from assertion against the Debtors and their Estates.

**8. Renewed Request for Post-Effective Date Notice Pursuant to Bankruptcy Rule 2002.** After the Effective Date, to continue to receive notice of documents pursuant to Bankruptcy Rule 2002, all Creditors and other parties in interest must file a renewed notice of appearance with the Court requesting receipt of documents pursuant to Bankruptcy Rule 2002.

**9. Copies of Combined Plan and Disclosure Statement and Confirmation Order.** The Combined Plan and Disclosure Statement and the Confirmation Order may be

examined by any party in interest: (i) between the hours of 8:00 a.m. and 4:00 p.m. (prevailing Eastern Time), Monday through Friday, excluding federal holidays, at the Office of the Clerk, United States Bankruptcy Court for the District of Delaware, 824 N. Market Street, 3rd Floor, Wilmington, Delaware 19801; (ii) at the Debtors' case website free of charge (<https://www.donlinrecano.com/Clients/cs/Index>); (iii) at the Bankruptcy Court's website (<http://www.deb.uscourts.gov>) (a PACER account is required); or (iv) by obtaining a copy by written request to Donlin, Recano & Company, Inc., at [chieftainsand@donlinrecano.com](mailto:chieftainsand@donlinrecano.com) (reference "Chieftain Sand" in the subject line).

Dated: October 2, 2017

GIBBONS P.C.  
Howard A. Cohen (DE 4082)  
300 Delaware Avenue, Suite 1015  
Wilmington, DE 19801  
Telephone: (302) 518-6300  
Facsimile: (302) 429-6294  
E-mail: [hcohen@gibbonslaw.com](mailto:hcohen@gibbonslaw.com)

COUNSEL FOR PLAN ADMINISTRATOR  
AND POST-EFFECTIVE DATE DEBTORS