

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PERFORADORA ORO NEGRO, S. DE R.L.
DE C.V., *et al.*

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 18-11094 (SCC)
(Jointly Administered)

ALONSO DEL VAL-ECHEVERRIA,
SOLELY IN HIS CAPACITY AS FOREIGN
REPRESENTATIVE OF PERFORADORA
ORO NEGRO, S. DE R.L DE C.V. AND
INTEGRADORA DE SERVICIOS
PETROLEOS ORO NEGRO, S.A.P.I. DE
C.V.

Plaintiff,

-against-

AMA CAPITAL PARTNERS, LLC; ORO
NEGRO PRIMUS PTE. LTD.; ORO
NEGRO LAURUS PTE. LTD.L ORO
NEGRO FORTIUS PTE. LTD.; ORO
NEGRO DECUS PTE. LTD.; ORO NEGRO
IMPETUS PTE. LTD.; AND JOHN DOES
1-20

Defendants.

Adv. Pro. No. 18-1693 (SCC)

**ORDER GRANTING MOTION FOR AN EX PARTE TEMPORARY
RESTRAINING ORDER AND ORDER TO SHOW CAUSE
WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ISSUED**

Alonso Del Val-Echeverria, in his capacity as Foreign Representative (the “Foreign Representative”) of Integradora de Servicios Petroleros Oro Negro, S.A.P.I. de C.V. (“Integradora”) and Perforadora Oro Negro, S. de R.L. de C.V. (“Perforadora,” and, together with

Integradora, the “Debtors”), has filed a complaint against AMA Capital Partners, LLC; Oro Negro Primus Pte. Ltd.; Oro Negro Laurus Pte. Ltd.; Oro Negro Fortius Pte. Ltd.; Oro Negro Decus Pte. Ltd.; Oro Negro Impetus Pte. Ltd.; and John Does 1-20 (collectively, the “Defendants”) for injunctive and other relief under Sections 1520 and 362 of the Bankruptcy Code.

As alleged in the Declaration of Gabriel F. Soledad (the “Soledad Declaration”) in Support of the Foreign Representative’s Motion For an Ex Parte Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not be Issued (the “Motion”), the Debtors’ ability to reorganize is being placed in serious jeopardy by the Defendants’ unlawful acts.

As of at least October 19, 2018, Defendants are allegedly attempting to seize the Debtors’ primary assets, namely, their five jack-up rigs (the “Jack-Up Rigs”).

As the threat of Defendants’ seizure of the Jack-Up Rigs is allegedly imminent, the Foreign Representative has moved *ex parte* for a Temporary Restraining Order and an Order to Show Cause Why a Preliminary Injunction Should Not Be Issued pursuant to Federal Rule of Civil Procedure 65, as well as this Court’s inherent equitable powers.

Upon the Soledad Declaration, and upon the Memorandum of Law in Support of the Foreign Representative’s Ex Parte Motion For a Temporary Restraining Order and an Order to Show Cause Why a Preliminary Injunction Should Not Be Issued, all submitted herewith by the Foreign Representative, and good and sufficient cause having been shown, and the Foreign Representative having shown that the Debtors would suffer irreparable injury by Defendants’ seizure of the Jack-Up Rigs while the Motion is pending, it is hereby:

ORDERED that, pending the hearing of Foreign Representative’s application for a preliminary injunction pursuant to Federal Rule of Civil Procedure 65, each of the Defendants and all those acting in concert or participation with them (including but not limited to, their officers,

directors, agents, servants, employees, representatives, attorneys, subsidiaries, related companies, successors or assigns) are TEMPORARILY RESTRAINED AND ENJOINED from any act in furtherance of efforts to seize the Jack-Up Rigs, including without limitation any act to take possession of or physically enter the Jack-Up Rigs, or to effect any transfer, encumbrance or alteration in the rights of the Debtors with respect to the Jack-Up Rigs;

ORDERED that notice of the temporary restraining order, as well as the below hearing date and briefing schedule regarding the preliminary injunction, be transmitted to Defendants and their counsel (where known) by all available means, including via electronic and first class mail, and that such service of the temporary restraining order, hearing date and briefing schedule satisfies the Foreign Representative's requirement of service under Federal Rule of Civil Procedure 4 as it relates to the temporary restraining order and hearing date;

ORDERED that the Defendants are hereby directed to show cause before the Honorable Judge Chapman in Room 623 of the U.S. Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, on October 30, 2018 at 10:00 a.m., or as soon thereafter as counsel may be heard, why the temporary restraining order should not be maintained and a preliminary injunction should not be entered pursuant to Federal Rule of Civil Procedure 65 restraining the Defendants and all those acting in concert or participation with them from any act in furtherance of efforts to seize the Jack-Up Rigs, including without limitation any act to take possession of or physically enter the Jack-Up Rigs, or to effect any transfer, encumbrance or alteration in the rights of the Debtors with respect to the Jack-Up Rigs, and that the briefing schedule for the Foreign Representative's Motion is:

1. The Defendants' response, if any, will be served by email on counsel for the Foreign Representative on or before October 26, 2018 at 4:00 p.m.;

2. The Foreign Representatives' reply, if any, will be served on Defendants and their counsel (where known) by all available means, including by electronic and first class mail, on or before October 29, 2018 at 12:00 p.m.; and
3. The hearing on the Foreign Representative's Motion shall be scheduled for October 30, 2018 at 10:00 a.m.

ORDERED that a copy of this Order shall be served on Defendants and their counsel (where known) by all available means necessary to provide notice hereof, including by electronic and first class mail.

ENTERED this 23rd day of October, 2018.

SO ORDERED

/S/ Shelley C. Chapman

THE HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE