

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.	§	Hearing Date: October 7, 2021
	§	Hearing Time: 1:00 p.m. (Central Time)
	§	Hearing Location: Courtroom 5 North
	§	111 S. 10th St., St. Louis, MO 63102

**NOTICE OF THE PLAN ADMINISTRATOR'S TWENTY-FIFTH OMNIBUS  
OBJECTION TO CLAIMS ON GROUNDS THAT SUCH CLAIMS ARE LATE FILED**

THIS IS AN OBJECTION TO YOUR CLAIM. THE OBJECTING PARTY IS ASKING THE COURT TO DISALLOW THE CLAIM THAT YOU FILED IN THIS BANKRUPTCY CASE.

IF YOU CHOOSE TO RESPOND, A WRITTEN RESPONSE MUST BE FILED WITH THE CLERK OF COURT, U.S. BANKRUPTCY COURT, 111 SOUTH TENTH STREET, 4TH FLOOR, ST. LOUIS, MISSOURI 63102, AND A COPY SERVED UPON COUNSEL TO THE PLAN ADMINISTRATOR, (A) HALPERIN BATTAGLIA BENZIJA LLP, 40 WALL STREET, 37<sup>TH</sup> FLOOR, NEW YORK, NEW YORK 10005 (ATTN: JULIE DYAS GOLDBERG, ESQ. AND MATTHEW MURRAY, ESQ.) AND (B) CARMODY MACDONALD P.C., 120 S. CENTRAL AVENUE, SUITE 1800, ST. LOUIS, MISSOURI 63105 (ATTN: DORMIE KO, ESQ.), SO THAT THE RESPONSE IS RECEIVED NO LATER THAN 11:59 P.M. (PREVAILING CENTRAL TIME) ON SEPTEMBER 30, 2021.

FAILURE TO FILE A TIMELY RESPONSE MAY RESULT IN THE COURT GRANTING THE RELIEF REQUESTED PRIOR TO THE HEARING DATE. YOU SHOULD READ THIS NOTICE AND THE ACCOMPANYING MOTION CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE.

**Important Information Regarding the Objection**

1. **Grounds for the Objection.** By this Objection, the Plan Administrator, on behalf of the Wind-Down Estates of the Debtors, is seeking to **disallow** your claim(s) on the grounds that each represents a claim that the Plan Administrator believes was filed after the applicable court-ordered deadline for filing such claims<sup>1</sup>. The claim(s) subject to the Objection

<sup>1</sup> Capitalized terms used but not defined herein have the meanings ascribed to them in the Debtors' Second Amended Joint Plan (the "**Plan**").



(collectively, the “**Late Filed Claims**”) is/are listed in the table attached to the Objection as **Exhibit A**.

### **Resolving the Objection**

2. **Parties Required to File a Response**. If you disagree with the Objection filed with respect to any of your claims, you may file a response (each, a “**Response**”) with the Court in accordance with the procedures described below and appear at the Hearing (as defined herein).

3. **Response Contents**. Each Response should contain the following (at a minimum):

- a. a caption stating the name of the Court, the name of the Debtors, the case number, and the Objection and claim or claims within the Objection to which the Response is directed;
- b. a concise statement setting forth the reasons why the Court should not grant the objection with respect to such claim(s), including the factual and legal bases upon which you rely in opposing the Objection;
- c. copies of documentation or other evidence of your claim (not previously filed with proof of such claim) on which your Response is based (excluding confidential, proprietary, or other protected information, copies of which must be provided to the counsel to the Plan Administrator, subject to appropriate confidentiality constraints, if any); and
- d. the following contact information:
  - (i) your name, address, telephone number, and email address or the name, address, telephone number, and email address of your attorney or designated representative to whom the attorneys for the Plan Administrator should serve a reply to the Response, if any; or
  - (ii) the name, address, telephone number, and email address of the party with authority to reconcile, settle, or otherwise resolve the objection on your behalf (to the extent different from the information detailed in paragraph 3(d)(i) above).

4. **Response Deadline**. Your Response must be filed with the Court and served so as to be *actually received* by **11:59 p.m. (Central Time) on September 30, 2021** (the “**Response Deadline**”).

5. **Failure to Respond**. A Response that is not filed and served in accordance with the procedures set forth herein may not be considered by the Court at the

Hearing. **Absent an agreement with the Plan Administrator resolving the Objection to a claim, failure to timely file and serve a Response as set forth herein and appear at the Hearing may result in the Court granting the Objection without further notice or hearing.** Upon entry of an order, you will be served with a notice of entry and a copy of the order.

### **Hearing on the Objection**

6. **Date, Time, and Location.** If necessary, a hearing (the “**Hearing**”) on the Objection will be held on **October 7, 2021 at 1:00 p.m. (Central Time) in the United States Bankruptcy Court for the Eastern District of Missouri, 5th Floor, North Courtroom, Thomas F. Eagleton United States Courthouse, 111 South Tenth Street, St. Louis, Missouri.** Such Hearing may be adjourned from time to time in these chapter 11 cases in the Plan Administrator’s sole discretion. **You must attend the Hearing if you disagree with the Objection and have filed a Response.** If you file a Response in accordance with the response procedures herein, but such Response is not resolved prior to the Hearing, and you appear at the Hearing, the Objection may be heard at the Hearing or adjourned to a subsequent hearing in the Plan Administrator’s sole discretion. If a subsequent hearing is determined to be necessary, the Plan Administrator will file with the Court and serve you with a notice of the subsequent hearing (the date of which will be determined in consultation with the affected claimant(s)).

### **Additional Information**

7. **Questions or Information.** Copies of the pleadings (collectively, the “**Pleadings**”) filed in these chapter 11 cases are available at no cost at the Debtors’ case website <http://www.kccllc.net/Briggs>. You may also obtain copies of any of the Pleadings filed in these chapter 11 cases for a fee at the Court’s website at <https://pcl.uscourts.gov/pcl/>. A login identification and password to the Court’s Public Access to Court Electronic Records (“**PACER**”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>.

### **Reservation of Rights**

**NOTHING IN ANY OMNIBUS OBJECTION OR OBJECTION NOTICE IS INTENDED OR SHALL BE DEEMED TO CONSTITUTE (I) AN ADMISSION AS TO THE VALIDITY OF ANY PREPETITION CLAIM AGAINST A DEBTOR; (II) A WAIVER OF ANY PARTY’S RIGHT TO DISPUTE ANY PREPETITION CLAIM ON ANY GROUNDS; (III) A PROMISE OR REQUIREMENT TO PAY ANY PREPETITION CLAIM; (IV) AN IMPLICATION OR ADMISSION THAT ANY PARTICULAR CLAIM IS OF A TYPE SPECIFIED OR DEFINED IN THE MOTION OR ANY ORDER GRANTING THE RELIEF REQUESTED BY THE MOTION; (V) A REQUEST OR AUTHORIZATION TO ASSUME ANY PREPETITION AGREEMENT, CONTRACT, OR LEASE PURSUANT TO SECTION 365 OF THE BANKRUPTCY CODE; OR (VI) A WAIVER OF THE PLAN ADMINISTRATOR’S RIGHTS UNDER THE BANKRUPTCY CODE OR ANY OTHER APPLICABLE LAW.**

Dated: August 31, 2021  
St. Louis, Missouri

CARMODY MACDONALD P.C.

/s/ Robert E. Eggmann

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*Local Counsel to the Plan Administrator*

-and-

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*Counsel to the Plan Administrator*

**EXHIBIT A**

**Schedule of Late Filed Claims**

**Exhibit A-1- Late Filed Claims**  
*Briggs & Stratton Corp., et al.*

No.	Claimant Name and Address	Case Number	Debtor Name	Claim Number	Date Filed	Asserted Claim Amount and Priority		Basis for Proposed Disallowance
1)	Ability Plastics Inc  8721 Industrial Dr Justice, IL 60458-1765	20-43597	Briggs & Stratton Corporation	2487	11/23/2020	Secured:	\$0.00	Though this claim was filed on an administrative claim form, it asserts a prepetition claim on its face. Claim Received by the claims agent on 11/23/20, general bar date 10/7/20.
						Administrative:	\$29.18	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$29.18	
2)	Claude J Bernard  W209N13433 Robinhood Dr Richfield, WI 53076-9511	20-43597	Briggs & Stratton Corporation	2519	11/23/2020	Secured:	\$0.00	Claim 2519 is late filed. Received by claims agent on 11/23/2020; general bar date was October 7, 2020.
						Administrative:	\$0.00	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$0.00	
3)	Continental Battery  CST Worldwide 1400 Dragon St Dallas, TX 75207	20-43597	Briggs & Stratton Corporation	2592	6/21/2021	Secured:	\$0.00	Claim 2592 is late filed. Received by claims agent on 6/21/2021; general bar date was October 7, 2020.
						Administrative:	\$1,444.66	
						Priority:	\$0.00	
						Unsecured:	\$1,681.00	
						Total:	\$3,125.66	
4)	Edge By Ascential LLC  Accounts Receivable Floor 1, 46 Farnsworth Street Boston, MA 02110	20-43597	Briggs & Stratton Corporation	2588	5/24/2021	Secured:	\$0.00	Claim 2588 is late filed. Received by claims agent on 05/24/2021; general bar date was October 7, 2020
						Administrative:	\$0.00	
						Priority:	\$0.00	
						Unsecured:	\$47,500.00	
						Total:	\$47,500.00	
5)	Industrial Gas Springs Inc.  162 S Pinnacle Dr Romeoville, IL 60446-4614	20-43597	Briggs & Stratton Corporation	2402	11/6/2020	Secured:	\$0.00	Claim 2402 is late filed. Received by claims agent on 11/6/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim. The Debtors scheduled Claimant with a GUC in the same amount, which claim will survive once claim no. 2402 is disallowed as late filed.
						Administrative:	\$14,075.60	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$14,075.60	
6)	Nelson Stud Welding Inc  7900 West Ridge Rd Elyria, OH 44036	20-10575	Billy Goat Industries, Inc.	118	11/16/2020	Secured:	\$0.00	Claim 118 is late filed. Received by claims agent on 11/16/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim. The Debtors scheduled Claimant with a GUC in the amount of \$1520 which claim will survive once claim no. 118 is disallowed as late filed.
						Administrative:	\$2,103.00	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$2,103.00	
7)	Wholesale Batteries, Inc.  605 Kansas Avenue Kansas City, KS 66105	20-10575	Billy Goat Industries, Inc.	114	11/3/2020	Secured:	\$0.00	Claim 114 is late filed. Received by claims agent on 11/3/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim, which is not entitled to administrative priority. The Debtors scheduled Claimant with a GUC in the amount of \$6006, which claim will survive once claim no. 114 is disallowed as late filed.
						Administrative:	\$6,005.65	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$6,005.65	

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Alan D. Halperin as Plan Administrator (the “**Plan Administrator**”) under the *Amended Joint Chapter 11 Plan of Briggs & Stratton Corporation and its Affiliated Debtors*, dated November 9, 2020 [Docket No. 1226] (the “**Plan**”),<sup>1</sup> respectfully represents as follows in support of this omnibus objection to claims (the “**Objection**”) filed by claimants (collectively,

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<sup>1</sup> Capitalized terms used but not defined herein have the meanings ascribed to them in the Plan.

the “**Claimants**”) after the applicable Bar Date who were served with the Bar Date Order and the Plan (collectively, the “**Late Filed Claims**”). In support of this Objection, attached hereto as **Exhibit B** is the *Declaration of Alan D. Halperin in Support of the Plan Administrator’s Twenty-Fifth Omnibus Objection to Claims on Grounds that such Claims are Late Filed* (the “**Halperin Claims Declaration**”).

### **Background**

1. On July 20, 2020 (the “**Petition Date**”), the Debtors each commenced with this Court a voluntary case under title 11 of the United States Code (the “**Bankruptcy Code**”). The Debtors are authorized to continue to operate their business and manage their properties as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. On August 5, 2020, the United States Trustee appointed an official committee of unsecured creditors (the “**Creditors’ Committee**”) in these chapter 11 cases pursuant to section 1102 of the Bankruptcy Code. No trustee or examiner has been appointed in these chapter 11 cases. The Debtors’ chapter 11 cases are being jointly administered for procedural purposes only pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and Rule 1015(b) of the Local Rules of Bankruptcy Procedure for the Eastern District of Missouri (the “**Local Rules**”).

3. On September 15, 2020, the Court entered an order authorizing the Debtors to sell substantially all of their assets<sup>2</sup> to Bucephalus Buyer, LLC (the “**Purchaser**”) and

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<sup>2</sup> Order (I) Authorizing the Sale of the Assets and Equity Interests to the Purchaser Free and Clear of Liens, Claims, Interests, and Encumbrances; (II) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Docket No. 898].



on September 21, 2020, the Debtors closed the Sale Transaction.<sup>3</sup> On December 16, 2020, the Debtors filed the Plan, which was confirmed by the *Findings of Fact, Conclusions of Law, and Order Confirming the Plan* on December 18, 2020 [Docket No. 1485] (the “**Confirmation Order**”).

4. The Effective Date of the Plan occurred on January 6, 2021 and the *Notice of Entry of Order Confirming the Plan and Occurrence of the Effective Date* [Docket No. 1538] was filed, at which time the Creditors’ Committee was relieved of its duties and the Plan Administrator took over the administration of the Wind-Down Estates of the Debtors (the “**Wind-Down Estates**”) in accordance with the Plan. The Wind-Down Estates continue to honor their post-closing sale obligations, wind down the estates, and otherwise work on concluding these chapter 11 cases.

5. On February 12, 2020, the Bankruptcy Court entered that certain Order Approving Claims Objection Procedures, Claims Hearing Procedures, and Granting Related Relief [Docket No. 1614] (the “**Omnibus Procedures Order**”), which, among other things, increased the number of claims authorized to be filed in an omnibus claim objection such as this Objection to three hundred fifty (350) Claims.

6. Pursuant to an order dated August 24, 2020 [Docket No. 564] (the “**General Bar Date Order**”), this Court established October 7, 2020 (the “**General Bar Date**”) as the last day for non-governmental entities to file pre-petition claims against the Debtors and their estates, and January 19, 2021 (the “**Governmental Bar Date**”) as the last day for governmental entities to file pre-petition claims against the Debtors and their estates. In accordance with the General Bar Date Order, Kurtzman Carson Consultants, LLC, as Debtors’

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<sup>3</sup> See Notice of (I) Filing of Amendment to Stock and Asset Purchase Agreement, And (II) the Occurrence of Closing of the Sale Transaction [Docket No. 964].

claims and noticing agent, served a Notice of Deadlines to File Proofs of Claim and a Proof of Claim Form as evidenced by the Certificate of Service filed with this Court [Docket No. 576] (the “**Bar Date COS**”). Additionally, in accordance with the General Bar Date Order, the Debtors published a notice of the General Bar Date in the national edition of the *New York Times* and once in the *St. Louis Post Dispatch*, as evidenced by the Certificate of Publication filed with this Court [Docket No. 826] (the “**Publication Notice**”).

7. By order dated October 19, 2020 [Docket No. 1121] (the “**Administrative Bar Date Order**”), this Court fixed November 23, 2020 (the “**Administrative Bar Date**”) as the deadline by which all persons or entities who hold claims arising during the administration of these chapter 11 cases between the Petition Date and October 19, 2020 (the “**Administrative Claims**”) must file proofs of Administrative Claims against the Debtors.

8. In the Administrative Bar Date Order, the Court also established the deadline (the “**Governmental Administrative Bar Date**”) of January 19, 2021 at 5:00 p.m. (Central Time) for each governmental entity that asserts entitlement to administrative priority status under sections 503 and/or 507 of the Bankruptcy Code for claims (each, a “**Governmental Administrative Claim**,” and collectively, the “**Governmental Administrative Claims**”) that arose between the Petition Date and October 19, 2020.

### **Jurisdiction**

9. The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

### **Relief Requested**

10. Pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rule 3007(C), the Plan Administrator respectfully requests entry of an order (the “**Proposed Order**”),<sup>4</sup> disallowing the Late Filed Claims listed on **Exhibit A** attached hereto.

### **Claims Reconciliation**

11. On August 23, 2020, the Debtors filed their schedules of assets, liabilities, current income, expenditures, executory contracts, and unexpired leases and statements of financial affairs, as required by section 521 of the Bankruptcy Code [Docket Nos. 555–559] (collectively, the “**Schedules**”). Each of the General Bar Date, the Governmental Bar Date, the Administrative Bar Date, and the Governmental Administrative Bar Date subsequently passed.

12. As of the date hereof, approximately 2,950 proofs of claim (the “**Proofs of Claim**”) have been filed against the Debtors. The Plan Administrator and his advisors have been working diligently to review these Proofs of Claim, including any supporting documentation filed therewith. For the reasons set forth below, and based on his review to date, the Plan Administrator has determined that the Late Filed Claims objected to herein should be disallowed.

13. As set forth in the Halperin Claims Declaration, the Plan Administrator and his professionals have examined each Late Filed Claim, all documentation provided by the Claimants with respect to each Late Filed Claim, and the Debtors’ respective books and records, and have determined in each case the Late Filed Claims are claims that should be disallowed on the basis that each Late Filed Claim was filed after the after the applicable Bar Dates.

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<sup>4</sup> Copies of the Proposed Order will be made available on the Debtors’ case information website at <http://www.kccllc.net/Briggs>.

**Relief Requested Should Be Granted**

14. Pursuant to section 502 of the Bankruptcy Code, “[a] claim or interest, proof of which is filed under section 501 of [the Bankruptcy Code], is deemed allowed, unless a party in interest . . . objects.” 11 U.S.C. § 502(a). Bankruptcy Rule 3001(f) provides that a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and amount of the claim under section 502(a) of the Bankruptcy Code. FED. R. BANKR. P. 3001(f). The act of filing an objection alone “does not deprive the proof of claim of presumptive validity unless the objection is supported by substantial evidence.” *In re Austin*, 538 B.R. 543, 545 (Bankr. E.D. Mo. 2015) (citing *In re McDaniel*, 264 B.R. 531, 533 (B.A.P. 8th Cir. 2001)). If the objection presents evidence “rebutting the claim,” then “the claimant must produce additional evidence to prove the validity of the claim by a preponderance of the evidence.” *In re Austin*, 538 B.R. at 545 (citing *In re Gran*, 964 F.2d 822, 827 (8th Cir. 1992); *see also In re Peabody Energy Corp.*, Case No. 16-42529 (BSS), 2017 WL 4570700, at \*7 (Bankr. E.D. Mo. Oct. 12, 2017); *In re Seagraves*, Case No. 12-49433 (BSS), 2015 WL 2026707, at \*2 (Bankr. E.D. Mo. Apr. 30, 2015); *Dove-Nation v. eCast Settlement Corp. (In re Dove-Nation)*, 318 B.R. 147, 152 (B.A.P. 8th Cir. 2004) (citing *In re Innovative Software Designs, Inc.*, 253 B.R. 40, 44 (B.A.P. 8th Cir. 2000)).

15. The Late Filed Claims in **Exhibit A** are exclusively comprised of claims filed after the applicable Bar Dates.

16. Bankruptcy Rule 3003(c)(3) authorizes courts to set bar dates by which proofs of claim or interest may be filed. This rule contributes to one of the main purposes of bankruptcy law, which is securing -- within a limited time -- the prompt and effectual administration and settlement of a debtor’s estate. *In re Interco, Inc.*, 149 B.R. 934, 937 (Bankr. E.D. Mo. 1993) (citing *In re Faulkner*, 161 F. 900, 903 (8th Cir. 1908)). *See also In re New*

*Century TRS Holdings, Inc.*, 465 B.R. 38, 46 (Bankr. D. Del. 2012) (citing *In re Smidth & Co.*, 413 B.R. 161, 165 (Bankr. D. Del. 2009)). While setting an outside limit for the time to assert a right triggers due process concerns of which every court must be cognizant, this concern is resolved through notice. *In re Duncan*, 125 B.R. 247, 249-50 (Bankr. W.D. Mo. 1991). As set forth in the Bar Date COS and the Publication Notice, direct and reasonable notice of the Bar Dates were given to the Claimants of the Late Filed Claim. Thus, due process is satisfied.

17. Indeed, for creditors who receive proper notice, the bar date is a final date that prevents a creditor from asserting prepetition claims unless he can demonstrate excusable neglect. See e.g., *In re TransWorld Airlines, Inc.*, 96 F.3d 687, 690 (3d Cir. 1996); *In re Duncan*, 125 B.R. at 253. Here, the Claimants did not request an enlargement of the time to file the Proofs of Claim prior to the applicable Bar Dates, nor did any of the Claimants file a motion requesting leave to file their claims after the expiration of the applicable Bar Dates. Additionally, the Bar Dates play an essential role in the important goal of maximizing property available to satisfy creditors. See *Bank of Am. Nat'l Trust & Sav. Ass'n v. 203 N. LaSalle St. P'ship*, 526 U.S. 434, 453 (1999). Allowing the Late Filed Claims would hinder the bankruptcy process because the Claimant that filed the Late Filed Claim will receive a recovery (to which it is not entitled) to the detriment of other creditors.

18. The Plan Administrator respectfully submits that any party that did not avail itself of the rights and responsibilities attendant to its claims in a timely manner should not be entitled to protection under the Bankruptcy Code. Therefore, the Plan Administrator respectfully requests that the Court enter an Order disallowing the Late Filed Claims identified in **Exhibit A**.

**Reservation of Rights**

19. Nothing contained herein 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 or limitation 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 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.

**Notice**

20. Notice of this Objection will be provided to (i) the Office of the United States Trustee for the Eastern District of Missouri (Attn: Sirena Wilson, Esq.); (ii) the Claimant; (iii) any other party that has requested notice pursuant to Bankruptcy Rule 2002; and (iv) any other party entitled to notice pursuant to the Omnibus Procedures Order (collectively, the “**Notice Parties**”).

**No Previous Request**

21. No previous request for the relief sought herein has been made by the Debtors or the Plan Administrator to this or any other court.

*[Remainder of Page Intentionally Left Blank]*

WHEREFORE, the Plan Administrator respectfully request entry of the Proposed Order granting the relief requested herein and such other and further relief as the Court may deem just and appropriate.

Dated: August 31, 2021  
St. Louis, Missouri

Respectfully submitted,

CARMODY MACDONALD P.C.

/s/ Robert E. Eggmann

Robert E. Eggmann, #37374MO  
Christopher J. Lawhorn, #45713MO  
Thomas H. Riske, #61838MO  
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St. Louis, Missouri 63105  
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*Local Counsel to the Plan Administrator*

-and-

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*Counsel to the Plan Administrator*

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						Unsecured:	\$1,681.00	
						Total:	\$3,125.66	
4)	Edge By Ascential LLC  Accounts Receivable Floor 1, 46 Farnsworth Street Boston, MA 02110	20-43597	Briggs & Stratton Corporation	2588	5/24/2021	Secured:	\$0.00	Claim 2588 is late filed. Received by claims agent on 05/24/2021; general bar date was October 7, 2020
						Administrative:	\$0.00	
						Priority:	\$0.00	
						Unsecured:	\$47,500.00	
						Total:	\$47,500.00	
5)	Industrial Gas Springs Inc.  162 S Pinnacle Dr Romeoville, IL 60446-4614	20-43597	Briggs & Stratton Corporation	2402	11/6/2020	Secured:	\$0.00	Claim 2402 is late filed. Received by claims agent on 11/6/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim. The Debtors scheduled Claimant with a GUC in the same amount, which claim will survive once claim no. 2402 is disallowed as late filed.
						Administrative:	\$14,075.60	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$14,075.60	
6)	Nelson Stud Welding Inc  7900 West Ridge Rd Elyria, OH 44036	20-10575	Billy Goat Industries, Inc.	118	11/16/2020	Secured:	\$0.00	Claim 118 is late filed. Received by claims agent on 11/16/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim. The Debtors scheduled Claimant with a GUC in the amount of \$1520 which claim will survive once claim no. 118 is disallowed as late filed.
						Administrative:	\$2,103.00	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$2,103.00	
7)	Wholesale Batteries, Inc.  605 Kansas Avenue Kansas City, KS 66105	20-10575	Billy Goat Industries, Inc.	114	11/3/2020	Secured:	\$0.00	Claim 114 is late filed. Received by claims agent on 11/3/20; general bar date was 10/7/20. Claimant used the administrative claim form but asserts a pre-petition claim, which is not entitled to administrative priority. The Debtors scheduled Claimant with a GUC in the amount of \$6006, which claim will survive once claim no. 114 is disallowed as late filed.
						Administrative:	\$6,005.65	
						Priority:	\$0.00	
						Unsecured:	\$0.00	
						Total:	\$6,005.65	

**EXHIBIT B**

**Halperin Claims Declaration**

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.	§	

DECLARATION OF ALAN D. HALPERIN IN SUPPORT OF PLAN  
ADMINISTRATOR'S TWENTY-FIFTH OMNIBUS OBJECTION TO CLAIMS ON  
GROUND THAT SUCH CLAIMS ARE LATE FILED

I, Alan D. Halperin, solely in my capacity as Plan Administrator in the above-referenced cases, make this declaration (the “**Declaration**”) under 28 U.S.C. § 1746:

1. I am the Plan Administrator of the Wind-Down Estates of Briggs & Stratton Corporation and its affiliated debtors (the “**Debtors**”).<sup>1</sup>

2. Except as otherwise indicated, this Declaration is based upon my personal knowledge; my review of relevant documents (including the Schedules, the Late Filed Claims, and the Objection); information provided to me by: (i) a former officer of the Debtors with whom the Wind-Down Estates have entered into a consulting agreement, (ii) former employees that were transferred to the Purchaser and who provide claims reconciliation services to the Debtors pursuant to a transition services agreement with the Purchaser, (iii) the Debtors’ legal and financial advisors, and/or (iv) my legal counsel and such professionals working directly with me or under my supervision, direction, or control; or my opinion, based upon my experience, knowledge, and information concerning the Debtors’ operations. If called upon to testify, I would testify competently to the facts set forth herein. I am authorized to submit this Declaration on behalf of

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

the Wind-Down Estates in support of *The Plan Administrator's Twenty-Fifth Omnibus Objection to Claims on Grounds that Such Claims Are Late Filed* (the “**Objection**”).

3. To the best of my knowledge, information, and belief, the assertions made in the Objection are accurate. I can confirm that the Plan Administrator's advisors have examined each Late Filed Claim, all documentation provided by the Claimant with respect to each Late Filed Claim, the Debtors' respective books and records, and the Schedules, and have determined that each Late Filed Claim is a claim that should be disallowed.

4. Failure to disallow the Late Filed Claims would entitle such Claimants to recoveries on account of such claims to which such Claimants are not entitled as such claims were filed after the applicable bar date. All of the Claimants have prepetition claims yet failed to file prior to the General Bar Date, and therefore, do not have “rights to payment” against any of the Debtors' estates. As such, I believe that disallowance of the Late Filed Claims is appropriate.

5. I declare under penalty of perjury that, to the best of my knowledge and after reasonable inquiry, the foregoing is true and correct.

Dated: August 31, 2021

/s/ Alan D. Halperin  
Alan D. Halperin  
Solely in His Capacity as Plan Administrator