

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

In re:	§	Chapter 11
	§	
BRIGGS & STRATTON	§	Case No. 20-43597-399
CORPORATION, <i>et al.</i> ,	§	
	§	(Jointly Administered)
	§	
Debtors.	§	Related Docket No. 1972

ORDER SUSTAINING THE PLAN ADMINISTRATOR'S
APPLICATION FOR AN ORDER PURSUANT TO 11 U.S.C. § 502(c)
ESTIMATING THE GENERAL UNSECURED CLAIM VALUE OF
PROOFS OF CLAIM NUMBERED 466, 468, 1377, AND 1663

Upon the application (the “**Application**”)¹ of the Plan Administrator in the above-captioned chapter 11 cases for entry of an order pursuant to section 502(c) of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007(C) estimating the claims listed on **Schedule 1** attached hereto and as more fully set forth in the Application; and upon the *Declaration of Alan D. Halperin In Support of the Plan Administrator’s Application for an Order Pursuant to 11 U.S.C. § 502(c) Estimating the General Unsecured Claim Value of Certain Litigation Claims* (attached to the Objection as Exhibit B); and this Court having jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Application 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 Application has been given in accordance with the Omnibus Objection Procedures; and that no other or further

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Application.



notice need be given; and this Court having reviewed the Application; and this Court having held a hearing to consider the relief requested in the Application; and this Court having determined that the legal and factual bases set forth in the Application establish just cause for the relief granted herein; and it appearing that the relief requested in the Application is in the best interests of the Plan Administrator and creditors; and upon all of the proceedings had before this Court and after due deliberation and sufficient cause appearing therefor, **it is hereby ORDERED that the Application is GRANTED in that:**

1. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, the amount of each of the Litigation Claims listed on **Schedule 1** annexed hereto is estimated to be no more than \$2 million each for purposes of distribution by the Wind-Down Estates.

2. The Plan Administrator is authorized to estimate each of the Litigation Claims at \$2 million, solely for purposes of fixing distributions to all creditors in these chapter 11 cases, with such distributions to be made in accordance with the Plan. In the event the Wind-Down Estates are proven to have liability for the Litigation Claims in excess of \$2 million, any Litigation Claim shall, nonetheless, each be capped at \$2 million aggregate for distribution purposes.

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

4. Nothing contained in the Application or this Order is intended to be or shall be deemed as (i) an admission as to the validity of any claim against the Debtors or the Wind-Down Estates, (ii) a waiver of rights to dispute the amount of, basis for, or validity of any claim, (iii) a waiver of rights under the Bankruptcy Code or any other applicable nonbankruptcy law, (iv) an agreement or obligation to pay any claims, (v) a waiver of any claims, defenses or causes

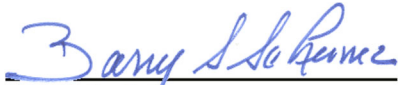
of action which may exist against any creditor or interest holder, or (vi) an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy under section 365 of the Bankruptcy Code.

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

6. 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: December 3, 2021
St. Louis, Missouri

cke


Barry S. Schermer
United States Bankruptcy Judge

Order Prepared By:

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-and-

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SCHEDULE 1

Schedule of Litigation Claims

Exhibit A-1

Briggs & Stratton Corp., et al.

Claimant Name and Address		Case Number	Debtor Name	Claim Number	Date Filed	Asserted Claim Amount and Priority	
1) Barbara Injeski, on Behalf of Donald Papke, Decd		20-43597	Briggs & Stratton Corporation	1377	10/5/2020	Secured:	\$0.00
c/o Sara Salger						Administrative:	\$0.00
The Gori Law Firm						Priority:	\$0.00
156 N Main Street						Unsecured:	\$0.00
Edwardsville, IL 62025						Total:	\$0.00
2) Joseph Ward		20-43597	Briggs & Stratton Corporation	468	9/10/2020	Secured:	\$0.00
Dean Ringers Morgan & Lawton PA						Administrative:	\$0.00
201 E. Pine Street, Suite 1200						Priority:	\$0.00
Orlando, FL 32801-3280						Unsecured:	\$10,000,000.00
						Total:	\$10,000,000.00
3) Krista Danyale Ward		20-43597	Briggs & Stratton Corporation	466	9/10/2020	Secured:	\$0.00
201 E. Pine Street, Suite 1200						Administrative:	\$0.00
Orlando, FL 32801-3280						Priority:	\$0.00
						Unsecured:	\$10,000,000.00
						Total:	\$10,000,000.00
4) Troy Craig, Diana Craig, and Amy Craig		20-43597	Briggs & Stratton Corporation	1663	10/7/2020	Secured:	\$0.00
David Hart						Administrative:	\$0.00
6630 Colleyville Blvd						Priority:	\$0.00
Colleyville, TX 76234						Unsecured:	\$10,000,000.00
						Total:	\$10,000,000.00