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

IN RE:	§	
	§	
ENERGERA, INC. et al.,	§	Case No. 26-90433
	§	(Chapter 15)
Debtors in a Foreign Proceeding.	§	(Jointly Administered)

NEXTIER OILFIELD SOLUTIONS, LLC AND NEXTIER COMPLETION SOLUTIONS INC.'S UNOPPOSED MOTION FOR RELIEF FROM STAY

This is a motion for relief from the automatic stay. If it is granted, the movant may act outside of the bankruptcy process. If you do not want the stay lifted, immediately contact the moving party to settle. If you cannot settle, you must file a response and send a copy to the moving party at least 7 days before the hearing. If you cannot settle, you must attend the hearing. Evidence may be offered at the hearing and the court may rule.
Represented parties should act through their attorney.

There will be a hearing on this matter on _____ at _____ p.m. in Courtroom 400, 515 Rusk, Houston, TX 77002.

TO THE HONORABLE JUDGE OF SAID COURT:

1. This Court has jurisdiction over these proceedings under 28 U.S.C. § 1334. Rule 4001 of the Federal Rules of Bankruptcy Procedure, and sections 105(a), 361, and 362 of the Bankruptcy Code, apply.

2. The Debtors, including Energera, Inc. f/k/a Frac Shack Inc. and Energera America Inc. f/k/a Frac Shack America Inc., among others, filed, through the Receiver in its capacity as Foreign Representative, a Petition for Recognition of Foreign Proceeding, Recognition of the Foreign Representative, and Related Relief Under Chapter 15 of the Bankruptcy Code in this Court on March 30, 2026, and this Court entered its Order Granting Petition for (I) Recognition of a Foreign Proceeding, (II) Recognition of the Foreign Representative, and (III) Related Relief Under Chapter 15 of the Bankruptcy Code [Doc. No. 33] (the "Recognition Order") on May 4, 2026, recognizing the receivership proceeding pending before the Court of King's Bench of Alberta as a foreign main proceeding, and recognizing Alvarez & Marsal Canada Inc., solely in its capacity

as court-appointed Receiver and Manager of the Debtors (the "Receiver"), as the "Foreign Representative" of the Debtors, including Energera America Inc.

3. Movant is NexTier Oilfield Solutions, LLC and NexTier Completion Solutions Inc. (collectively, "NexTier" or "Movant").

4. This Motion seeks relief from the stay against Energera America Inc. f/k/a Frac Shack America Inc. ("Energera"), which is a debtor in this case.

5. NexTier is a party in interest, by granted petition of intervention entered by order dated August 13, 2025, in the civil action styled Kenneth Epperson v. Robert Lee South, et al., Suit No. 85,689, Division A, pending in the 42nd Judicial District Court for the Parish of DeSoto, Louisiana (the "Louisiana Proceeding"). The Louisiana Proceeding asserts claims against, among others, Energera.

6. NexTier would show that Energera is, or may be, insured under one or more policies of insurance that may respond to the claims asserted in the Louisiana Proceeding. For purposes of this Motion, "Applicable Insurance" means any such insurance policy determined by binding agreement with the applicable insurer, or by final order of a court of competent jurisdiction, to provide coverage in respect of a claim against Energera in the Louisiana Proceeding, consistent with the definition of that term in the Alberta Variation Order (defined below).

7. NexTier seeks relief from the stay so that the Louisiana Proceeding may continue against Energera for the limited purposes of (a) determining or resolving liability and damages, including by settlement, and (b) pursuing any rights or recovery solely from the proceeds of Applicable Insurance, including obtaining a determination of coverage and the amounts, if any, owed to NexTier through its intervening claim.

8. Movant agrees and stipulates to seek recovery, as to Debtor Energera, solely from the proceeds of Applicable Insurance, and will not seek compensation for the claims in the Louisiana Proceeding from property of the Debtors' Canadian receivership estate or from any property of the Debtors within the territorial jurisdiction of the United States subject to the Recognition Order.

9. Cause exists for relief from the automatic stay when a creditor looks to liability insurance proceeds for payment of its claims. *Houston v. Edgeworth (In re Edgeworth)*, 993 F.2d 51, 56 (5th Cir. 1993) (proceeds of a liability policy are not part of the debtor's estate*); Sosebee v.*

Steadfast Ins. Co., 701 F.3d 1012, 1023 (5th Cir. 2012) (discussing when proceeds of liability insurance policies are property of the estate).

10. Movant would further show that lifting the stay to allow the Louisiana Proceeding to continue would not prejudice the Debtors, the Receiver, or any other creditor, in that Movant agrees to forgo any recovery against Energera or the receivership estate in excess of the proceeds of Applicable Insurance.

11. The relief requested herein is consistent with, and supported by, the Order of the Court of King's Bench of Alberta, Judicial Centre of Calgary, dated August 12, 2026, entered in Court File No. 2603-02889 (the "Alberta Variation Order"), a true and correct copy of which is attached hereto as **Exhibit A**. The Alberta Variation Order varies the stay imposed by the Consent Receivership Order granted by that Court on March 17, 2026, for the sole purpose of permitting the Louisiana Proceeding to continue against Energera on the same insurance-only, no-estate-recourse terms requested herein, and reflects that the Receiver did not oppose that relief. Alberta Variation Order at 2. Paragraph 10 of the Alberta Variation Order provides that no step prohibited by this Court's Recognition Order may be taken in the Louisiana Proceeding "unless and until corresponding relief is granted by" this Court. This Motion seeks that corresponding relief.

12. Counsel for Movant has conferred with counsel for the Receiver regarding this Motion, and the Receiver does not oppose the relief requested herein.

WHEREFORE, Movant prays that the Court enter an order granting relief from the automatic stay to allow the Louisiana Proceeding to proceed to judgment or settlement as against Energera, with any recovery therein limited to the proceeds of Applicable Insurance, and that the Court grant Movant all other relief to which it is justly entitled.

Dated: September 2, 2026

Respectfully submitted,

/s/ Mario Lamar
By: _____
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ATTORNEYS FOR MOVANT NEXTIER OILFIELD SOLUTIONS, LLC AND NEXTIER COMPLETION SOLUTIONS INC.

CERTIFICATE OF CONFERENCE

Counsel for Movant has conferred with counsel for the Receiver regarding this motion, and the Receiver does not oppose the granting of this motion.

/s/ Mario Lamar
_____
Mario A. Lamar

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this Motion for Relief from Stay was served via the Court's ECF noticing system and to all parties entitled to such notice on September 2, 2026.

I further certify that on or about September 2, 2026, I caused a copy of the foregoing Motion along with all attachments to be served by regular U.S. Mail, first class postage prepaid, on the parties listed on the attached mailing matrix.

/s/ Mario Lamar

Mario A. Lamar