

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. 1882

ORDER SUSTAINING THE PLAN ADMINISTRATOR'S
TWENTY-FIFTH OMNIBUS OBJECTION TO CLAIMS ON GROUNDS THAT
SUCH CLAIMS ARE LATE FILED

Upon the objection (the “**Objection**”)¹ 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, and Local Rule 3007(C) disallowing the claims listed on Schedule 1 attached hereto and as more fully set forth in the Objection; and upon the *Declaration of Alan D. Halperin In Support of Plan Administrator’s Twenty-Fifth Omnibus Objection to Claims on Grounds that Such Claims are Late Filed* (attached to the Objection as Exhibit B); 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

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



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 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, each Late Filed Claim listed on **Schedule 1** annexed hereto is disallowed.

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) 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 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.

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: October 8, 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 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	