

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In Re: Bankruptcy No. 22-30100  
Chapter 15

Balanced Energy Oilfield Services, Inc.,

Debtor.

\_\_\_\_\_  
In Re:

Bankruptcy No. 22-30101  
Chapter 15

Balanced Energy Holdings, Inc.,

Debtor.

\_\_\_\_\_  
In Re:

Bankruptcy No. 22-30102  
Chapter 15

Balanced Energy Oilfield Services (USA) Inc.,

Debtor.  
\_\_\_\_\_

**ORDER SCHEDULING RECOGNITION HEARING  
AND SPECIFYING FORM AND MANNER  
OF SERVICE OF NOTICE**

FTI Consulting Canada Inc. (“FTI”), in its capacity as court-appointed receiver and manager of Debtors Balanced Energy Oilfield Services Inc. (“BCAN”), Balanced Energy Holdings Inc. (“BEH”), and Balanced Energy Oilfield Services (USA) Inc. (“BUSA”) pursuant to the *Receivership Order* dated March 7, 2022 (the “Receivership Order”), entered by the Court of Queen’s Bench of Alberta in Judicial Centre of Calgary, Alberta, Canada, Court File No. 2201-02699 pending under Canada’s Bankruptcy and Insolvency Act, filed a Motion for an Order (I) Scheduling Recognition Hearing, and (II) Specifying Form and Manner of Service of Notice. Upon review of the motion, the Court finds cause for granting the relief the Receiver seeks. Therefore, it is ORDERED:

1. The motion [Doc. 6] is granted.

2. The hearing on the relief FTI requested in its Verified Petition for (I) Recognition of Foreign Main Proceeding, (II) Recognition of Foreign Representative and (III) Related Relief under Chapter 15 of the Bankruptcy Code [Doc. 4] is scheduled for **May 19, 2022, at 10:00 a.m.** Central Standard Time in Courtroom #3, Second Floor, Quentin N. Burdick United States Courthouse, 655 First Avenue North, Fargo, North Dakota.
3. FTI shall provide notice of the Recognition Hearing using a form substantially similar to the Notice of Hearing of Foreign Recognition Proceedings attached.
4. FTI shall provide notice by mail of this Motion to: (a) the Office of the United States Trustee; (b) the United States Attorney's Office for the District of North Dakota; (c) all persons or bodies authorized to administer the Canadian Proceedings; (d) any other parties of which the Receiver becomes aware that are required to receive notice pursuant to Bankruptcy Rule 2002(q); (e) all parties to litigation pending in the United States; and (f) such other entities as this Court may direct satisfies the requirements of Bankruptcy Rule 2002(q).  
The Receiver shall also provide notice of this hearing by email to those parties whose email addresses are known to the Receiver.
5. The Receiver shall serve the Notice and any subsequent notices upon any party that files a notice of appearance in these Chapter 15 cases, within three business days of the filing of such notice of appearance, or as soon thereafter as practicable, if such documents have not already been served on such party (or its counsel).

6. **The deadline to file and serve a response or objection to the Verified Petition is May 17, 2022.** The response or objection shall be filed with the United States Bankruptcy Court for the District of North Dakota and served upon counsel for FTI. Notices to counsel for the Receiver must be addressed to: (a) Munsch Hardt Kopf & Harr, PC, 700 Milam Street, Suite 800 Houston, TX 77002, Attn: John D. Cornwell, and Grant M. Beiner; and (b) Olson & Burns, P.C., 17 First Avenue S.E., P.O. Box 1180, Minot, ND 58702-1740, Attn: Ryan G. Quarne.
7. All hearings are evidentiary unless the Court schedules a preliminary hearing to address scheduling, discovery or other matters. Parties shall disclose witness lists and exhibits not later than two business days before the hearing on a contested matter unless the hearing is scheduled on an expedited basis.

Dated: April 22, 2022.

A handwritten signature in black ink that reads "Shon Hastings". The signature is written in a cursive, flowing style.

SHON HASTINGS, JUDGE  
UNITED STATES BANKRUPTCY COURT

**IN THE UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT OF NORTH  
DAKOTA**

In Re: Bankruptcy No. 22-30100  
Chapter 15  
Balanced Energy Oilfield Services, Inc.,

Debtor.

\_\_\_\_\_/ Bankruptcy No. 22-30101  
Chapter 15  
In Re:

Balanced Energy Holdings, Inc.,

Debtor.

\_\_\_\_\_/ Bankruptcy No. 22-30102  
Chapter 15  
In Re:

Balanced Energy Oilfield Services (USA) Inc.,

Debtor.

**NOTICE OF HEARING  
ON FOREIGN RECOGNITION PROCEEDINGS**

**PLEASE TAKE NOTICE:**

1. On April 14, 2022, FTI Consulting Canada Inc. (“FTI”), solely in its capacity as court-appointed receiver and manager (“Receiver” or “Foreign Representative”) of Balanced Energy Oilfield Services Inc. (“BCAN”), Balanced Energy Holdings Inc. (“BEH”), and Balanced Energy Oilfield Services (USA) Inc. (“BUSA”) (collectively, “Balanced Energy” or “Debtors”) pursuant to the *Receivership Order* dated March 7, 2022 (the “Receivership Order”), entered by the Court of Queen’s Bench of Alberta in Judicial Centre of Calgary, Alberta, Canada, Court File No. 2201-02699 (the “Canadian Court” and the “Canadian Proceeding”) pending under Canada’s *Bankruptcy and Insolvency Act* (“BIA”), and as authorized

foreign representative of Debtors, filed a *Verified Petition for (I) Recognition of Foreign Main Proceeding, (II) Recognition of Foreign Representative, and (III) Related Relief Under Chapter 15 of the Bankruptcy Code* (the “Verified Petition”) pursuant to 11 U.S.C. §§ 1504, 1515, and 1517 with the United States Bankruptcy court for the District of North Dakota.

2. In its Verified Petition, FTI seeks entry of an order recognizing the Canadian Proceedings as foreign main proceedings pursuant to section 1517 of title 11 of the United States Code ( the “Bankruptcy Code”) and granting certain additional relief pursuant to sections 105(a), 1507, 1510, 1515, and 1521 of the Bankruptcy Code.
3. **The Court scheduled a hearing on the relief FTI requested in its Verified Petition on May 19, 2022, at 10:00 a.m. Central Standard Time in Courtroom #3, Second Floor, Quentin N. Burdick United States Courthouse, 655 First Avenue North, Fargo, North Dakota.**
4. **The deadline to file a response or objection to the Verified Petition is May 17, 2022.** Such response or objection should be filed with the United States Bankruptcy Court for the District of North Dakota and served upon counsel for FTI. Notices to counsel for FTI must be addressed to: (a) Munsch Hardt Kopf & Harr, PC, 700 Milam Street, Suite 800 Houston, TX 77002, Attn: John D. Cornwell, and Grant M. Beiner; and (b) Olson & Burns, P.C., 17 First Avenue S.E., P.O. Box 1180, Minot, ND 58702-1740, Attn: Ryan G. Quarne.
5. Copies of the Verified Petition filed by the Receiver may be obtained by visiting the Court’s website at <https://ecf.ndb.uscourts.gov/> (PACER login and password

are required to retrieve a document), or by visiting the Receiver's website at <http://cfcanada.fticonsulting.com/balancedenergy>, or upon written request to the Receiver's United States counsel addressed to (a) Munsch Hardt Kopf & Harr, PC, 700 Milam Street, Suite 800 Houston, TX 77002, Attn: John D. Cornwell, and Grant M. Beiner; and (b) Olson & Burns, P.C., 17 First Avenue S.E., P.O. Box 1180, Minot, ND 58702-1740, Attn: Ryan G. Quarne.

**6. Audio Communication:** Pursuant to Local Rule 5001-1, parties may, upon reasonable advance notice (generally not less than 48 hours) file a motion requesting that a hearing be held by telephone conference or requesting to appear by telephone at a scheduled hearing. The Court will consider potential savings in travel time and expenses in determining whether a telephonic hearing is appropriate. The Court will send interested parties instruction for participating in conference calls. Absent extraordinary circumstances, the Court will not permit a party to offer testimony, exhibits or other evidence or to cross examine witnesses via telephone conference. The Court will allow counsel who appear by telephone to offer argument. If any party seeks to offer evidence or cross examine witnesses, it shall arrange for counsel to appear in person or via video conference.

**7. Video Communication:** Pursuant to Local Rule 5001-2, parties may, upon reasonable notice (generally not less than 48 hours) file a motion requesting that a hearing be held by video conference or requesting to appear by video conference at a scheduled hearing. The Court will consider potential savings in travel time and expenses in determining whether a hearing by video conference

is appropriate. If the Court grants the motion, counsel must make arrangements with the Court to secure video conference service and to test the video conference service in advance of the hearing from the remote site. Arrangements and testing should occur generally not less than 48 hours in advance of the hearing, 72 hours preferred. Parties may offer testimony and/or exhibits at any video conference. Counsel shall either file the exhibits or mail, facsimile or email copies of the exhibits to the Clerk of Court and all parties in sufficient time for them to arrive at least one business day prior to the hearing. Guidance on submitting exhibits by facsimile or email is prescribed by the Clerk of Court.

- 8. Your rights may be affected. You should read the Verified Petition carefully and discuss it with your attorney, if you have one in connection with these chapter 15 cases. If you do not have an attorney, you may wish to consult one.**
9. If you do not want the Court to grant the relief requested by the Receiver, or if you want the Court to consider your views on any matter requested at the Recognition Hearing, then you or your attorney must attend such hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought by the Receiver and may enter an order granting the relief requested.