

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

In Re:	§	Chapter 11
	§	
VERTEX ENERGY INC. <i>et al.</i>,	§	Case No. 24-90507 (CML)
	§	
Debtors.	§	Jointly Administered
	§	
	§	Related to Docket No. 158
	§	Obj. Deadline: 10/21/24
	§	Hearing Date: To Be Determined

**OBJECTION OF T-SYSTEMS NORTH AMERICA INC. TO DEBTOR'S NOTICE OF
CURE COSTS AND POTENTIAL ASSUMPTION AND ASSIGNMENT OF
EXECUTORY CONTRACTS AND UNEXPIRED LEASES IN CONNECTION WITH
SALE**

T-SYSTEMS NORTH AMERICA INC. ("T-SYSTEMS") as and for its Objection to the Debtor's Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale, respectfully represents as follows:

BACKGROUND

1. On September 24, 2024 (the "Petition Date"), the Debtors sought relief under Chapter 11 of the Bankruptcy Code. The Debtors continue to operate their businesses as Debtors in Possession and no trustee or examiner has been appointed.

2. T-Systems provides certain communications services for Vertex Refining Alabama, LLC, under various contracts.



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3. On October 9, 2024, the Debtors filed the Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale (the "Cure Notice") which lists T- Systems with two (2) contracts and a total proposed cure amount of \$46,746.00.

OBJECTION AND BASIS THEREFOR

4. T- Systems objects to the proposed cure amount shown in the Cure Notice because it is not accurate. As of the Petition Date, the amount necessary to cure the defaults in payment under the T- Systems contracts was \$114,841.40¹. Since the commencement of the case, the Debtors have accrued additional amounts due, which are accruing as expenses of administration. Those amounts will also need to be "cured" before the Debtors may assume the T- Systems' contracts. A summary of the account status, and open invoices, between the Debtors and T- Systems is attached as **Exhibit A**.

5. T- Systems reserves the right to amend and increase the amounts which may be necessary to cure any default prior to assignment of the Purchase Order since the date of possible assumption of the T- Systems Contracts.

WHEREFORE, T- Systems North America Inc. requests that any order entered by the Court permitting the assumption and assignment of its contract with the Debtor, Vertex Refining Alabama, LLC, correctly reflect the actual cure amount due, which is misstated in the Cure Notice.

¹ T- Systems' invoice for September services has been prorated to include the period of September 1, 2024 through September 23, 2024.

Respectfully submitted,

/s/ Frederick E. Schmidt, Jr.
Frederick E. Schmidt, Jr.
Texas State Bar No. 24122367
COZEN O'CONNOR
LyondellBasell Tower
1221 McKinney Street, Suite 2900
Houston, TX 77010
Telephone: (832) 214-3924
Facsimile: (713) 512-5329
E-mail: eschmidt@cozen.com

**ATTORNEYS FOR CREDITOR,
T. SYSTEMS NORTH AMERICA
INC.**

CERTIFICATE OF SERVICE

I certify that, on October 21, 2024, I caused the foregoing document to be filed electronically via the CM/ECF system, and a true and correct copy of the foregoing was served upon the parties who have requested e-notice, *via* the CM/ECF electronic notice system.

/s/ Frederick E. Schmidt, Jr.
Frederick E. Schmidt, Jr.

EXHIBIT A

Customer 12001432
Company Code 0450

Name Vertex Refining Alabama LLC
City Alabama

St	Reference	DocumentNo	Typ	Doc. Date	Amount in DC	Curr.	Amt in loc.cur.	LCurr	Text	Net due dt	Area
	9450187148	9450187148	RV	07/17/2024	15,582.00	USD	15,582.00	USD	SAP Hosting Services July 2024	08/16/2024	52
	9450187227	9450187227	RV	08/12/2024	35,865.60	USD	35,865.60	USD	SAP Basis Hosting and Support	09/11/2024	26
	9450187228	9450187228	RV	08/12/2024	35,865.60	USD	35,865.60	USD	SAP Basis Hosting and Support	09/11/2024	26
	9450187229	9450187229	RV	08/12/2024	15,582.00	USD	15,582.00	USD	SAP Hosting Services August 2024	09/11/2024	26
	9450187348	9450187348	RV	08/11/2024	15,582.00	USD	15,582.00	USD	SAP Hosting Services September 2024	10/11/2024	4-
					118,477.20	USD	118,477.20	USD			
AA	Account 12001432				118,477.20	USD	118,477.20	USD			



Let's power
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T-Systems North America, Inc PG 17
Address One South Wacker Dr., Suite 2170, Chicago, IL 60606
Main 630-493-6100
Fax 630-493-6153
Web Site www.t-systems.com

Bill to:

Vertex Refining Alabama LLC
Vertex Refining Alabama
400 Industrial Pkwy, Saraland
Alabama AL 36571

Ship to:

Vertex Refining Alabama LLC
Vertex Renining
1331 Gemini St. Suite 250
Houston TX 77058
USA

INVOICE No.9450187148

Invoice Date	Our Order No	Your Order No	Tax id no	Cust Account
07/17/2024	45013480	4501485000		12001432
Contact Person	Department	Phone	Email	
MARIA FERNANDA CALDERONGA-Finance			maria.calderon@external.t-systems.com	
Project No	Project Name			

Description	Quantity	Unit Price	Total (USD)
PO: 4501485000			
Vendor Number: 7024749			
Attn: Cameron Williams			
Chief Information Office			
cameronwilliams@vertexenergy.com			
account-payable@mobile-refinery.com			
SAP Hosting Services July 2024			
000010 SAP Basis Hosting & Support	1.000 EA	9,850.00 USD	9,850.00
000020 SAP Application Management & Support	1.000 EA	5,732.00 USD	5,732.00
Total Charges			15,582.00
Terms of Payment: 30 Days after invoice net			TOTAL USD
			15,582.00

Page 1 of 1

Remit to: T-Systems North America, Inc. Attn: Treasury, One South Wacker Dr., Suite 2170, Chicago, IL 60606

USD(Wire&ACH): USD: Account # 00-445-245, ABA # 021001033, SWIFT Code: BKTRUS33

EUR&GBP: Intermediary Bank: Deutsche Bank London, SWIFT : DEUTGB2L

Beneficiary Details: Deutsche Bank Trust Company Americas, 60 Wall St New York, NY 10005, T-Systems North America, SWIFT: BKTRUS33, Account number 00-445-245, ABA 021001033

Remit info to: TSNA-Accounts-Receiveable@t-systems.com



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400 Industrial Pkwy, Saraland
Alabama AL 36571

Ship to:

Vertex Refining Alabama LLC
Vertex Renining
1331 Gemini St. Suite 250
Houston TX 77058
USA

INVOICE No.9450187227

Invoice Date	Our Order No	Your Order No	Tax id no	Cust Account
08/12/2024	45013359	.		12001432
Contact Person	Department	Phone	Email	
MARIA FERNANDA CALDERONGA-Finance			maria.calderon@external.t-systems.com	
Project No	Project Name			

Description	Quantity	Unit Price	Total (USD)
Attn: Cameron Williams Chief Information Office cameronwilliams@vertexenergy.com account-payable@mobile-refinery.com			
SAP Basis Hosting and Support			
000015 Annual License Subscription Fees	1.000 EA	35,865.60 USD	35,865.60
Quarterly invoice December 31, 2023 thru March 30, 2024			
Quarterly Amount	\$35,865.60		
Net Invoice Amount	\$35,865.60		
Total Charges			35,865.60
Terms of Payment: 30 Days after invoice net			TOTAL USD
			35,865.60

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Ship to:

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Houston TX 77058
USA

INVOICE No.9450187228

Invoice Date	Our Order No	Your Order No	Tax id no	Cust Account
08/12/2024	45013359	.		12001432
Contact Person	Department	Phone	Email	
MARIA FERNANDA CALDERONGA-Finance			maria.calderon@external.t-systems.com	
Project No	Project Name			

Description	Quantity	Unit Price	Total (USD)
Attn: Cameron Williams Chief Information Office cameronwilliams@vertexenergy.com account-payable@mobile-refinery.com			
SAP Basis Hosting and Support			
000015 Annual License Subscription Fees	1.000 EA	35,865.60 USD	35,865.60
Quarterly invoice March 31, 2024 thru June 29, 2024			
Quarterly Amount		\$35,865.60	
Net Invoice Amount		\$35,865.60	
Total Charges			35,865.60
Terms of Payment: 30 Days after invoice net <div style="float: right;"> TOTAL USD 35,865.60 </div>			

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Contact Person	Department	Phone	Email	
MARIA FERNANDA CALDERONGA-Finance			maria.calderon@external.t-systems.com	
Project No	Project Name			

Description	Quantity	Unit Price	Total (USD)
PO: 4501485000			
Vendor Number: 7024749			
Attn: Cameron Williams			
Chief Information Office			
cameronwilliams@vertexenergy.com			
account-payable@mobile-refinery.com			
SAP Hosting Services August 2024			
000010 SAP Basis Hosting & Support	1.000 EA	9,850.00 USD	9,850.00
000020 SAP Application Management & Support	1.000 EA	5,732.00 USD	5,732.00
Total Charges			15,582.00
Terms of Payment: 30 Days after invoice net			
TOTAL USD			15,582.00

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USA

INVOICE No.9450187348

Invoice Date	Our Order No	Your Order No	Tax id no	Cust Account
09/11/2024	45013480	4501485000		12001432
Contact Person	Department	Phone	Email	
MARIA FERNANDA CALDERON	GA-Finance		maria.calderon@external.t-systems.com	
Project No	Project Name			

Description	Quantity	Unit Price	Total (USD)
PO: 4501485000			
Vendor Number: 7024749			
Attn: Cameron Williams			
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account-payable@mobile-refinery.com			
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