

UNITED STATES BANKRUPTCY COURT, EASTERN DISTRICT OF MISSOURI

In re

**Briggs & Stratton Corporation, et al.,
Debtors.**

**Chapter 11 Case Nos.:
20-10575, 20-43597 through 20-43600
(Jointly Administered)**

NOTICE OF DEADLINES TO FILE PROOFS OF CLAIM

TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY OF THE FOLLOWING DEBTOR ENTITIES:

<u>Name of Debtor</u>	<u>Case Number</u>	<u>Tax Identification Number (Last Four Digits)</u>
Briggs & Stratton Corporation	20-43597	2330
Allmand Bros., Inc.	20-43598	4710
Briggs & Stratton International, Inc.	20-43599	9957
Briggs & Stratton Tech, LLC	20-43600	2102
Billy Goat Industries, Inc.	20-10575	4442

OTHER NAMES USED BY THE DEBTORS IN THE PAST 8 YEARS:

Briggs & Stratton Power Products Group, LLC
Briggs & Stratton Power Products, LLC
Briggs & Stratton Power Products Group

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Address of the Clerk of the Bankruptcy Court

United States Bankruptcy Court
Eastern District of Missouri
111 South 10th Street, Fourth Floor
St. Louis, MO 63102
T: (314) 244-4500
Office Hours: 8:30 a.m.–4:30 p.m. Monday–Friday

PLEASE TAKE NOTICE THAT:

YOU ARE RECEIVING THIS NOTICE (“**NOTICE**”) BECAUSE YOU MAY HAVE A CLAIM AGAINST THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES. HOWEVER, THE FACT THAT YOU ARE RECEIVING THIS NOTICE DOES NOT MEAN THAT THE DEBTORS BELIEVE THAT YOU HAVE A CLAIM AGAINST THE DEBTORS OR THAT YOU ACTUALLY HAVE A CLAIM AGAINST THE DEBTORS. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.

On July 20, 2020 (the “**Petition Date**”), Briggs & Stratton Corporation and certain of its affiliates (collectively, the “**Debtors**”), filed voluntary cases under chapter 11 of the United States Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Eastern District of Missouri (the “**Bankruptcy Court**”).

On August 24, 2020, the Bankruptcy Court, having jurisdiction over the chapter 11 cases of the Debtors, entered an order (the “**Bar Date Order**”) establishing the following Bar Dates:

(i) **October 7, 2020 at 11:59 p.m. (prevailing Central Time)** as the deadline for each person (as defined in section 101(41) of the Bankruptcy Code), excluding governmental units (as defined in section 101(27) of the Bankruptcy Code, the “**Governmental Units**”), to file a proof of claim (each, a “**Proof of Claim**”) in respect of a claim (as defined in section 101(5) of the Bankruptcy Code) against any Debtor which arose on or prior to the Petition Date, including, for the avoidance of doubt, secured claims, priority claims, unsecured non-priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code (such deadline, the “**General Bar Date**”);

(ii) **January 19, 2021 at 11:59 p.m. (prevailing Central Time)** as the deadline for each Governmental Unit to file a Proof of Claim in respect of a prepetition claim against any Debtor (such deadline, the “**Governmental Bar Date**”);

(iii) Notwithstanding any other provision hereof, in the event the Debtors file a notice of previously unfiled Schedules (as defined herein) or notice of an amendment or supplement to the Schedules, such notice shall clearly indicate the deadline by which each claimant holding a claim affected by such filing, amendment or supplement must file a Proof of Claim with respect to such claim (the “**Amended Schedules Bar Date**”).

(iv) Notwithstanding any other provision hereof, in the event the Debtors file a motion requesting authority to approve rejection of any executory contract or unexpired lease of the Debtors and the Court enters an order granting such motion, the Debtors shall provide notice of the order granting rejection to all claimants affected by such rejection and such notice shall clearly indicate the deadline by which a claimant asserting a claim resulting from the Debtors’ rejection of an executory contract or unexpired lease must file a Proof of Claim for damages arising from such rejection (the “**Rejection Damages Bar Date**” and, together with the General Bar Date, the Governmental Bar Date, and the Amended Schedules Bar Date, the “**Bar Dates**”).

You may be a creditor of one or more of the Debtors. However, the fact that you have received this Notice does not mean that the Debtors believe that you have a claim against the Debtors or that that you actually have claim against the Debtors. You should not file a Proof of Claim if you do not have a claim against a Debtor. You should consult an attorney if you have any questions, including whether you should file a proof of claim.

If you have any questions relating to this Notice, you may contact the Debtors’ claims and noticing agent, Kurtzman Carson Consultants, LLC (“KCC”), by telephone at (866) 544-7045 (U.S./Canada) or (781) 575-2084 (International) or by e-mail at <http://www.kcellc.net/Briggs/inquiry>.

NOTE: The staff of the Bankruptcy Clerk’s Office, the Office of the United States Trustee, and KCC cannot give legal advice.

INSTRUCTIONS:

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose before the Petition Date, and it is not one of the types of claims described in Section 2 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or before the applicable Bar Date, even if such claims are not now fixed, liquidated, or certain or did not mature or become fixed, liquidated, or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this notice, the word "claim" means a right to (a) payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

2. WHO NEED NOT FILE A PROOF OF CLAIM

The following persons (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts, or Governmental Units) are **not** required to file a Proof of Claim on or before the applicable Bar Date, solely with respect to the claims described below:

- a. any person or entity that has already properly filed a proof of claim against the Debtors in the above-captioned cases in a form substantially similar to the attached Proof of Claim form (the "**Claim Form**") or the Official Bankruptcy Form No. 410 (the "**Official Form**");¹
- b. any person or entity whose claim is listed on the Schedules filed by the Debtors, provided that (x) the claim is not scheduled as "disputed", "contingent" or "unliquidated"; and (y) the claimant does not disagree with the amount, nature, and priority of the claim as set forth in the Schedules; and (z) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- c. any person or entity whose claim has been allowed by an order of the Court entered on or before the applicable Bar Date;
- d. any person or entity whose claim has been paid in full by any of the Debtors in accordance with an order of the Bankruptcy Court entered on or before the applicable Bar Date;
- e. any person or entity that holds a claim for which specific deadlines other than the Bar Dates have been fixed by an order of the Bankruptcy Court entered on or prior to the applicable Bar Date;
- f. any Debtor having a claim against another Debtor;
- g. any person or entity that holds a claim that is allowable under sections 503(b) and 507(a)(2) of the Bankruptcy Code as an expense of administration (other than a claim arising under section 503(b)(9) of the Bankruptcy Code);
- h. any current officer, director, and employee of the Debtors or any of their subsidiaries who may hold a contingent and unliquidated claim against the Debtors for indemnification, contribution, or

¹ The Official Form can be found at www.uscourts.gov/forms/bankruptcy-forms, the official website for the United States Bankruptcy Courts. The Claim Form can be found at <http://www.kccllc.net/Briggs>, the website established by KCC for the Debtors' chapter 11 cases.

reimbursement arising as a result of such officer's, director's, or employee's prepetition or postpetition services to the Debtors or their subsidiaries; provided that any officer, director or employee covered by this provision who wishes to assert a claim against the Debtors, other than a contingent and unliquidated claim against the Debtors for indemnification, contribution or reimbursement arising as a result of such officer's, director's, or employee's prepetition or postpetition services to the Debtors or their subsidiaries, must file a Proof of Claim on account of such claim on or before the General Bar Date unless another exception in this paragraph applies;

- i. any professional retained in these chapter 11 cases holding an administrative expense claim for postpetition fees and expenses allowable under section 330, 331, and 503(b) of the Bankruptcy Code;
- j. any person or entity that holds an equity interest in the Debtors, which interest is based exclusively upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to purchase, sell, or subscribe to such a security or interest; provided that any holder of an equity interest in the Debtors who wishes to assert a claim (as opposed to an ownership interest) against the Debtors (including a claim relating to such equity interest or the purchase or sale of such equity interest), must file a proof of claim on or before the applicable Bar Date;
- k. any holder of a claim limited exclusively to the repayment of principal, interest, fees, expenses, and any other amounts owing under any agreements governing any notes, bonds, debentures, or other debt securities (collectively, the "**Debt Securities**") issued by any of the Debtors (a "**Debt Claim**"), pursuant to an indenture or credit agreement, as applicable (together, the "**Debt Instruments**") if the relevant indenture trustee, administrative agent, registrar, paying agent, loan or collateral agent, or any other entity serving in a similar capacity however designated (each, a "**Debt Agent**") under the applicable Debt Instrument files a single Proof of Claim in the Debtors' lead chapter 11 case *In re Briggs & Stratton Corporation, Inc.* (Case No. 20-43597), on or before the applicable Bar Date, against all Debtors under the applicable Debt Instrument on account of all Debt Claims; provided that any holder of a Debt Claim wishing to assert a claim arising out of or relating to a Debt Instrument, other than a Debt Claim, must file a Proof of Claim with respect to such claim on or before the applicable Bar Date, unless another exception identified herein applies; provided, further, that in lieu of attaching voluminous documentation, including documentation for compliance with Bankruptcy Rule 3001(d), the Debt Agent under the Debt Instrument may include a summary of the operative documents with respect to the Debt Claims; or
- l. any person or entity that is not required to file a Proof of Claim pursuant to the final order approving the *Motion of Debtors for Interim and Final Orders (I) Authorizing Debtors to Obtain Postpetition Financing, (II) Authorizing Debtors to Use Cash Collateral, (III) Granting Liens and Superpriority Claims, (IV) Granting Adequate Protection to Prepetition Secured Parties, (V) Modifying Automatic Stay, (VI) Scheduling Final Hearing and (VII) Granting Related Relief* (ECF No. 35) (the "**Final DIP Order**"), solely with respect to the claims for which no Proof of Claim is required to be filed as set forth in the Final DIP Order.

3. INSTRUCTIONS FOR FILING PROOFS OF CLAIM

Except as otherwise set forth herein, each entity that asserts a claim against the Debtors that arose before the Petition Date **MUST** file a Proof of Claim.

The following procedures with respect to preparing and filing of Proofs of Claim will apply:

- a. Proofs of Claim must conform substantially to the attached Claim Form or Official Bankruptcy Form No. 410;

- b. Proofs of Claim must be filed (i) through the CM/ECF system on the Court's website at <https://ecf.moeb.uscourts.gov/cgi-bin/login.pl>; (ii) filed electronically using the Electronic Proof of Claim (ePOC) Program on the Court's website at <https://www.moeb.uscourts.gov/epoc-electronic-proof-claim-filing>; (iii) sent by first-class mail or overnight courier to the Clerk of the Bankruptcy Court, Eastern District of Missouri, 111 S. 10th St., 4th Floor, St. Louis, MO 63102; or (iv) sent by first-class mail, overnight courier, or hand-delivery to Briggs Claims Processing Center, c/o KCC, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245. Proofs of claim may NOT be delivered by facsimile or electronic mail transmission;
- c. Proofs of Claim will be deemed filed only if actually received by the Clerk of the Court or KCC on or before the applicable Bar Date by one of the approved methods of filing provided herein;
- d. Proofs of Claim must (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) specify by name and case number the Debtor against which the claim is filed; (iv) set forth with specificity the legal and factual basis for the alleged claim; (v) include supporting documentation for the claim or an explanation as to why such documentation is not available; and (vi) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury;
- e. If the holder asserts a claim against more than one Debtor or has claims against different Debtors, a separate Proof of Claim form must be filed with respect to each Debtor except as specifically provided herein. If the holder lists multiple Debtors on the Proof of Claim, then the Debtors will treat such claim as if it is filed against the first listed Debtor. If the holder files a Proof of Claim without identifying a Debtor, such Proof of Claim will be deemed as filed only against Briggs & Stratton Corporation; and
- f. Proofs of Claim sent by facsimile, telecopy, or electronic mail transmission will not be accepted.

4. CONSEQUENCES OF FAILURE TO TIMELY FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

PURSUANT TO THE BAR DATE ORDER AND BANKRUPTCY RULE 3003(C)(2), ANY HOLDER OF A CLAIM WHO IS REQUIRED TO TIMELY FILE A PROOF OF CLAIM ON OR BEFORE THE APPLICABLE BAR DATE AS PROVIDED HEREIN, BUT FAILS TO DO SO, SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF SUCH CLAIM.

5. THE DEBTORS' SCHEDULES, ACCESS THERETO, AND CONSEQUENCES OF AMENDMENT THEREOF

You may be listed as the holder of a claim against the Debtors in the Debtors' Schedules of Assets and Liabilities (the "**Schedules**"). If you agree with the nature, amount, and status of your claim as listed in the Schedules and if your claim is not listed in the Schedules as "disputed," "contingent," or "unliquidated," you do not need to file a Proof of Claim. Otherwise, or if you decide to file a Proof of Claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Schedules may be examined by interested parties on the Court's electronic docket for the Debtors' chapter 11 cases, which is posted (i) on the website established by KCC for the Debtors' cases at <http://www.kccllc.net/Briggs> and (ii) on the Bankruptcy Court's website at <https://www.moeb.uscourts.gov/>. (A login and password to the Court's Public Access to Electronic Court Records ("**PACER**") are required to access the information on the Court's website and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov). Copies of the Schedules also may be obtained by written request to the Debtors' claims agent, KCC, by telephone at (866) 544-7045 (U.S./Canada) or (781) 575-2084 (International) or by e-mail at <http://www.kccllc.net/Briggs/inquiry>.

In the event the Debtors file a notice of previously unfiled Schedules or notice of an amendment or supplement to the Schedules, such notice shall clearly indicate the deadline by which each claimant holding a claim affected by such filing, amendment or supplement must file a Proof of Claim with respect to such claim.

6. RESERVATION OF RIGHTS

Nothing contained in this Notice is intended to or should be construed as a waiver of the Debtors' right to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to the nature, amount, liability, or classification thereof; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' Claims and Noticing Agent, Kurtzman Carson Consultants, LLC, by telephone at (866) 544-7045 (U.S./Canada) or (781) 575-2084 (International) or by e-mail at <http://www.kccllc.net/Briggs/inquiry>.

THIS NOTICE MAY BE SENT TO MANY PERSONS THAT HAVE HAD SOME RELATIONSHIP WITH OR HAVE DONE BUSINESS WITH THE DEBTORS BUT MAY NOT HAVE AN UNPAID CLAIM AGAINST THE DEBTORS. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT THE DEBTORS BELIEVE THAT YOU HAVE A CLAIM AGAINST THE DEBTORS OR THAT YOU ACTUALLY HAVE A CLAIM AGAINST THE DEBTORS. YOU SHOULD NOT FILE A PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST ANY OF THE DEBTORS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.