

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

<b>In re:</b>	§	<b>Chapter 11</b>
	§	
	§	<b>Case No. 20-43597-399</b>
<b>BRIGGS &amp; STRATTON</b>	§	
<b>CORPORATION, <i>et al.</i>,</b>	§	<b>(Jointly Administered)</b>
	§	
<b>Debtors.</b>	§	<b>Related Docket No. [●]</b>

**[PROPOSED] ORDER SUSTAINING THE PLAN ADMINISTRATOR’S  
OBJECTION TO CREDITOR DANTHERM S.p.A.’s  
RECLAMATION CLAIM IN AMENDED CLAIM No. 53-3**

Upon the objection (the “**Objection**”)<sup>1</sup> of the Plan Administrator in the above-captioned chapter 11 cases for entry of an order pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007(d)(5), and Local Rule 3007(C) modifying the claim listed on **Schedule 1** attached hereto and as more fully set forth in the Objection; and this Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Plan Administrator having represented that adequate and proper notice of the Objection has been given in accordance with the Omnibus Objection Procedures; and that no other or further notice need be given; and this Court having reviewed the Objection; and this Court having held a hearing to consider the relief requested in the Objection; and this Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and it appearing that the relief requested in the Objection is in the best interests of the Plan Administrator and creditors; and

---

<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor, **it is hereby ORDERED that the Objection is SUSTAINED in that:**

1. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, Claim No. 53-3 (which claim amends Claim No. 53-2 and 53-1) is hereby recharacterized and allowed as a general unsecured claim against Allmand in the amount of \$959,577.39, as listed on **Schedule 1** annexed hereto.

2. The terms and conditions of this Order are effective immediately upon entry.

3. Nothing contained in the Objection or this Order is intended to be or shall be deemed as (i) a waiver of rights under the Bankruptcy Code or any other applicable nonbankruptcy law, (ii) an agreement or obligation to pay any claims, (iii) a waiver of any claims or causes of action which may exist against any creditor or interest holder, or (iv) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code.

4. The Plan Administrator is authorized to take all actions necessary or appropriate to carry out the relief granted in this Order.

5. Not later than two (2) business days after the date of this Order, the Plan Administrator shall serve a copy of the Order and shall file a certificate of service no later than twenty-four (24) hours after service.

DATED: \_\_\_\_\_, 2022  
St. Louis, Missouri

---

Barry S. Schermer  
United States Bankruptcy Judge

**Order Prepared By:**

Robert E. Eggmann, #37374MO  
Christopher J. Lawhorn, #45713MO  
Thomas H. Riske, #61838MO  
**CARMODY MACDONALD P.C.**  
120 S. Central Avenue, Suite 1800  
St. Louis, Missouri 63105  
Telephone: (314) 854-8600  
Facsimile: (314) 854-8660  
Email: ree@carmodymacdonald.com  
cjl@carmodymacdonald.com  
thr@carmodymacdonald.com

*Local Counsel to the Plan Administrator*

-and-

HALPERIN BATTAGLIA BENZIJA LLP  
Julie Dyas Goldberg  
Matthew Murray  
40 Wall Street, 37<sup>th</sup> Floor  
New York, New York 10005  
Telephone: (212) 765-9100  
Email: jgoldberg@halperinlaw.net  
mmurray@halperinlaw.net

*Counsel to the Plan Administrator*

**SCHEDULE 1**

**Schedule of Claim**

Exhibit A  
Briggs & Stratton Corp., et al.

Claimant Name and Address	Case Number	Debtor Name	Claim Number	Date Filed	Asserted		Modified Claim Amount and	
					Claim	Amount and Priority	Priority	Amount and Priority
1) Dantherm S.P.A.  Via Gardesana 11 Pastrengo, VR 37010 Italy	20-43598	Allmand Bros., Inc.	53	1/18/2021	Secured:	\$517,754.98	Secured:	\$0.00
					Administrative:	\$0.00	Administrative:	\$0.00
					Priority:	\$0.00	Priority:	\$0.00
					Unsecured:	\$441,822.41	Unsecured:	\$959,577.39
					Total:	\$959,577.39	Total:	\$959,577.39