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## **Arrows Up Stands Strong for Open Competition, Seeks Relief from Texas Appeals Court**

*Intellectual Property Suit against Sandbox Proceeds in Federal Court*

**HOUSTON – October 4, 2018** – Arrows Up, LLC, the latest target of Sandbox’s competition-stifling litigation, will secure a stay for yesterday’s Texas State Court judgment pending a ruling from the Texas Court of Appeals. Arrows Up becomes yet another company to be party to Sandbox’s demonstrated pattern of lawsuits against competitive innovation within the frac sand logistics industry.

“From the beginning, this lawsuit has been an attempt by Sandbox to shut out competition and we are committed to fighting for open competition within our industry while protecting our superior intellectual property claims,” said Kevin Shuba, CEO of managing affiliate OmniTRAX.

Arrows Up business operations continue without interruption while the company resolves the outstanding contract dispute in the Texas Court of Appeals.

“The lower court judgment is not enforceable until the appeals process is complete and it does not address the pivotal issue of contract enforceability,” added Shuba. “We remain convinced that the contract as written is an unenforceable restraint of trade and will seek relief in the Texas Court of Appeals.”

In addition to the Texas State Court appeal, Arrows Up, LLC continues its federal suit against Sandbox to protect its first in time superior intellectual property rights.

### **About Arrows Up, LLC.**

Arrows Up, LLC began following a company’s request to create better products to serve the bulk storage and transportation industry. The management and operations teams of Arrows Up have over 65 years of combined experience in the packaging and logistics industry. Our mission is to create innovative, efficient and safer solutions for the bulk storage and transportation industries. This will be accomplished by research, customer involvement and continued experimentation

with materials, design and assemble concepts. More information is available at <http://www.arrowsupllc.com/>.

**About OmniTRAX, Inc.**

As one of North America's largest private railroad and transportation management companies, OmniTRAX's core capabilities range from providing management services to railroad and port services and to intermodal and industrial switching operations. Through its affiliation with The Broe Group and its portfolio of managed companies, OmniTRAX also has the unique capability of offering specialized industrial development and real estate solutions, both on and off the rail network managed by OmniTRAX. More information is available at [www.omnitrax.com](http://www.omnitrax.com).

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