

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

In re:

VERTEX ENERGY, INC., *et al.*,

Debtors.

Chapter 11

Case No. 24-90507 (CML)

(Jointly Administered)

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS**

**PLEASE TAKE NOTICE** that, pursuant to Rules 2002, 9007 and 9010(b) of the Federal Rules of Bankruptcy Procedures and section 1109(b) of the Bankruptcy Code, Kelley Drye & Warren LLP hereby enters its appearance as counsel to U.S. Bank Trust Company, National Association, as GUC Trustee for the GUC Trust (the “GUC Trustee”), and requests that copies of all pleadings, documents and notices filed, served, or to be served in the above-captioned cases be given and served upon the following attorneys:

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**PLEASE TAKE FURTHER NOTICE** that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the pleadings, documents and notices referred to in Bankruptcy Rule 2002, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints, demands, answers or replies, whether formal



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or informal, written or oral, transmitted or conveyed by mail, hand delivery, telephone, facsimile, email, or otherwise filed or made with regard to the above-captioned cases.

**PLEASE TAKE FURTHER NOTICE** that neither this notice, any subsequent appearance, pleading, claim or participation in these cases shall be deemed or construed to constitute a waiver of any substantive or procedural right of the GUC Trustee including, without limitation: (i) the right to have final orders in non-core matters entered only after de novo review by the United States District Court for the Southern District of Texas (the “District Court”), (ii) the right to trial by jury in any proceeding related to these cases or any case, controversy, or proceeding related to these cases, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) the right to have any matter in which this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution heard by the District Court; or (v) any other rights, claims, actions, defenses, setoffs, or recoupments to which the GUC Trustee is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved. Unless and until the GUC Trustee expressly states otherwise, the GUC Trustee does not consent to the entry of final orders or judgments by this Court if it is determined that this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

Dated: New York, New York  
March 28, 2025

**KELLEY DRYE & WARREN LLP**

*/s/ James S. Carr*

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*Counsel to U.S. Bank Trust Company,  
National Association, as GUC Trustee for the  
GUC Trust*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the March 28, 2025, a true and correct copy of the foregoing document was served via ECF notification on all parties entitled to ECF notification in these cases.

/s/ James S. Carr

James S. Carr