

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN**

In re:)	
)	
Express Grain Terminals, LLC,)	Case No. 21-11832-SDM
)	Chapter 11
Debtor.)	
_____)	

RESPONSE AND RESERVATION OF RIGHTS

UMB Bank, N.A., ("UMB") by and through counsel, for its Response and Reservation of Rights to the Plan of Liquidation (the "Plan") [ECF 2932] filed by Express Grain Terminals, LLC ("Debtor") respectfully states as follows:

1. Debtor commenced the captioned case by filing its Voluntary Petition for Relief under Chapter 11 of the United States Bankruptcy Code ("Code"), Code §§ 101 through 1146, on September 29, 2021 (the "Petition Date").

2. Prior to the Petition Date, UMB loaned money to Debtor pursuant to the terms and conditions of various loan agreements and documents (collectively, the "Loan Documents"). On July 19, 2022, UMB filed its amended proof of claim, asserting pre-petition indebtedness of \$35,802,824.72 (the "Indebtedness").

3. On August 15, 2022, Express Grain Terminals, LLC ("Debtor") filed the Plan.

4. The deadline for UMB to object to the Plan is March 7, 2023.

5. Since the filing of the Plan, UMB and Debtor have been working toward consensual resolutions with respect to various concerns and issues with the Plan and the treatment provided therein. As a result of these negotiations, UMB believes that it has come to terms with the Debtor on the major deal points with respect to the Plan. These various deal points have not yet been fully documented, but UMB envisions that such agreements may be reflected in the Confirmation Order.

Accordingly, subject to confirmation of the Plan consistent with these matters, UMB is not objecting to the confirmation of the Plan at this time.

6. Notwithstanding the same, the deadline to file objections has arrived. As such, UMB reserves all of its rights to object to the Plan prior to and/or during the confirmation hearings on the Plan, to the extent any provisions of the Plan are inconsistent with the agreements reached between UMB and Debtor. Reserved objections may include, but are not limited to objections pursuant to 11 U.S.C. §§ 1129(a)(1), (2), (3), (7), (9); any alteration of the Plan, or any amendments or supplements thereto, in a manner inconsistent with the negotiations that have taken place to date and to which UMB has expressly agreed.

Date: March 7, 2023.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically through the Court's CM/ECF system and served electronically on all parties enlisted to receive service of electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to all parties in interest.

SO CERTIFIED, this the 7th day of March 2023.

/s/ R. Spencer Clift, III