IN RE:

Mississippi Phospates Corporation

CASE NO. 14-51667-KMS

DEBTOR.

**CHAPTER 11** 

## **AMENDED**

### **CERTIFICATE OF SERVICE**

I, Shane Whitfield, do hereby certify that I have this date transmitted via Electronic Case Filing, and/or Via U.S. Mail, postage prepaid, a true and correct copy of *MOTION TO LIFT AUTOMATIC STAY* and *NOTICE OF HEARING* to the below parties:

### Service provided via Notice of Electronic Filing (NEF) through ECF system:

Mississippi Phosphates Corporation

Stephen W. Rosenblatt

J. Mitchell Carrington

Thomas M Hewitt

Christopher R. Maddux

Paul S. Murphy

Karl Steinberger

United States Trustee

Christopher James Steiskal, Sr.

Alan Lee Smith

Allison C. Carroll

Amy Lassitter St. Pe

Andrew R Wilson

C. Davin Boldissar

Carey L. Menasco

Grover C. Monroe

Douglas S. Draper

Hovey Slayton Dabney, Jr.

James Lawson Hester

James A McCullough, II

James W O'Mara

Jerome C Hafter

Karl Fingerhood

Kasee Sparks Heisterhagen

Kenneth Gordon Long

Lacey Elizabeth Rochester

Lawrence B Voit

Marcus M Wilson

Matthew Ward McDade

Michael T Fackler

Paul J Delcambre, Jr

Richard A Montague

Rober Alan Byrd

Robert Ball McGinley, Jr

Roy Hendee Furrh

**Ted Lampton** 

Toby M Daluz

William H Patrick, III

William J Little, Jr.

William P Wessler

### Notice Provided via First Class U.S. Mail:

### **CREDITORS**

Brook Services LTD P. O. Box 8406 Dallas, TX 75284-0640

Carrier Rental Systems 6282 Hwy 73 Geismar, LA 70734

Central Maintenance & Weld 2620 Keysville Road Lithia, FL 33547

Duponte Sulfur Prod. 586 Hwy 44 La Place, LA 70068

Envir. Acid Solutions 24838 NC Hwy 33 East Aurora, NC 27806

FLEXICREW c/o Richard M. Gaal PO Box 350 Mobile, AL 36601

Hydrovac Industrial Services, Inc. Attn: Mike Lenig 4896 Old Louisville Rd. Savannah, GA 31408

Int'l Welding & Fabricatio 11401 Hwy 63 Moss Point, MS 39562

Jackson Cty Port Auth. P. O. Box 70 Pascagoula, MS 39568-0070

### Mississippi Export Railroad Company

c/o Patrick R. Buchanan Brown Buchanan P.A. Post Office Box 1377 Biloxi, MS 39533-1377

### MS Power Company

P. O. Box 4275 Gulfport, MS 39502-4275

#### OCP S.A.

c/o Covington & Burling LLP Attn: Dianne Coffino, Ronald Hewitt 620 Eighth Ave. New York, NY 10018-1618

### Oxbow Sulphur Inc.

1450 Lake Robbins Dr. Ste 500 The Woodlands, TX 77380

#### Plant Maintenance Ser.

3605 Delta Dr. St. Gabriel, LA 70776

#### **Premier Chemicals**

4664 James Ave Ste 125 Baton Rouge, LA 70808

#### RPW, Inc.

P. O. Box 2151 Pascagoula, MS 39569

### Shrieve Chemical Company

ATTN: Kristina Mordaunt 1755 Woodstead Court The Woodlands, TX 77380

#### Transammonia, Inc.

320 Park Ave 10th Floor New York, NY 10022

#### Unimin Lime

P. O. Box 181 Calera, AL 35040

### VIP International

6638 Pecue Lane Baton Rouge, LA 70817-4400

### CREDITORS COMMITTEE

Central Maintenance & Welding, Inc. c/o Hugo S. deBeaubien, Shumaker Loop Ke Bank of America Plaza 101 East Kennedy Blvd., Suite 2800 Tampa, FL 33602

Hydrovac Industrial Services, Inc.

c/o James A. McCullough, II Brunini Grantham Grower & Hewes, PLLC P.O. Drawer 119 Jackson, MS 39205

Mississippi Power Company

c/o Paul J. Delcambre, Balch & Bingham L 1310 Twenty Fifth Avenue Gulfport, MS 39501-1931

#### OCP S.A.

c/o Dianne Coffino, Covington & Burling The New York Times Building 620 Eighth Avenue New York, NY 10018

#### Premier Chemicals & Services, LLC

Francis Mayer 4856 Revere Avenue, Suite A Baton Rouge, LA 70808

#### Trammo, Inc.

c/o James W. OMara, Phelps Dunbar 4270 I-55 North Jackson, MS 39211

#### Shrieve Chemical

c/o Carey Menasco, Liskow & Lewis One Shell Square 701 Poydras Street, Suite 5000 New Orleans, LA 70139 Dated this the 6<sup>th</sup> day of March, 2015.

/s/ Shane Whitfield SHANE WHITFIELD, ESQUIRE Attorney for Jerry Shumock, Creditor

Prepared By: SHANE WHITFIELD, ESQUIRE Attorney for Creditor, Jerry Shumock Mississippi Bar No. 100071 ANDREW C. BURRELL, P.A. 750 East Pass Road Gulfport, Mississippi 39507 shane@andrewburrell.com Phone: 1.228/896-4016

Fax: 1.228/896.8372

Case 14-51667-KMS Doc 557 Filed 03/06/15 Entered 03/06/15 13:41:56 Desc Main Case 14-51667-KMS Doc 455 POF HER POZ/05/199 ET TOF 42 02/05/15 10:26:02 Desc Main Document Page 1 of 3

U.S. BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI FILED

### IN THE UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI SOUTHERN DIVISION

DANNY L. MILLER, CLERK
BY KWIZE DEPUTY CLERK

IN RE:

MISSISSIPPI PHOSPHATES CORPORATION

**DEBTORS** 

CASE NO.: 14-51667-KMS

MISSISSIPPI PHOSPHATES CORPORATION

RESPONDENTS

JERRY SHUMOCK

**CREDITOR** 

### MOTION TO LIFT THE AUTOMATIC STAY

COMES NOW, Jerry Shumock (Creditor), and moves the Court to lift the automatic stay as follows:

- 1. Creditor has a claim against debtor, Mississippi Phosphates Corporation, for a Workers' Compensation accident which occurred on March 19, 2012. Mississippi Phosphates had Workers' Compensation coverage with The Insurance Company of the State of Pennsylvania at the time of the accident.
- 2. The claim is currently in litigation before the Mississippi Workers' Compensation Commission, Claim No: 1206795.
- 3. Creditor should be granted relief from the automatic stay for the limited purpose of proceeding with the workers' compensation claim against Debtor's workers' compensation insurance carrier.

#### 

4. That creditor requests the order granting relief from the stay entered in this case be excepted from the provisions of Bankruptcy Rule 4001(a)(3).

WHEREFORE, creditor moves the Court to lift the automatic stay as aforesaid; and creditor requests such other relief to which she may be entitled in the premises.

RESPECTFULLY SUBMITTED this the 4 day of February, 2015.

SHANE WHITFIELD, ESQUIRE Attorney for Jerry Shumock, Creditor

Prepared By:

SHANE WHITFIELD, ESQUIRE Attorney for Creditor, Jerry Shumock Mississippi Bar No. 100071
ANDREW C. BURRELL, P.A. 750 East Pass Road
Gulfport, Mississippi 39507
shane@andrewburrell.com
Phone: 1.228/896-4016
Fax: 1.228/896.8372

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### CERTIFICATE OF SERVICE

I, Shane Whitfield, do hereby certify that I caused to be served a true and correct copy of the foregoing MOTION TO LIFT AUTOMATIC STAY by regular U.S. mail, postage prepaid upon counsel for the Parties hereto, as follows:

Stephen W. Rosenblatt, Esq.
Phil B. Abernethy, Esq.
Michael C. McCabe, Jr., Esq.
BUTLER SNOW LLP
2017 20<sup>th</sup> Avenue, Suite A
Gulfport, Mississippi 39501
Attorney for Debtor, Mississippi Phosphates Corporation

Karl Steinberger, Esq.
HEIDELBERT, STEINBERGER, COLMER & BURROW
711 Delmas Avenue
Pascagoula, MS 39568
Attorney for Employer/Carrier

SHANE WHITFIELD, ESQUIRE

Attorney for Jerry Shumock, Creditor

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# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF MISSISSIPPI

IN RE:

Mississippi Phosphates Corporation

CASE NO. 14-51667-KMS

DEBTOR.

**CHAPTER 11** 

#### NOTICE OF HEARING AND DEADLINES

Jerry Shumock has filed a Motion to Lift the Automatic Stay (the "Motion") (Dkt. # 455) with the Court in the above–styled case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you might wish to consult one.)

The Court will hold a combined and final hearing on March 12, 2015, at 02:00 PM in the Bankruptcy Courtroom, 7th Floor, Dan M. Russell, Jr. U.S. Courthouse, 2012 15th Street, Gulfport, Mississippi, to consider and act upon the Motion.

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the Motion, you or your attorney must file a written response explaining your position so that the Court receives it on or before March 5, 2015. Attorneys and Registered Users of the Electronic Case Filing (ECF) system should file any response using ECF. Others should file any response at U.S. Bankruptcy Court, Dan M. Russell, Jr. U.S. Courthouse, 2012 15th Street, Suite 244, Gulfport, MS, 39501. If you file a response, you or your attorney are required to attend the hearing. The hearing will be electronically recorded by the Court.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the Motion. If no response is filed, the Court may consider the Motion and enter an order granting relief before the hearing date.

Dated: 2/5/15

Danny L. Miller, Clerk of Court U.S. Bankruptcy Court Dan M. Russell, Jr. U.S. Courthouse 2012 15th Street, Suite 244 Gulfport, MS 39501 228–563–1790

Courtroom Deputy 228-563-1797 (use to advise of settlement) 228-563-1841 Case 14-51667-KMS Doc 557 Filed 03/06/15 Entered 03/06/15 13:41:56 Desc Main Case 14-51667-KMS Doc 496 MPRed 02/09 £511 Phil-red 02/05/15 11:13:11 Desc hn005kms-lift\_stay Page 2 of 3

#### Parties Noticed:

Mississippi Phosphates Corporation

Stephen W. Rosenblatt

J. Mitchell Carrington

Thomas M Hewitt

Christopher R. Maddux

Paul S. Murphy

Shane Whitfield

Karl Steinberger

United States Trustee

Christopher James Steiskal, Sr.

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Dean Sterling Kidd

Devon J. Eggert

Douglas C Noble

Douglas S Draper

Hovey Slayton Dabney, Jr.

James Lawson Hester

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