

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re :  
 : Chapter 11  
 :  
BUYK CORP.,<sup>1</sup> : Case No. 22-10328-mew  
 :  
 :  
Debtor. :  
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**NOTICE OF DEADLINES FOR (I) FILING (A) GENERAL PROOFS OF CLAIM, (B) ADMINISTRATIVE EXPENSE PROOFS OF CLAIM FOR CLAIMS UNDER BANKRUPTCY CODE SECTION 503(b)(9); (C) ADMINISTRATIVE EXPENSE PROOFS OF CLAIM FOR ADMINISTRATIVE RENT FROM REJECTED LEASES UNDER BANKRUPTCY CODE SECTION 365(d)(3), AND (D) PROOFS OF CLAIM BY GOVERNMENTAL UNITS , AND (II) SUBMISSION TO DEBTOR OF PACA/PASA PROOFS OF CLAIM**

**TO ALL CREDITORS OF THE DEBTOR AND DEBTOR IN POSSESSION BUYK CORP.:**

**PLEASE TAKE NOTICE THAT:**

On March 17, 2022 (the “Petition Date”), Buyk Corp. (“Buyk”), the debtor and debtor in possession in this matter, filed a voluntary petition for relief under Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Court”). Set forth below are the names under which the Debtor has conducted business, its tax identification number, and its case number:

<b>Debtor</b>	<b>Tax ID</b>	<b>Case No.</b>
Buyk Corp.	Ending in 1477	22-10328

**GENERAL BAR DATE:** The Bankruptcy Court has entered an Order (the “Bar Date Order”) establishing **September 7, 2022 at 5:00p.m. (Prevailing Eastern Time)** (the “General Bar Date”) as the last date for each person or non-governmental entity (including individuals, partnerships, corporations, joint ventures, estates and trusts), except for those holders of 503(b)(9) Claims (as defined below) or claims listed in Section 4 below, to file a proof of claim in respect of any claim against the Debtor listed above arising before the Petition Date (“General Claims”).

<sup>1</sup> The Debtor in this case, along with the last four digits of its federal tax identification number is Buyk Corp. (1477). The Debtor’s principal place of business is 245 East 93<sup>rd</sup> Street, Ste. 22E, New York, NY 10128.

**503(b)(9) CLAIMS BAR DATE:** The Bar Date Order further establishes **September 7, 2022 at 5:00 p.m. (Prevailing Eastern Time)** (the “503(b)(9) Claims Bar Date”) as the last date for each person or non-governmental entity (including individuals, partnerships, corporations, joint ventures, estates and trusts), except for those holders of claims listed in Section 4 below, to file a proof of claim in respect of any claim against the Debtor listed above seeking payment of an administrative expense claim under section 503(b)(9) (“503(b)(9) Claims”).

**ADMINISTRATIVE RENT BAR DATE:** The Bar Date Order further establishes that, for each person or non-governmental entity (including individuals, partnerships, corporations, joint ventures, estates and trusts), except for those holders of claims listed in Section 4 below, who files a proof of claim in respect of any claim against the Debtor listed above seeking payment of an administrative rent claim from the rejection of a lease (“Administrative Rent Claims” and together with 503(b)(9) Claims, “Administrative Expense Claims”), the last date to file an Administrative Rent Claim is the **latter of either (i) the General Bar Date or (ii) thirty (30) days from the effective date of rejection of the lease upon which such a claim is based** (the latter such date, the “Administrative Rent Bar Date”).

**PACA/PASA BAR DATE:** The Bar Date Order further establishes **September 7, 2022 at 5:00 p.m. (Prevailing Eastern Time)** (the “PACA/PASA Bar Date”) as the last date for each person or non-governmental entity (including individuals, partnerships, corporations, joint ventures, estates and trusts), except for those holders of claims listed in Section 4 below, to submit to Debtor a proof of claim in respect of any claim against the Debtor listed above for a claim under the Perishable Agricultural Commodities Act and the Packers and Stockyards Act pursuant to the Court’s May 10, 2022 PACA/PASA Order (Doc. No. 187) (“PACA/PASA Claims”).

**GOVERNMENTAL BAR DATE:** The Bar Date Order further establishes **September 13, 2022 at 5:00 p.m. (Prevailing Eastern Time)** (the “Governmental Bar Date” and, together with the General Bar Date, 503(b)(9) Claim Bar Date, Administrative Rent Bar Date, and PACA/PASA Bar Date, the “Bar Dates”) as the last date for a governmental unit (as defined in section 101(27) of the Bankruptcy Code) to file a proof of claim in respect of any claim against the Debtor listed above arising on or before the Petition Date (“Governmental Claims”).

The Bar Dates and the procedures set forth below for filing proofs of claim apply to (i) all General Claims, (ii) Administrative Expense Claims as defined herein, and (iii) Governmental Claims, except for those claims listed in Section 4 below that are specifically excluded from the Bar Date filing requirement. As noted above, PACA/PASA Claims are to be submitted to the Debtor by the PACA/PASA Bar Date pursuant to the procedures set forth in the Court’s PACA/PASA Order.

## **1. WHO MUST FILE A PROOF OF CLAIM**

You **MUST** file a proof of claim to vote on any chapter 11 plan filed by the Debtor or to share in distributions from the Debtor’s bankruptcy estate if you have a claim against the Debtor that is not one of the types of claims described in Section 4 below. A proof of claim for any claim based on acts or omissions of the Debtor that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claim is 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) a right to 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. WHAT TO FILE

**GENERAL CLAIMS AND GOVERNMENTAL CLAIMS:** The Debtor encloses a general proof of claim form for use in this Case that conforms substantially to Official Form No. 410. If your claim is scheduled by the Debtor, the proof of claim form sets forth the amount and type of your claim as scheduled by the Debtor, and whether the claim is scheduled as disputed, contingent and/or unliquidated. You may utilize the proof of claim form provided by the Debtor to file your claim. Additional proof of claim forms may be obtained at <http://www.uscourts.gov/forms/bankruptcy-forms>, or on the Debtor's case website at <http://www.kcellc.net/buyk>. All filed proofs of claim must conform substantially to the proof of claim form accompanying this notice or Official Form No. 410.

If you disagree with any of the information set forth on the enclosed proof of claim form, including, without limitation, the amount or type of the claim set forth therein or the Debtor against which such claim is asserted, or that such claim is scheduled as contingent, disputed or unliquidated, you are required to file a proof of claim identifying the amount and type of such claim.

Proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. A proof of claim must be written in English and be denominated in United States currency. You should attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor's initials) or a financial account number (only the last four digits of such financial account).

**ADMINISTRATIVE EXPENSE CLAIMS:** The Debtor encloses an Administrative Expense Claim Form and Instructions for completing said form for use by claimants with Administrative Expense Claims.

All proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. A proof of claim must be written in English and be denominated in United States currency. You should attach to your completed proof of

claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor's initials) or a financial account number (only the last four digits of such financial account).

PACA/PASA CLAIMS: PACA/PASA Claims are not to be filed; rather, a creditor with a PACA/PASA Claim must follow the procedures outlined in the Court's PACA/PASA Order to submit the PACA/PASA Claim to Debtor by the PACA/PASA Bar Date.

### 3. WHEN AND WHERE TO FILE

GENERAL CLAIMS: Except as provided for herein:

- all persons or entities other than governmental units that assert a General Claim must file proof of such claim so as to be received **on or before 5:00 p.m. (Prevailing Eastern Time) on September 7, 2022**; and

Each proof of claim must be completed, signed and filed either electronically using the interface available on Kurtzman Carson Consultants LLC's ("KCC") website for the Case at <https://epoc.kccllc.net/Buyk>, or by submitting the original proof of claim form either in person, by first class mail, by courier service, or by hand delivery to the following address:

Buyk Corp. Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

Proofs of claim will be deemed filed only when received at the address listed above or filed electronically at the website above on or before the General Bar Date. Proofs of claim for General Claims may not be delivered by facsimile or telecopy or electronic mail transmission. If you submit a proof of claim to KCC by first class mail, courier service, or hand delivery and you wish to receive acknowledgment of KCC's receipt of such proof of claim, you also must submit to KCC by the applicable Bar Date and concurrently with the submission of your original proof of claim (i) a copy of the original proof of claim and (ii) a self-addressed, stamped return envelope.

ADMINISTRATIVE EXPENSE CLAIMS: Except as provided herein:

- two types of Administrative Expense Claims are to be filed pursuant to this Notice: 503(b)(9) Claims and Administrative Rent Claims.
- all persons or entities that assert a 503(b)(9) Claim must file proof of such claim so as to be received **on or before September 7, 2022 at 5:00 p.m. (Prevailing Eastern Time).**
- all persons or entities that assert an Administrative Rent Claim must file proof of such claim **so as to be received on or before the latter of September 7, 2022 at 5:00 P.M. (Prevailing Eastern Time) or (ii) thirty (30) days from the effective date of rejection of the lease**

**upon which such an Administrative Rent Claim is based.**

Each proof of claim for Administrative Expense Claims must be completed, signed and filed by submitting the original proof of claim form either (i) by electronic mail to KCC at the following address: [BuykAdminClaims@kcellc.com](mailto:BuykAdminClaims@kcellc.com), or (ii) either in person, by first class mail, by courier service, or by hand delivery to the following address:

Buyk Corp. Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Highway, Suite 300  
Segundo, CA 90245

In addition, an Administrative Expense Claim must also be delivered by first-class mail, overnight delivery, or hand delivery to Debtor's counsel at the address below, or by electronic mail to the email address provided below:

Windels Marx Lane & Mittendorf, LLP  
Attn: James M. Sullivan, Esq.  
156 West 56<sup>th</sup> Street  
New York, NY 10019  
Email: [jsullivan@windelsmarx.com](mailto:jsullivan@windelsmarx.com)

Proofs of claim will be deemed filed only when received at the addresses listed above on or before the applicable Bar Date. Proofs of claim for Administrative Expense Claims may not be delivered by facsimile or telecopy. If you submit a proof of claim to KCC by first class mail, courier service, or hand delivery and you wish to receive acknowledgment of KCC's receipt of such proof of claim, you also must submit to KCC by the applicable Bar Date and concurrently with the submission of your original proof of claim (i) a copy of the original proof of claim and (ii) a self-addressed, stamped return envelope.

GOVERNMENTAL CLAIMS: Except as provided for herein:

- governmental units asserting Governmental Claims must file proofs of such claim **as to be received on or before September 13, 2022 at 5:00 p.m. (Prevailing Eastern Time).**

Each proof of claim must be completed, signed and filed either electronically using the interface available on Kurtzman Carson Consultants LLC's ("KCC") website at <https://epoc.kcellc.net/Buyk>, or by submitting the original proof of claim form either in person, by first class mail, by courier service, or by hand delivery to the following address:

Buyk Corp. Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

Proofs of claim will be deemed filed only when received at the address listed above or filed electronically at the website above on or before the Governmental Bar Date. Proofs of claim

for Governmental Claims may not be delivered by facsimile or telecopy or electronic mail transmission. If you submit a proof of claim to KCC by first class mail, courier service, or hand delivery and you wish to receive acknowledgment of KCC's receipt of such proof of claim, you also must submit to KCC by the applicable Bar Date and concurrently with the submission of your original proof of claim (i) a copy of the original proof of claim and (ii) a self-addressed, stamped return envelope.

**PACA/PASA CLAIMS:** The Court's PACA/PASA Order sets forth the procedures for submission of PACA/PASA Claims. Pursuant to the Bar Date Order, a PACA/PASA claim must be submitted to the Debtor so as to be received **on or before September 7, 2022 at 5:00 p.m. (Prevailing Eastern Time).**

#### **4. WHO NEEDS NOT FILE A PROOF OF CLAIM**

You do not need to file a proof of claim on behalf of a claim on or prior to the applicable Bar Date if the claim falls into one of the following categories:

- (a) Any claim that has already been asserted in a proof of claim against the Debtor;
- (b) Any claim that is listed on the Schedules filed by the Debtor, provided that (i) the claim is not scheduled as "disputed," "contingent" or "unliquidated"; and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules; and (iii) 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 claim that heretofore has been allowed by Order of this Court;
- (d) Any claim that has been paid in full by the Debtor;
- (e) Any claim for which different deadlines have previously been fixed by this Court; and
- (f) Any claim by a non-debtor subsidiary of the Debtor against the Debtor.

**This notice is being sent to persons and entities that have had some relationship with or done business with the Debtor, but which may not have an unpaid claim against the Debtor. The fact that you have received this Notice does not necessarily mean that you have a claim against the Debtor.**

#### **5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which an order authorizing such rejection is dated after the date of entry of this Order, must file a proof of claim that is based on such rejection on or before such date as the Court may fix in the applicable order authorizing such rejection.

## **6. CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

**ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED BY ONE OR MORE PROVISIONS OF SECTION 4 ABOVE, AND WHO FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM AND MANNER SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING AND/OR DISTRIBUTION (AS APPLICABLE) WITH RESPECT TO ANY CHAPTER 11 PLAN OR PLANS THAT MAY BE FILED IN THIS CHAPTER 11 CASE.**

## **7. THE DEBTOR'S SCHEDULES AND ACCESS THERETO**

You may be listed as the holder of a claim against the Debtor on the Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form regarding the amount, type (i.e., secured, priority unsecured or non-priority unsecured) and nature (i.e., contingent, disputed, or unliquidated) of your claim.

If you rely on the Schedules, it is your responsibility to determine that your claim is accurately listed on the Schedules; however, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent or unliquidated. If (a) you agree with the amount and type of your claim as listed in the Schedules, and (b) your claim is not described as “disputed,” “contingent,” or “unliquidated,” you need not file a proof of claim. Otherwise, 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 Debtor's Schedules are available for inspection free of charge at <http://www.kccllc.net/buyk>. Copies of the Debtor's Schedules are also available on the Court's Public Access to Court Electronic Records (“PACER”) at <http://ecf.nysb.uscourts.gov>; a login and password are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and Bar Date Order may also be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, Room 534, New York, New York 10004. Copies of the Schedules and Bar Date Order may also be obtained by written request (at your cost) to the Debtor's claims and noticing agent at the following address:

Buyk Corp. Claims Processing Center  
c/o KCC  
222 N. Pacific Coast Highway, Suite 300  
El Segundo, CA 90245

Questions concerning the contents of this Notice and requests for copies of filed proofs of claim should be directed to KCC at (866) 927-7078 (U.S./Canada) or (310) 751-2651 (International), or by submitting an email inquiry at <http://www.kccllc.net/buyk/inquiry>. Please note that neither KCC's staff, counsel to the Debtor, nor the Clerk's Office are permitted to give you legal advice.

A holder of a potential claim against the Debtor should consult an attorney regarding any matters not covered by this Notice, such as whether the holder should file a proof of claim.

Dated: New York, New York  
July 26, 2022

WINDELS MARX LANE & MITTENDORF, LLP  
*Bankruptcy Counsel for Buyk Corp.*

By: /s/ James M. Sullivan  
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New York, New York 10019  
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***Questions concerning the contents of this Notice and requests for additional Proof of Claim forms should be directed to KCC via phone at (866) 927-7078 (U.S./Canada) or (310) 751-2651 (International, ) or by submitting an email inquiry at <http://www.kccllc.net/buyk/inquiry>.***