

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

**IN RE:** § **CHAPTER 11**  
§  
**RAAM GLOBAL ENERGY** § **CASE NO. 15-35615**  
**COMPANY, ET AL.,** § **(JOINTLY ADMINISTERED)**  
§  
**DEBTORS.** §

**TRUSTEE’S OBJECTION TO CLAIM NOS. 289, 290, 292, 293, 294, 295, 296, AND 297  
FILED BY FIELDWOOD ENERGY, LLC  
AND FIELDWOOD ENERGY OFFSHORE, LLC**

**THIS IS AN OBJECTION TO YOUR CLAIM(S). THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW ALL OR A PORTION OF THE CLAIM(S) THAT YOU FILED IN THIS BANKRUPTCY CASE. YOU SHOULD IMMEDIATELY CONTACT THE OBJECTING PARTY TO RESOLVE THE DISPUTE. IF YOU DO NOT REACH AN AGREEMENT, YOU MUST FILE A RESPONSE TO THIS OBJECTION AND SEND A COPY OF YOUR RESPONSE TO THE OBJECTING PARTY WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE OBJECTION IS NOT VALID. IF YOU DO NOT FILE A RESPONSE WITHIN 30 DAYS AFTER THE OBJECTION WAS SERVED ON YOU, YOUR CLAIM(S) MAY BE DISALLOWED.**

**THIS MATTER HAS BEEN SET FOR HEARING ON DECEMBER 19, 2016 AT 9:00 A.M. (HOUSTON TIME) BEFORE THE HONORABLE MARVIN ISGUR, UNITED STATES BANKRUPTCY JUDGE, 515 RUSK AVENUE, 4TH FLOOR, COURTROOM 404, HOUSTON, TEXAS 77002.**

TO THE HONORABLE MARVIN ISGUR, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW Robert E. Ogle, Trustee of the RAAM Global Energy Company et al. Liquidating Trust (the “Trustee”), and files this his Objection to Claim Nos. 289, 290, 292, 293, 294, 295, 296 and 297 Filed by Fieldwood Energy, LLC and Fieldwood Energy Offshore, LLC (the “Objection”),<sup>1</sup> and respectfully states as follows:

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<sup>1</sup> Unless defined differently herein, capitalized terms shall have the same use and meaning as in the Confirmation Order and Plan.

**JURISDICTION**

1. The Court has jurisdiction to consider this Objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (B), and (O).
2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory predicates for the relief requested herein are Bankruptcy Code section 502(b), Bankruptcy Rule 3007, and Local Rule 3007-1.

**PARTIES**

4. Claimant, Fieldwood Energy, LLC (“Fieldwood”), may be served, by agreement, c/o Brian A. Kilmer, Kilmer Crosby & Walker PLLC, 5100 Westheimer, 2nd Floor Houston, Texas 77056. Fieldwood filed four proofs of claim in these jointly administered bankruptcy cases, Claim Nos. 289, 293, 296, and 294 (the “Fieldwood Claims”).
5. Claimant, Fieldwood Energy Offshore, LLC (“Fieldwood Offshore”), may be served, by agreement, c/o Brian A. Kilmer, Kilmer Crosby & Walker PLLC, 5100 Westheimer, 2nd Floor, Houston, Texas 77056. Fieldwood Offshore filed four proofs of claim in these jointly administered bankruptcy cases, Claim Nos. 290, 292, 295, and 297 (the “Fieldwood Offshore Claims”).
6. A register of filed claims may be found at Debtors’ claims agent website at <http://www.bmcgroup.com/restructuring/Claims.aspx?ClientID=372> or by contacting Kell C. Mercer, Kell C. Mercer, P.C., 1602 E. Cesar Chavez Street, Austin, Texas 78702; phone: (512) 627-3512; email: [kell.mercer@mercerc-law-pc.com](mailto:kell.mercer@mercerc-law-pc.com).

**BACKGROUND AND REQUEST FOR RELIEF**

7. On October 26, 2015 (the “Petition Date”), the Debtors each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (the “Bankruptcy Court”).

8. On January 19, 2016, the Court entered an order (the “Confirmation Order”) confirming the Debtors’ *Second Amended Joint Plan of Liquidation Pursuant to Chapter 11 of the Bankruptcy Code* [Dkt. No. 376] (as may be amended, supplemented, or otherwise modified from time to time, the “Plan”). The Effective Date of the Plan occurred on February 1, 2016 [Dkt. No. 410].

9. Pursuant to the Plan, the RAAM Global Energy Company *et al.* Liquidating Trust was created (the “Liquidating Trust”). The Plan, the Confirmation Order, and the Liquidating Trust Agreement govern the Liquidating Trust. Pursuant to the Confirmation Order, Douglas J. Brickley was appointed as the initial trustee of the Liquidating Trust. *See* Confirmation Order at ¶ 10, page 24. Mr. Brickley served as the Liquidating Trustee from February 1, 2016 until June 30, 2016. Effective June 30, 2016, Mr. Brickley was replaced as the Liquidating Trustee by Robert E. Ogle. *See* Docket No. 491, Order Appointing Successor Trustee.

10. Pursuant to the Plan and the Confirmation Order, the Liquidating Trustee is provided standing to review claims and to file objections to proofs of claim and scheduled claims. *See* Docket No. 376, Plan at Section 1.02(30). The Liquidating Trustee and his counsel have reviewed the proofs of claim and scheduled claims filed in the Bankruptcy Cases pursuant to a reconciliation process that includes identifying particular categories of Claims that may be

targeted for disallowance and expungement, reduction and allowance, reassignment, or reclassification.

11. The Liquidating Trustee has reviewed the Fieldwood Claims and finds them to be objectionable. First, Claim Nos. 289, 293, 296 and 294 appear to be identical, but are separately filed against each of the jointly administered Debtors. The documents attached to the Fieldwood Claims appear to identify a claim against Debtor CENO, not against any of the other Debtors. Accordingly, Claim Nos. 289, 293, and 294 should be disallowed and expunged from the Claims Register for being filed against the wrong Debtors. Claim Nos. 289, 293, and 294 should also be disallowed and expunged for asserting a secured claim without any basis. The Debtors abandoned any interest in the collateral alleged to secure Fieldwood's Claim. Claim No. 296 appears to be filed against the correct Debtor, CENO, but the Liquidating Trustee notes that except for \$171,000.00, Claim No. 296 appears to be unliquidated and contingent and not representative of actual damages incurred to date. The Liquidating Trustee will move, at an appropriate time, to estimate Fieldwood's Claim for purpose of allowance pursuant to Section 7.02 of the Plan and pursuant to Bankruptcy Code section 502(c)(1). Finally, the Liquidating Trustee objects to Claim No. 296 to the extent that it asserts a secured claim. The Debtors abandoned any interest in the collateral alleged to secure Fieldwood's Claim. Based upon the foregoing, the Liquidating Trustee requests that Claim No. 296 be Allowed as an unsecured claim in the amount of \$171,000.00, with the remainder of the Claim to be fixed an allowed in an amount, if any, to be fixed pursuant to Section 7.02 of the Plan and Bankruptcy Code section 502(c)(1).

12. The Liquidating Trustee has reviewed the Fieldwood Offshore Claims and finds them to be objectionable. First, Claim Nos. 290, 292, 295, and 297 appear to be identical, but

are separately filed against each of the jointly administered Debtors. The documents attached to the Fieldwood Offshore Claims appear to identify a claim against Debtor CENO, not against any of the other Debtors. Accordingly, Claim Nos. 290, 292, and 295 should be disallowed and expunged from the Claims Register for being filed against the incorrect Debtors. Claim Nos. 290, 292, and 295 should also be disallowed and expunged for asserting a secured claim without any basis. The Debtors abandoned any interest in the collateral alleged to secure Fieldwood Offshore's Claim. Claim No. 297 appears to be filed against the correct Debtor, CENO, but the Liquidating Trustee notes that Claim No. 297 appears to be unliquidated and contingent and not representative of actual damages incurred to date. The Liquidating Trustee will move, at an appropriate time, separately to estimate Fieldwood Offshore's Claim for purpose of allowance pursuant to Section 7.02 of the Plan and pursuant to Bankruptcy Code section 502(c)(1). Finally, the Liquidating Trustee objects to Claim No. 297 to the extent that it asserts a secured claim. The Debtors abandoned any interest in the collateral alleged to secure Fieldwood Offshore's Claim. Based upon the foregoing, the Liquidating Trustee requests that Claim No. 297 be allowed as an unsecured claim in an amount, if any, to be fixed pursuant to Section 7.02 of the Plan and Bankruptcy Code section 502(c)(1).

13. This Claim Objection is supported by the attached Declaration of the Liquidating Trustee.

WHEREFORE, PREMISES CONSIDERED, Robert E. Ogle, as Trustee for the Liquidating Trust respectfully requests that the Court:

(1) Sustain its claim Objection as set forth herein, disallow and expunge Claim Nos. 289, 290, 292, 293, 294, and 295;

(2) Fix and allow Claim No. 296, filed by Fieldwood, in the amount of \$171,000.00 as an unsecured claim, with the balance of Claim No. 296 to be allowed as an unsecured claim in an amount, if any, to be fixed pursuant to Section 7.02 of the Plan and Bankruptcy Code section 502(c)(1);

(3) Allow Claim No. 297 as an unsecured claim in an amount, if any, to be fixed pursuant to Section 7.02 of the Plan and Bankruptcy Code section 502(c)(1); and

(4) grant such other and further relief to which the Liquidating Trust may be justly entitled.

Dated: October 31, 2016

Respectfully Submitted,

KELL C. MERCER, P.C.  
1602 E. Cesar Chavez Street  
Austin, Texas 78702  
(512) 627-3512  
(512) 597-0767 (fax)  
kell.mercer@mercerc-law-pc.com

By: /s/ Kell C. Mercer  
Kell C. Mercer  
Texas State Bar No. 24007668

ATTORNEY FOR ROBERT E. OGLE,  
TRUSTEE OF THE LIQUIDATING TRUST

**CERTIFICATE OF SERVICE**

This will certify that on October 31, 2016, a true and correct copy of the foregoing pleading was forwarded via this Courts CM/ECF notification system to the parties registered for such service, and upon:

Brian A. Kilmer  
Kilmer Crosby & Walker PLLC  
5100 Westheimer, 2nd Floor  
Houston, Texas 77056

/s/ Kell C. Mercer  
Kell C. Mercer

**SWORN DECLARATION OF ROBERT E. OGLE, LIQUIDATING TRUSTEE**

I, Robert E. Ogle, hereby submit this declaration pursuant to 28 U.S.C. § 1746.

I declare under penalty of perjury under the laws of the United States of America that the following statements are true and correct to the best of my knowledge and belief.

1. My name is Robert E. Ogle. I am over the age of 18 years, am competent to make this affidavit and have personal knowledge of the facts stated herein. Each and every statement contained herein is true and correct to the best of my knowledge.
2. I am the Liquidating Trustee of the RAAM Global Energy Company et al. Liquidating Trust. Together with my counsel, Kell C. Mercer, I have supervised the claims review process in these Bankruptcy Cases.
3. I have reviewed the proof(s) of claim subject to the attached Claim Objection, and I have reviewed the Claim Objection. I authorized the filing of an objection to the proof(s) of claim, and to the best of my knowledge and believe, the statements contained therein are true and correct.
4. Accordingly, I request that the Claim Objection be sustained, and the relief requested therein be granted by the Bankruptcy Court.



Robert E. Ogle, Liquidating Trustee