

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

In re:

VERTEX ENERGY, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 24-90507 (CML)
)
) (Joint Administration Requested)
)

**AGENDA FOR FIRST DAY HEARING SCHEDULED FOR
SEPTEMBER 25, 2024 AT 12:30 P.M. (PREVAILING CENTRAL TIME)**

I. Evidentiary Support for First Day Pleadings.

1. ***First Day Declaration.*** Declaration of R. Seth Bullock, Chief Restructuring Officer of Vertex Energy, Inc. in Support of the Debtors' Chapter 11 Petitions and First Day Motions [Docket No. 18].
2. ***McGovern Declaration.*** Omnibus Declaration of Douglas McGovern in Support of the (I) Bidding Procedures Motion and (II) DIP Motion [Docket No. 19].
3. ***Witness & Exhibit List.*** Debtors' Witness and Exhibit List for Hearing Scheduled for September 25, 2024 at 12:30 p.m. (Prevailing Central Time) [Docket No. 26].

II. First Day Pleadings.

1. ***Joint Administration Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Directing Joint Administration of the Debtors' Chapter 11 Cases and (II) Granting Related Relief [Docket No. 2].

Status: This matter is going forward.

2. ***DIP Motion.*** Debtors' Emergency Motion Seeking Entry of Interim and Final Orders (I) Authorizing the Debtors to Obtain Postpetition Financing, (II) Authorizing the Debtors to Use Cash Collateral, (III) Granting Liens and Providing Claims with Superpriority Administrative Expense Status, (IV) Granting Adequate Protection to the Pre-Petition

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://www.veritaglobal.net/vertex>. The location of Debtor Vertex Energy, Inc.'s corporate headquarters and the Debtors' service address in these chapter 11 cases is 1331 Gemini Street, Suite 250, Houston, Texas 77058.



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Term Loan Secured Parties, (V) Modifying the Automatic Stay, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Docket No. 20].

Status: This matter is going forward.

3. ***Intermediation Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Continuation of the Intermediation Contracts, as Amended, (II) Authorizing the Debtors to Enter Into and Perform Postpetition Intermediation Transactions and Postpetition Hedging Transactions, (III) Providing Superpriority Administrative Expense Status and Liens In Respect of Postpetition Intermediation Transactions, and Postpetition Hedging Transactions (IV) Granting Adequate Protection to the Intermediation Provider, (V) Providing Superpriority Administrative Expense Status in Respect of Purchaser Support Agreement, (VI) Modifying the Automatic Stay, (VII) Setting a Final Hearing, and (VIII) Granting Related Relief [Docket No. 23].

Status: This matter is going forward.

4. ***Motion to Seal.*** Debtors' Emergency Motion Seeking Entry of an Order Authorizing the Debtors to Redact and File the Unredacted Confidential Intermediation Exhibits Under Seal [Docket No. 25].

Status: This matter is going forward.

5. ***Bidding Procedures Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving the Bidding Procedures and Auction, (II) Scheduling Bid Deadlines, an Auction, Objection Deadlines, and a Sale Hearing, (III) Approving the Assumption and Assignment Procedures, (IV) Approving the Form and Manner of Notice of a Sale Transaction, the Auction, the Sale Hearings, and Assumption and Assignment Procedures, (V) Authorizing the Sale of the Debtors' Assets Free and Clear of All Encumbrances, and (VII) Granting Related Relief [Docket No. 5].

Status: This matter is going forward.

6. ***Scheduling Motion.*** Debtors' Emergency Motion for Entry of an Order Scheduling Hearings and Objection Deadlines with Respect to the Debtors' Disclosure Statement and Plan Confirmation [Docket No. 6].

Status: This matter is going forward.

7. ***Insurance and Surety Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) Continue Insurance Coverage Entered Into Prepetition and Satisfy Prepetition Obligations Related Thereto, (B) Renew, Amend, Supplement, Extend, Purchase, and Enter Into New Insurance Policies, (C) Honor Prepetition Payment Arrangements, (D) Continue to Pay Brokerage Fees, and (E) Maintain the Surety Bond Program and (II) Granting Related Relief [Docket No. 9].

Status: This matter is going forward.

8. ***Cash Management Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management

System and Maintain Existing Bank Accounts, (B) Continue to Perform Intercompany Transactions, and (C) Maintain Existing Business Forms and Books and Records, and (II) Granting Related Relief [Docket No. 12].

Status: This matter is going forward.

9. ***Wages Motion.*** Debtors' Emergency Motion for Entry of an Order Authorizing the Debtors to (I) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses, (II) Continue Employee Benefits Programs, and (III) Granting Related Relief [Docket No. 7].

Status: This matter is going forward.

10. ***Hedging Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing Continuation of Prepetition Hedging Arrangements, (II) Authorizing Entry Into and Performance Under Postpetition Hedging Arrangements, (III) Providing Superpriority Administrative Expense Status in Respect of Postpetition Hedging Arrangements, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief [Docket No. 13].

Status: This matter is going forward.

11. ***Critical Vendors Motion.*** Debtors' Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Pay Certain Prepetition Claims of (A) 503(b)(9) Claimants, (B) Lien Claimants, (C) Critical Vendors, and (D) HSE Suppliers, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Docket No. 8].

Status: This matter is going forward.

12. ***Taxes Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief [Docket No. 10].

Status: This matter is going forward.

13. ***NOL Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving Notification and Hearing Procedures for Certain Transfers of and Declarations of Worthlessness with Respect to Common Stock and (II) Granting Related Relief. [Docket No. 11].

Status: This matter is going forward.

14. ***Claims Agent Retention Motion.*** Debtors' Emergency *Ex Parte* Application for Entry of an Order Authorizing the Employment and Retention of Kurtzman Carson Consultants dba Verita Global as Claims, Noticing, and Solicitation Agent [Docket No. 3].

Status: This matter is going forward.

Related Documents: Notice of Filing of Revised Order Authorizing the Employment and Retention of Kurtzman Carson Consultants DBA Verita Global as Claims, Noticing, and Solicitation Agent [Docket No. 27]

15. ***SOFAs / Schedules Extension Motion.*** Debtors' Emergency Motion for Entry of an Order Extending Time to File (I) Schedules of Assets and Liabilities, (II) Schedules of Current Income and Expenditures, (III) Schedules of Executory Contracts and Unexpired Leases, (IV) Statements of Financial Affairs, and (V) Rule 2015.3 Financial Reports [Docket No. 15].

Status: This matter is going forward.

16. ***Creditor Matrix Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to (A) File a Consolidated Creditor Matrix and a Consolidated List of the 30 Largest Unsecured Creditors and (B) Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File a List of Equity Security Holdings, (III) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Cases and Other Information, and (IV) Granting Related Relief [Docket No. 16].

Status: This matter is going forward.

17. ***Utilities Motion.*** Debtors' Emergency Motion for Entry of an Order (I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (IV) Granting Related Relief. [Docket No. 14].

Status: This matter is going forward.

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Houston, Texas
September 25, 2024

/s/ Jason G. Cohen

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Certificate of Service

I certify that on September 25, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Jason G. Cohen

Jason G. Cohen