



ENTERED  
01/28/2016

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

<b>In re:</b>	§	<b>Chapter 11</b>
	§	
<b>HII TECHNOLOGIES, INC., et al.<sup>1</sup></b>	§	<b>15-60070 (DRJ)</b>
<b>Debtors</b>	§	<b>(Jointly Administered)</b>

**ORDER ON EXPEDITED MOTION TO (1) ASSUME AND AMEND OFFICE LEASE, (2)  
MARKET AND SELL OFFICE FURNITURE AND RELATED *DE MINIMIS* ASSETS**

(Refers to Docket No. 347 )

ON CONSIDERATION of the Expedited Motion for Order Authorizing Sale of Athletic Equipment and Authorizing *De Minimis* Sale Procedures (the “Motion”)<sup>2</sup> filed by the Debtor, Lon Morris College, any responses or objections thereto, and the argument of counsel, if any, the Court finds the Motion to be well-taken and should be granted. It is therefore:

ORDERED that the Motion is GRANTED; and, it is further

ORDERED that the Debtors are authorized to amend and assume the Lease with Ten Voss, Ltd (“Lessor”), for office space located at 8588 Katy Freeway in Houston, Texas (the “Property”) as proposed in the Motion; and it is further

ORDERED that the Debtors are authorized to market and sell the Office Furniture (including related equipment and assets) as set forth in the Motion; and it is further

ORDERED that, except as the Court may otherwise order, the following procedures (the “*De Minimis* Sale Procedures”) applicable to proposed sales of assets where the total consideration for such sale is equal to or less than \$5,000.00 (the “*De Minimis* Assets” and the sales thereof “*De Minimis* Sales”) are hereby APPROVED and ESTABLISHED as follows:

<sup>1</sup> The 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).

<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meaning assigned to them in the Motion.

- a. Upon reaching an agreement for the sale of assets for less than \$5,000, the Debtors and the proposed purchaser will enter into a sale agreement.
- b. Upon execution of the sale agreement, the Debtors will file with the Court a notice proposing approval of the sale.
- c. The notice shall include:
  - i. a copy of the sale agreement;
  - ii. a declaration from the Debtors setting forth the factual predicate describing the benefits of the proposed sale; and
  - iii. a proposed form of order approving the sale.
- d. The Debtors shall serve the notice on the parties listed on the Official Service List.
- e. Parties shall have five (5) days from the date of service of the notice to serve the Debtors with a written objection to the proposed sale.
- f. If the Debtors do not receive timely objection to the proposed sale, the Debtors shall file a notice of no objection and will have authority to close the proposed *De Minimis* Sale free and clear of claims without further approval of the Court. The Debtors shall file a notice with the Court with the monthly operating report of all *De Minimis* Sales completed within the reporting period setting forth the terms of such sales.
- g. If a timely objection is received, the Debtors shall schedule an expedited hearing with the Court seeking approval of the proposed *De Minimis* Sale.

Signed: January 27, 2016.

  

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DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE