

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

IN RE:	§	Chapter 11
	§	
HII TECHNOLOGIES, INC., et al. ¹	§	15-60070 (DRJ)
	§	
Debtors.	§	Jointly Administered

**SUPPLEMENTAL STATEMENT AND DECLARATION OF D. BRENT WELLS,
PRESIDENT OF WELLS & CUELLAR, P.C.,
AS SPECIAL COLLECTIONS COUNSEL FOR THE DEBTORS**

D. Brent Wells, Sole Shareholder of Wells & Cuellar, P.C., the special collections counsel for the Debtors, declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, and pursuant to Fed. R. Bankr. P. 2014, as follows:

1. I am the Sole Shareholder of Wells & Cuellar, P.C. (the “Firm”), special collections counsel for the Debtors in the above-captioned bankruptcy case under the Court’s retention Order of December 2, 2015 (Dkt. #256). I am submitting this declaration to supplement my previous Declaration under Bankruptcy Rule 2014, which is incorporated herein by this reference and remains entirely true and correct.

¹The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number, are: (i) Apache Energy Services, LLC (4404); (ii) Aqua Handling of Texas, LLC (4480); (iii) HII Technologies, Inc. (3686); (iv) Sage Power Solutions, Inc. fka KMHVC, Inc. (1210); and (v) Hamilton Investment Group, Inc. (0150).

2. Among the receivables our Firm is working to collect for the Debtors are three accounts amounting to some \$430,000.00 owed by a single commercial debtor known as OTG Services, LLC ("OTG"). Coincidentally, our Firm client Anadarko Petroleum Corporation ("Anadarko"), whom we routinely represent in creditors' rights matters, has just advised us that they have been sued by OTG for a receivable claim amount of some \$244,000.00. Anadarko would like for our Firm and me to defend them, and we see no conflict in such representation, although we want to be completely transparent in disclosing same here. We plan to answer the litigation brought against Anadarko at the appropriate time. There should be no conflict in collecting from OTG at the same time we are defending a claim brought by OTG because that happens all the time in collection cases met with a counterclaim. OTG will be adverse to our Firm in both representations. There is nothing materially adverse to the Debtors in our representation of Anadarko (indeed there may be benefits to the Debtors in our knowledge that Anadarko may eventually owe an obligation to OTG, or make a settlement payment to such party).

3. Notwithstanding the circumstances described in paragraph 2 above, the Firm, as special collections counsel for the Debtors, continues to maintain and represent that the Firm represents no interest adverse to the Debtors or their estates in the matter upon which the Firm may be engaged by the Debtors, and that the employment of the Firm, on the terms approved by the retention Order, continues be in the best interests of the Debtors and the bankruptcy estates.

4. Notwithstanding the circumstances described in paragraph 2 above, this Firm holds or represents no interest adverse to the Debtors or the estate. The Supplemental Declaration is simply given prophylactically in an abundance of caution and with an interest in full and public disclosure pursuant to the Bankruptcy Rules.

5. Notwithstanding the circumstances described in paragraph 2 above, after exercising due diligence, as far as the Firm has been able to ascertain, neither the Firm, nor any associate thereof holds or represents any interest adverse to the Debtors or fails to be a disinterested person so as to render the firm ineligible to serve as special collections counsel for the Debtors under sections 1103 or 327(e) of the Bankruptcy Code.

6. This Supplemental Declaration is part of our ongoing commitment, pursuant to Bankruptcy Rule 2014, that the Firm will provide the Court with any supplemental information regarding the Firm's connections with the parties-in-interest in the case, as that information becomes available.

7. Notwithstanding the circumstances described in paragraph 2 above, neither the Firm, nor any shareholder or associate thereof, insofar as I have been able to ascertain, represents any interest materially adverse to the Debtors, or their estates on the matters upon which the Firm is being employed. The Firm believes that it continues to be a "disinterested person" as that term is defined in section 101(14) of the Bankruptcy Code.

Respectfully submitted this 19th day of January, 2016.

By: 

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