

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

IN RE:	§	
	§	
RAAM GLOBAL ENERGY COMPANY,	§	CASE NO. 15-35615
<i>et al.</i>	§	
	§	CHAPTER 11
	§	
Debtors.	§	JOINTLY ADMINISTERED

**OFFSHORE RENTAL, LTD. D/B/A TIGER OFFSHORE RENTALS'S
MOTION FOR ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSES CLAIM PURSUANT TO 11 U.S.C. § 503(b)**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSED THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Offshore Rental, Ltd. d/b/a Tiger Offshore Rentals (“Tiger”) files this Motion for Allowance and Payment of Administrative Expense Claim pursuant to 11 U.S.C. § 503(b) (“Motion”) and states as follows:

FACTUAL BACKGROUND

A. The Bankruptcy Case

1. This bankruptcy case commenced with the filing of a voluntary petition on October 26, 2015 (the “Petition Date”). [Docket No. 1]. By order dated October 27, 2015, the Court ordered joint administration of this case with other cases filed by debtor affiliated entities, including Century Exploration New Orleans, LLC (“CENO”). [Docket No. 22].

2. The debtors, including CENO, have continued their business of oil and gas exploration and production since filing bankruptcy as debtors in possession. The debtors rely on certain vendors in the ordinary course of their business to continue such business.

3. Tiger is one of CENO’s vendors. Tiger rents cuttings boxes and cargo carrying equipment to CENO and other offshore and onshore oil and gas producers. Since the filing of its bankruptcy, CENO rented numerous pieces of equipment from Tiger including marine portable tanks and IM 101 transport tanks for storage and transportation of drilling, production and completion fluids or other liquids; drum racks used for transporting and storing drums filled with materials, product or byproducts; cuttings boxes used to store rock and other material removed from the borehole by the drilling operations; dry goods boxes used to store food and other supplies for carrying on the operations; open top baskets and cargo containers used to transport equipment and other supplies; and slings and accessories necessary for hoisting such equipment. CENO incurred \$9,616.92 for these rentals after filing of its bankruptcy case and through December 31, 2015. The specifics of the equipment CENO rented from Tiger, the dates of rental and the fees charged are detailed in Tiger’s invoices attached hereto as Exhibit A-1 and incorporated herein by reference for all purposes.

JURISDICTION AND VENUE

5. The Court has jurisdiction over the bankruptcy case and this Motion pursuant to

Case 15-35615 Document 346 Filed in TXSB on 01/13/16 Page 3 of 5
sections 157 and 1334 of title 28 of the United States Code. Consideration of the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

ARGUMENT AND AUTHORITIES

A. Standard for Allowance of Administrative Claim

6. The Bankruptcy Code provides that “the actual, necessary costs and expenses of preserving the estate” are characterized as administrative expenses and are entitled to priority. 11 U.S.C. § 503 and § 507. Administrative priority is given to post-petition vendors as an inducement to engage in business transactions with a debtor's estate. *Matter of TransAmerican Natural Gas Corp*, 978 F.2d 1409, 1416, reh'g denied, 983 F.2d 1060 (5th Cir. 1993). The “benefit” requirement has no independent basis in the Code, however, but is merely a way of testing whether a particular expense was truly “necessary” to the estate: If it was of no “benefit,” it cannot have been “necessary.” *Texas v. Lowe (In re H.L.S. Energy Co.)*, 151 F.3d 434, 437 (5th Cir. Tex. 1998).

7. Tiger provided goods and services to CENO that were beneficial and necessary to preservation of the estate. Specifically, Tiger provided equipment essential to the continued operation of CENO’s oil and gas exploration and production operations. Tiger provided drum racks, cuttings boxes, baskets, slings and other equipment that allowed CENO to safely store and transport fluids, excavated debris, equipment and supplies. All such equipment was provided in the ordinary course of business. Tiger is entitled to an administrative expense claim against the estate pursuant to 11 U.S.C. § 503(b) for the goods and services it provided to CENO following the filing of the bankruptcy case.

8. CENO currently owes Tiger \$9,616.92 for the equipment Tiger supplied to CENO for its post-petition operations and in the ordinary course of business between October 26, 2015 and December 31, 2015. This claim is not subject to any set off or counterclaim.

9. All conditions precedent to the relief requested herein have been performed or have

RESERVATION OF RIGHTS

10. Tiger reserves all rights and claims related in any way to its pre-petition and post-petition claims.

WHEREFORE, Offshore Rental, Ltd. d/b/a Tiger Offshore Rentals requests that this Court enter an order, allowing its claim as an administrative expense claim and providing for payment of same as a post-petition administrative expense claim under section 503(b)(1)(A) of the Bankruptcy Code and granting such other and further relief as is just and proper.

January 13, 2016.

Respectfully submitted,

ORGAIN, BELL & TUCKER, LLP

By: _____


John Seth Bullard
State Bar No. 24040601
jb@obt.com
P.O. Box 1751
Beaumont, Texas 77704
Phone: 409-838-6412
Facsimile: 409-838-6959

ATTORNEYS FOR OFFSHORE RENTAL, LTD.
D/B/A TIGER OFFSHORE RENTALS

CERTIFICATE OF SERVICE

The undersigned certifies that on January 13, 2016, a true and correct copy of this document was served by electronic means via the Court's ECF noticing system.

A handwritten signature in blue ink, appearing to read "J. S. Bullard", is written above a horizontal line.

John Seth Bullard