

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re	:	Chapter 11
	:	
SEMCRUDE, L.P., et al.,	:	Case No. 08-11525 (BLS)
	:	
Debtors.	:	Jointly Administered
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	:	
	:	
VESS OIL CORPORATION,	:	
	:	
Plaintiff,	:	Adv. No. 08-51142 (BLS)
	:	
v.	:	
	:	
SEMGROUP, L.P. and EAGLWING, L.P.	:	
	:	Hearing Date: N/A
Defendant.	:	Objection Deadline: N/A

**MOTION OF VESS OIL CORPORATION
FOR AN ORDER SHORTENING NOTICE WITH RESPECT
TO PLAINTIFF'S EMERGENCY MOTION FOR A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION
AND MEMORANDUM IN SUPPORT THEREOF**

Vess Oil Corporation ("Vess") hereby moves the Court, pursuant to Rule 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), for the entry of an order shortening the time for notice of the hearing to consider the Emergency Motion for a Temporary Restraining Order and Preliminary Injunction and Memorandum in Support Thereof filed by Vess (the "TRO Motion") in order to allow the TRO Motion to be heard as soon as the Court deems appropriate. In support of this Motion, Vess respectfully represents as follows:

1. Local Rule 9006-1(c) provides for a notice period of 18 days for motions, such as the TRO Motion, which are not otherwise governed by the notice provisions of the

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Federal Rules of Bankruptcy Procedure or the Local Rules. Local Rule 9006-1(e) provides that the Court can shorten such notice period "on written motion . . . specifying the exigencies justifying shortened notice." Del. Bankr. L.R. 9006-1(e). As described below, shortening notice of the TRO Motion is necessary to avoid irreparable harm to Vess that would be caused if the above-captioned debtors ("Debtors") commingle or use the payments referenced in the TRO Motion that the Debtors received from Teppco Crude Oil LLC and Vess prior to the Petition Date.

2. Concurrently with the filing of this Motion, Vess has filed a complaint (the "Complaint") against SemGroup, L.P. and Eaglwing, L.P., two of the Debtors, for (I) Declaratory Relief and (II) an Order Directing Turnover of Non-Estate Property. In furtherance of the relief sought in the Complaint, Vess filed the TRO Motion seeking the entry of a temporary restraining order and preliminary injunction that directs the Debtors to, among other things, provide an accounting, and enjoins the Debtors from commingling or otherwise making any use of any of the payments in question until such time as the Court can consider Vess's Complaint.

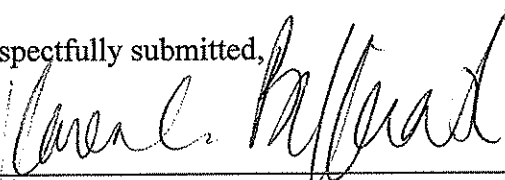
3. Accordingly, Vess requests that the TRO Motion be heard as soon as the Court deems appropriate. In light of the requested shortened notice period, Vess will serve the TRO Motion and Complaint by hand delivery on all parties located in Wilmington, DE that have filed a notice of appearance in these cases, by overnight mail on lead counsel to the Debtors, the Official Committee of Unsecured Creditors, and the Pre-Petition Secured Lenders and DIP Lenders, and by first-class mail on all others that have filed a notice of appearance in these cases.

WHEREFORE, Vess respectfully requests that the Court enter an order,

(i) granting the relief requested herein and (ii) granting such other and further relief to Vess as the Court may deem proper.

Dated: August 6, 2008

Respectfully submitted,



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Counsel for Vess Oil Corporation

627599v1

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Plaintiff,	:	Adv. No. 08-51142 (BLS)
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v.	:	
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SEMGROUP, L.P. and EAGLWING, L.P.,	:	
	:	
Defendant.	:	

**ORDER SHORTENING NOTICE WITH RESPECT TO
PLAINTIFF'S EMERGENCY MOTION FOR A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION
AND MEMORANDUM IN SUPPORT THEREOF**

This matter coming before the Court on the Motion of Vess Oil Corporation ("Vess") for an Order Shortening Notice (the "Motion to Shorten")¹ With Respect to Plaintiff's Emergency Motion for a Temporary Restraining Order and Preliminary Injunction and Memorandum in Support Thereof (the "TRO Motion"); the Court having reviewed the Motion to Shorten; the Court finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b) and (iii) notice of the Motion to Shorten was sufficient under the circumstances; and the Court

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion to Shorten.

having determined that the legal and factual bases set forth in the Motion to Shorten establish just cause for the relief granted herein;

IT IS HEREBY ORDERED THAT:

1. The Motion to Shorten is GRANTED.
2. The TRO Motion shall be heard on _____, 2008 at _____ (eastern time), with any objections to the TRO Motion to be filed and served on counsel to Vess by _____ (eastern time) on _____, 2008.

Dated: _____, 2008

BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE

627625v1

File a Motion:08-51142-BLS Vess Oil Corporation v. SemGroup, L.P. and Eaglwing, L.P.

Type: ap

Office: 1 (Delaware)

Lead Case: 08-11525-BLS

Judge: BLS

Case Flag: SVCDue

U.S. Bankruptcy Court**District of Delaware**

Notice of Electronic Filing

The following transaction was received from Bifferato, Karen C entered on 8/6/2008 at 4:52 PM EDT and filed on 8/6/2008

Case Name: Vess Oil Corporation v. SemGroup, L.P. and Eaglwing, L.P.**Case Number:** 08-51142-BLS**Document Number:** 4**Docket Text:**

Motion to Shorten Time *Motion of Vess Oil Corporation for an Order Shortening Notice with Respect to Plaintiff's Emergency Motion for a Temporary Restraining Order and Preliminary Injunction and Memorandum in Support Thereof* Filed by Vess Oil Corporation. (Attachments: # (1) Proposed Form of Order) (Bifferato, Karen)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**C:\Documents and Settings\mew\Desktop\Vess Motion to Shorten.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=983460418 [Date=8/6/2008] [FileNumber=6488933-0]
[7bccaf488c35ee899d7d80550aadd9bb45035d4b213bcb948453381485af9aca188af
f4e23f0aa614af6e83baceda703f54ab58b62460b92a7d55104729e3330]]

Document description:Proposed Form of Order**Original filename:**C:\Documents and Settings\mew\Desktop\Vess Order to Shorten.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=983460418 [Date=8/6/2008] [FileNumber=6488933-1]
[8013715f3f35cbc1101f725358c0ede8272e2e9efb33a159cc13a190c83d5a2c244ae
44b1a38ab2b325260feeaf2fe8e9494e3ad023a2b79ccb6be2b10e1d153]]

08-51142-BLS Notice will be electronically mailed to:

Karen C Bifferato kbifferato@cblh.com

Christina Maycen Thompson cthompson@cblh.com

08-51142-BLS Notice will not be electronically mailed to:

SemGroup, L.P. and Eaglwing, L.P.

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