

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

In re:)	
)	Chapter 11
)	
BOUCHARD TRANSPORTATION CO., INC., <i>et al.</i> , ¹)	Case No. 20-34682 (DRJ)
)	
Debtors.)	(Jointly Administered)
)	

**NOTICE OF SUCCESSFUL BIDDERS AND BACKUP BIDDERS
WITH RESPECT TO THE AUCTION OF THE DEBTORS' ASSETS**

PLEASE TAKE NOTICE that on May 25, 2021, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the *Debtors’ Emergency Motion for Entry of (A) an Order (I) Approving Bidding Procedures for the Sale of the Debtors’ Assets, (II) Approving Bid Protections, (III) Scheduling Certain Dates with Respect Thereto, (IV) Approving the Form and Manner of Notice Thereof, and (V) Approving Contract Assumption and Assignment Procedures, and (B) an Order Authorizing the Debtors to Enter into Definitive Purchase Agreements* [Docket No. 907] (the “Bidding Procedures Motion”) with the United States Bankruptcy Court for the Southern District of Texas (the “Court”).

PLEASE TAKE FURTHER NOTICE that on June 8, 2021, the Court entered the *Order (I) Approving Bidding Procedures for the Sale of the Debtors’ Assets, (II) Approving Bid Protections, (III) Scheduling Certain Dates with Respect Thereto, (IV) Approving the Form and Manner of Notice Thereof, and (V) Approving Contract Assumption and Assignment Procedures* [Docket No. 956] (the “Bidding Procedures Order”).²

PLEASE TAKE FURTHER NOTICE that, on July 7, 2021, in accordance with the Bidding Procedures Order, the Debtors filed the *Notice with Respect to the Extension of the Deadline to Designate Stalking Horse Bidders* [Docket No. 1042], extending the stalking horse designation deadline to July 11, 2021.

PLEASE TAKE FURTHER NOTICE that, on July 14, 2021, in accordance with the Bidding Procedures Order, the Debtors filed the *Notice with Respect to (I) the Extension of the Deadline to Designate Stalking Horse Bidders, (II) the Extension of the Qualified Bid Deadline, and (III) Auction Date* [Docket No. 1068], extending the stalking horse designation deadline to

¹ Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/bouchard>. The location of the Debtors’ service address is: 58 South Service Road, Suite 150, Melville, New York 11747.

² Capitalized terms used but not defined herein have the meanings given to them in the Bidding Procedures Order.

July 16, 2021, at 5:00 p.m. (prevailing Central Time) and extending the Qualified Bid Deadline to July 18, 2021, at 11:59 p.m. (prevailing Central Time).

PLEASE TAKE FURTHER NOTICE that, on July 18, 2021, in accordance with the Bidding Procedures Order, the Debtors filed the *Notice with Respect to (I) the Extension of the Deadline to Designate Stalking Horse Bidders, (II) the Extension of the Qualified Bid Deadline, and (III) Auction Date* [Docket No. 1076], extending the stalking horse designation deadline to July 18, 2021, at 11:59 p.m. (prevailing Central Time) and extending the Qualified Bid Deadline to July 19, 2021, at 12:00 p.m. (prevailing Central Time) and the *Notice of Selection of Stalking Horse Bidder* [Docket No. 1077].

PLEASE TAKE FURTHER NOTICE that, on July 19, 2021, at 3:00 p.m. (prevailing Central Time), pursuant to the Bidding Procedures Order, the Debtors conducted the Auction at the offices of Kirkland & Ellis LLP, 300 N. LaSalle, Chicago, IL 60654, with the option to participate in the Auction via videoconference or such other form of remote communication arranged by the Debtors' counsel and advisors.

PLEASE TAKE FURTHER NOTICE that, at the conclusion of the Auction, the Debtors, in accordance with the Bidding Procedures Order, selected the bid package submitted by JMB Capital Lending Partners, LLC for an aggregate purchase price of \$115.3 million as the Successful Bidder for the vessels encumbered by liens securing the Debtors' postpetition financing (the "DIP Collateral") and Hartree Partners, LP as the Backup Bidder for the DIP Collateral.

PLEASE TAKE FURTHER NOTICE that, on July 21, 2021, the Official Committee of Unsecured Creditors filed an objection [Docket No. 1089] to, among other things, the designation of Hartree Partners, LP as the Backup Bidder for the DIP Collateral.

PLEASE TAKE FURTHER NOTICE that, at the conclusion of the Auction, the Debtors, in accordance with the Bidding Procedures Order, selected the bid package submitted by Rose Cay GP, LLC for an aggregate purchase price of \$130 million as the Successful Bidder for the vessels encumbered by the Wells Fargo loans (the "Wells Fargo Collateral"), and (a) Keystone and (b) Martin Operating Partnership as the Backup Bidders for certain vessels included among the Wells Fargo Collateral.

PLEASE TAKE FURTHER NOTICE that the Sale Hearing to consider approval of the Sale of the Assets to the Successful Bidders at the Auction will be held before the Honorable David R. Jones in courtroom 400, 4th Floor, United States Bankruptcy Court for the Southern District of Texas, 515 Rusk Avenue, Houston, Texas on **August 2, 2021, at 3:00 p.m. (prevailing Central Time)**.

PLEASE TAKE FURTHER NOTICE that the deadline to object to the Sales, previously set for July 21, 2021, at 4:00 p.m. (prevailing Central Time), has been extended to **July 28, 2021, at 4:00 p.m. (prevailing Central Time)**.

PLEASE TAKE FURTHER NOTICE, that at the Sale Hearing, the Debtors will seek the Court's approval of the Successful Bids. Unless the Court orders otherwise, the Sale Hearing shall be an evidentiary hearing on matters relating to the Sales, and there will be no further bidding at the Sale Hearing.

PLEASE TAKE FURTHER NOTICE that this Notice of Successful Bidders and Backup Bidders is subject to the terms and conditions of the Bidding Procedures Motion and the Bidding Procedures Order, with such Bidding Procedures Order controlling in the event of any conflict, and the Debtors encourage parties in interest to review such documents in their entirety.

PLEASE TAKE FURTHER NOTICE that copies of all documents filed in these chapter 11 cases are available free of charge by visiting <https://cases.stretto.com/bouchard/>, by calling (855) 923-1038 (U.S. toll-free) or +1 (949) 236-4792 (international), or by emailing BouchardInquiries@stretto.com. You may also obtain copies of any pleadings by visiting the Court's website at <https://ecf.txsb.uscourts.gov> in accordance with the procedures and fees set forth therein.

Houston, Texas
July 26, 2021

/s/ Matthew D. Cavanaugh

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*Co-Counsel to the Debtors
and Debtors in Possession*

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Certificate of Service

I certify that on July 26, 2021, 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/ Matthew D. Cavanaugh

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