Case 11-13603-PJW Doc 1610 Filed 00/14/12 Docket #1619 Date Filed: 8/14/2013

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:

BLITZ U.S.A., Inc., et al., 1

Debtors.

Chapter 11

Case No. Case No. 11-13603 (PJW)

Jointly Administered

re: docket # 1539

ORDER GRANTING MOTION FOR ORDER UNDER 11 U.S.C. §§ 105
AND 502 AND FED. R. BANKR. P. 2002(a)(7), 3001(a), 3003(c) AND 9007:
(I) APPROVING PROCEDURES FOR FILING PROOFS OF CLAIM REGARDING
BLITZ PERSONAL INJURY CLAIMS; (II) APPROVING PROOF OF CLAIM FORMS;
(III) ESTABLISHING SUPPLEMENTAL BAR DATE FOR FILING PROOFS OF
CLAIM RELATED TO BLITZ PERSONAL INJURY CLAIMS; AND (IV) APPROVING
THE FORM AND MANNER OF NOTICE OF SUPPLEMENTAL BAR DATE FOR
FILING PROOFS OF CLAIM REGARDING BLITZ PERSONAL INJURY CLAIMS

Upon the motion (the "Motion") of the Official Committee of Unsecured Creditors (the "Committee") for the above-captioned debtors and debtors-in-possession (the "Debtors") for entry of an order (this "Order") under 11 U.S.C. §§ 105 and 502 and Fed. R. Bankr. P. 2002(a)(7), 3001(a) 3003(c), and 9007: (i) approving procedures for filing proofs of claim regarding certain Blitz Personal Injury Claims ²; (ii) approving proof of claim forms; (iii) establishing a supplemental bar date (the "Supplemental Bar Date") for filing proofs of claim related to certain Blitz Personal Injury Claims; and (iv) approving the form and manner of notice of the supplemental bar date for filing proofs of claim regarding certain Blitz Personal Injury Claims; and this Court having found (a) the Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; (b) this is a core

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: LAM 2011 Holdings, LLC (8742); Blitz Acquisition Holdings, Inc. (8825); Blitz Acquisition, LLC (8979); Blitz RE Holdings, LLC (9071); Blitz U.S.A., Inc. (8104); and MiamiOK, LLC f/k/a F3 Brands LLC (2604). The location of the Debtors' corporate headquarters and the Debtors' service address is: 309 North Main Street, Miami, OK 74354.

² Capitalized terms used but not defined in this Order shall have the meaning ascribed to such terms in the Motion.

proceeding pursuant to 28 U.S.C. § 157(b); (c) venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; (d) notice to an attorney for the holder of a Blitz Personal Injury Claim constitutes notice to such holder for purposes of notice of the Motion, this Order and Notice of the Supplemental Bar Date; (e) notice of the Motion was adequate and appropriate under the circumstances; and (f) this Order is "final" within the meaning of 28 U.S.C. § 158(a)(1); and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

- 1. The Motion is GRANTED as set forth herein.
- 2. Pursuant to Bankruptcy Rule 3003(c)(3), except as set forth below, all persons holding Blitz Personal Injury Claims seeking to assert against the Debtors a claim, as that term is defined in section 101(5) of the Bankruptcy Code, and not subject to a prior deadline to assert such claims, are required to file proof of such claim, in the form attached hereto as Exhibit A (a "Personal Injury POC") pursuant to the procedures set forth herein on or before the bar date set forth and established herein (the "Supplemental Bar Date").
- 3. The Court previously entered the: Order (A) Setting Bar Dates for Filing Proofs of Claim, Including Claims Asserted Pursuant to 11 U.S.C. § 503(b)(9), (B) Approving the Form and Manner for Filing Proofs of Claim and (C) Approving Notice Thereof entered May 23, 2012 [D.I. 463] (the "Initial Bar Date Order") which required that all claims arising against the Debtors prior to November 9, 2011, other than claims for personal injury or wrongful death related to personal consumer gasoline containers, be filed no later than July 13, 2012. Nothing in this Order shall cause an expansion pursuant to Federal Rule of Bankruptcy Procedure 9006(b) or otherwise of the time for filing a proof of claim subject to the Initial Bar Date Order.

- 4. The Supplemental Bar Date applies only to (i) all Blitz Personal Injury Claims that arose on or after November 9, 2011 but on or before July 31, 2012; or (ii) Blitz Personal Injury Claims related to personal consumer gasoline containers that arose prior to November 9, 2011. To the extent that a claimant asserts a Blitz Personal Injury Claim otherwise subject to the Initial Bar Date, this Order does not relieve such claimant of the terms of the Initial Bar Date Order or otherwise modify any deadline set forth in the Initial Bar Date Order.
- 5. Except as otherwise expressly provided for herein, each and every Personal Injury POC shall be actually received by Kurtzman Carson Consultants, LLC ("KCC"), the Debtors' claim agent, on or before Oct. 14, 2013 at 5:00 p.m. (Pacific) at the following address:

Blitz Claims Processing Center c/o Kurtzman Carson Consultants 2335 Alaska Avenue El Segundo, CA 90245

- 6. KCC will not accept a Personal Injury POC sent by facsimile or e-mail. Any Personal Injury POC submitted via facsimile or e-mail will be disregarded, and the Blitz Personal Injury Claimant submitting such Personal Injury POC will not, on account of such Personal Injury POC, (i) be treated as a creditor for purposes of these Cases, (ii) receive any distribution in these Cases, or (iii) be permitted to vote on any plan or plans of reorganization or liquidation for the Debtors.
- 7. Only those parties asserting (i) Blitz Personal Injury Claims that arose on or after **November 9, 2011** but on or before **July 31, 2012**; or (ii) Blitz Personal Injury Claims related to personal consumer gasoline containers that arose prior to **November 9, 2011** are required to submit a Personal Injury POC by the Supplemental Bar Date.
- 8. This Court finds that the Personal Injury POC conforms substantially to Official Form 10 and that the modifications to Official Form 10 contained in the Personal Injury POC are

appropriate under Bankruptcy Rule 9009. The modifications to Official Form 10 contained in the Personal Injury POC are necessary to allow collection of information required to estimate claims and to avoid fraudulent claims. Accordingly, the Personal Injury POC attached hereto as Exhibit A is hereby approved.

- 9. The following procedures shall apply to all parties seeking to assert a Blitz Personal Injury Claim:
 - (a) Participating Blitz Personal Injury Claimants, who are signatories to the Term Sheet, shall be deemed to have timely filed a Personal Injury POC and are not subject to the Supplemental Bar Date. However, to the extent all of the information required by the Personal Injury POC has not been submitted to the Debtors, the Participating Blitz Personal Injury Claimants must provide all information required on or before the Supplemental Bar Date using the Personal Injury POC form.
 - Parties asserting Blitz Personal Injury Claims who are not Participating Blitz Personal Injury Claimants who are signatories to the Term Sheet but who timely filed a proof of claim on or before the Initial Bar Date shall be deemed to have timely filed a Personal Injury POC. However, to the extent all of the information required by the Personal Injury POC was not submitted to the Debtors, such Blitz Personal Injury Claimants must provide all information required on or before the Supplemental Bar Date using the Personal Injury POC form.
 - (c) All other Personal Injury Claimants must submit completed Personal Injury POC's on or before the Supplemental Bar Date to the Debtors' claims agent, Kurtzman Carson Consultants, LLC ("KCC") at the following address:

Blitz Claims Processing Center c/o Kurtzman Carson Consultants 2335 Alaska Avenue El Segundo, CA 90245

- (d) Completed Personal Injury POC's will be deemed filed only when received by KCC. Completed Personal Injury POCs must be submitted with original signatures and be actually received by KCC on or before the Supplemental Bar Date. Blitz Personal Injury Claimants may not submit claims by electronic mail, facsimile or any other form of electronic transmission.
- (e) Personal Injury POC's must: (i) be signed; (ii) include supporting documentation or an explanation as to why documentation is not available; (iii) be in the English language; and (iv) be denominated in United States currency. If the Blitz

Personal Injury Claim would otherwise be denominated in a currency other than United States currency, the Blitz Personal Injury Claimant must indicate the exchange rate relied upon in converting the claim to United States currency.

- 10. Other than those Blitz Personal Injury Claimants identified in paragraphs 9(a) or 9(b) above, if any Blitz Personal Injury Claimant required to file a Personal Injury POC pursuant to the Supplemental Bar Date Order fails to file the Personal Injury POC on or before the Supplemental Bar Date, such Blitz Personal Injury Claimant:
 - shall be forever barred, estopped and permanently enjoined from asserting such claim against the Debtors, their successors or their property (or filing a proof of claim with respect thereto) and the Debtors, their successors and their property shall be forever released and discharged from any and all indebtedness or liability with respect to such claim; and
 - (b) shall not be entitled to vote to accept or reject or receive any distributions under any plan that may be confirmed by or regarding the Debtors, including any distributions from any trust established pursuant to such plan, with respect to such claim; and
 - (c) shall not be entitled to receive any further notices regarding such claim.
- 11. All Blitz Personal Injury Claimants filing a Personal Injury POC, or on whose behalf a Personal Injury POC is filed, retain any rights they may have to (a) dispute the allowance, disallowance or valuation of any of their claims; (b) object to the treatment of their claims under any proposed plan of reorganization; and (c) object to any motion seeking to establish procedures for estimating claims for purposes of voting on any proposed plan of reorganization. The filing of a Personal Injury POC does not affect the applicable legal standards with respect to allowance of claims, voting rights on any proposed plan of reorganization, or treatment of claims under any proposed plan of reorganization.
- 12. The form of notice attached hereto as <u>Exhibit B</u> (the "<u>Supplemental Bar Date</u> <u>Notice</u>") and the modified form of notice for publication attached hereto as <u>Exhibit C</u> (the "<u>Publication Notice</u>") are hereby approved.

- 13. The Committee, with the assistance of the Debtor's claims agent, Kurtzman Carson Consultants, LLC ("KCC"), is hereby authorized and directed to serve the Supplemental Bar Date Notice and the Personal Injury POC (together, the "Bar Date Package") on all known or suspected holders of Blitz Personal Injury Claims within five (5) business days following entry of this Order, provided that notice to an attorney for the holder of a Blitz Personal Injury Claim constitutes notice to such holder.
 - 14. This Court finds that publication of the Publication Notice:
 - a. Once in the Wall Street Journal (National Edition);
 - b. once in *USA Today*;
 - c. once in Parade Magazine; and
 - d. once in *People Magazine* or a similar weekly national magazine,

is reasonably calculated under the circumstances of these Cases to apprise unknown Blitz Personal Injury Claimants of the Supplemental Bar Date and the need to file a Personal Injury POC. Accordingly, and pursuant to Bankruptcy Rule 2002(*I*), publication notice to all unknown Blitz Personal Injury Claimants as set forth herein is approved.

Package as may be necessary with regard to any Bar Date Packages that are returned by the U.S. Postal Service with a forwarding address or that are returned undeliverable and as to which a forwarding address can be obtained at no or minimal cost to the Debtors' estate. In addition, the Committee may provide Bar Date Packages to any Blitz Personal Injury Claimants whose identity becomes known after the initial mailing of Bar Date Packages in accordance with this Order. Notwithstanding the foregoing, the Committee shall not be required to provide any additional notice to any Blitz Personal Injury Claimant to any party as to whom a Bar Date

Case 11-13603-PJW Doc 1619 Filed 08/14/13 Page 7 of 7

Package is returned or whose identity becomes known after Bar Date Packages are issued

pursuant to this Order.

16. The Committee is authorized to use the services of KCC, as necessary, to

coordinate the issuing of Bar Date Packages and the processing of Personal Injury POC's.

17. Notice of the Supplemental Bar Date as set forth in this Order and in the manner

set forth herein (including, without limitation, the Supplemental Bar Date Notice, the Publication

Notice, the Bar Date Package and any supplemental notices the Committee may send from time

to time) constitute adequate and sufficient notice of the Supplemental Bar Date and satisfies the

requirements of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local

Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the

District of Delaware and the requirements of due process.

18. The Committee is authorized to take all actions necessary or appropriate to

effectuate the relief granted pursuant to this Order in accordance with the Motion.

19. The terms and conditions of this Order shall be immediately effective and

enforceable upon entry of the Order.

20. This Court retains jurisdiction with respect to all matters arising from or related to

implementation of this Order.

Dated:

July 2013

Wilmington, Delaware

THE HONORABLE PETER J. WALSH

UNITED STATES

BANKRUPTCY

JUDGE

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Self New Inc.

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 9 of 21

EXHIBIT A

PERSONAL INJURY POC

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Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 10 of 21

United States Bankruptcy Court For the District of D	claware This Space	E IS FOR COURT USE
☐ Blitz Acquisition Holdings, Inc., Case No. 11-13602 (F☐ Blitz U.S.A., Inc., Case No. 11-13603 (PJW)☐ Blitz RE Holdings, LLC, Case No. 11-13604 (PJW)☐ LAM 2011 Holdings, LLC, Case No. 11-13605 (PJW)☐ Blitz Acquisition, LLC, Case No. 11-13606 (PJW)☐ MiamiOK, LLC f/k/a F3 Brands LLC, Case No. 11-13606		
PROOF OF CLAIM FOR BLITZ PERSONAL INJURY (LAIMS	
In order to assert a Blitz Personal Injury Claim against Blitz U.S.A., et. U.S.A.") you must complete and execute this Proof of Claim and return Agent by, 2013 or be forever barred from asserting the claim No. 1 for the definition of a Blitz Personal Injury Claim).	it to the Claims m. (See Instruction	
Mark this box if you are aware that anyone else has filed a prod	f of claim relating to your claim.	
Attach a statement providing details. Mark this box if your claim replaces a previously filed claim. Date of previously filed claim:		
☐ Mark this box if your claim amends a previously filed claim.		
Date of previously filed claim: Mark this box if you assert that your claim is entitled to priority.		
Describe basis for priority:	- , ,	
☐ Mark this box if you assert that your claim is secured under 11	J.S.C. § 506(a).	
Describe basis for secured claim: 1. INJURED PERSON (All fields must be completed)		
1. INTOKED PERSON (All fields must be completed)		
Name (Last, First, Middle):		
Contact Person:		
Street Address:		
City, State and Zip:		
Telephone:		
Social Security Number: Email Address:		
Date of Birth (mm/dd/yyyy): Date of Death (mm/dd/yyyy):		
IF DECEASED, ATTACH COPY OF DEATH		
CERTIFICATE		į
Date of Injury (mm/dd/yyyy):		
Medicare No. (if applicable):		
2. CLAIMANT (if different from Injured Person)		
Name (Last, First, Middle:		
Contact Person:		
Address:		
City, State and Zip:		
Telephone:		
Tax ID or Social Security Number:		
Date of Birth:		
Relationship to Injured Person:		
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Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 11 of 21

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3. ATTORNEY INFORMATION (if applicable)	
3. ATTORVET INFORMATION (II applicable)	
Name:	
Firm:	
Address:	
City, State and Zip:	
Telephone No.:	
Email Address:	
4. LITIGATION INFORMATION (If lawsuit has been	commenced against Blitz U.S.A., Miami Ok, LLC f/k/a F3 Brands LLC,
or any other party such as retailer)	Sommenced against Birtz U.S.A., Minim UK, LLU 1/K/a F3 Brands LLU,
Court Where Case Filed:	
Case Number:	
Filing Date:	
List all Named Plaintiffs in Lawsuit:	
List all Named Defendants in Lawsuit:	
Status of Case (Active, Stayed, Settled, etc.)	
5. DESCRIPTION OF OCCURRENCE (use additional s.	heets if necessary)
Date of Occurrence:	<u> </u>
Time of Occurrence:	
Location of Occurrence (Provide Address):	
Was Location Claimants' Residence? (Yes or No):	
·	
If Not, Identify Owner of Location and Relationship to	
Injured Person:	
Provide a Description of Manner in which Occurrence	
Took Place:	·
Was there a Police or other Official Incident Report or	
Investigation? (Yes or No):	
IF YES, ATTACH ALL COPIES OF OFFICIAL	
REPORTS OR INVESTIGATIONS – AN NFPA 921	
INVESTIGATION IS REQUIRED BY TRAINED	
INVESTIGATOR	
Amount Claimed (Do NOT Include Claims for Medical	
Treatment or Lost Wages)	

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 12 of 21

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6. PRODUCT AND PURCHASE INFORMATION	
Brand Name of Product:	
Model Number:	
Description of Product:	
The Conference of the Conferen	
If a Gas Container, Size of Gas Container:	1+ GALLON D 5 GALLON D
Name of Store Where Product Purchased:	2+ GALLON OTHER O
Name of Store where Froduct Purchased:	
Location of Store:	
Date of Purchase:	
ATTACH ANY PROOF OF PRODUCT	
IDENTIFICATION (STORE RECEIPT, CREDIT	
CARD RECEIPT, PICTURE OF THE PRODUCT	
PURCHASED BEFORE OR AFTER INCIDENT.	
SWORN STATEMENT DESCRIBING AND	
IDENTIFYING THE PRODUCT AS A BLITZ	
PRODUCT AND POINT OF PURCHASE IF	
KNOWN, ETC.)	
7 MEDICAI INFORMATIONI AND TREATMENT OF	also and the second of the sec
provider)	ake copies and fill out this section of the form for each treatment
•	
Date of First Treatment:	
Hospital / Treatment Facility:	
Address:	
City, State, ZIP:	
Treating Physician Name:	
Dates of Treatment:	
Address: City, State, ZIP:	
Telephone No.:	
Describe Injury and Diagnoses:	
Describe injury and Diagnoses.	
	
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Total Amount of Medical Bills to Date:	
Date,	

Case 11-13603-PJW Doc 1619-1 Filed 08/14/13 Page 5 of 6

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 13 of 21

Set forth any liens asserted by any entity on any recovery anticipated for your injury or damage. Identify	
the entity holding such lien, the address and contact	·
information for the entity and the amount of the asserted	
lien.	
ATTACH ALL COPIES OF MEDICAL BILLS AND	
MEDICAL RECORDS, INCLUDING	
LABORATORY REPORTS, RELATING IN ANY	
8. EMPLOYMENT INFORMATION (If Claiming Lost Wa	
	iges)
Employer Name at Date of Injury:	
Address:	
City, State, ZIP:	
Telephone No.: Email Address:	
Email Address: Dates Missed Work:	
Dates Missed Work: Nature of Employment:	
Nature of Employment.	
9. <u>SIGNATURE/AUTHORIZATION</u>	
NOTE: THIS PROOF OF CLAIM MUST BE SIGNED BY	Y THE CLAIMANT OR CLAIMANT'S AUTHORIZED AGENT
Signature of Claimant or Authorized Agent	
Signature of Chambant of Anthonized Agent	

Print Name of Signatory	
_	
If by Authorized Agent, Print Title of Agent	
Date	
() -	
Telephone Number of Signatory	
By signing this proof of claim, you certify under penalty of	perjury pursuant of 28 U.S.C. § 1746 that:
"I have the full power and authority under applicable non-ba of the claimant listed on this proof of claim"	ankruptcy or bankruptcy law to submit this proof of claim on behalf
"A product manufactured or distributed by Blitz U.S.A. or MU.S.A. or MiamiOK, LLC f/k/a F3 Brands LLC has legal lia in this proof of claim or that the injury occurred on premises	MiamiOK, LLC f/k/a F3 Brands LLC or with respect to which Blitz ability was used in the incident which gave rise to the injuries listed sowned or occupied by the Debtors."
A Proof of Claim Form is an official court document that ma claim. The penalty for presenting a fraudulent claim is a fine under 18 U.S.C. §§ 152 & 3571.	ay be used as evidence in any legal proceeding regarding your e of up to \$500,000 or imprisonment for up to five years or both
KEEP A COPY OF THIS PROOF OF CLAIM FORM AND ORIGINAL PROOF OF CLAIM FORM AND COPIES OF	O ALL ATTACHMENTS FOR YOUR FILES AND MAIL THE THE ATTACHMENTS TO:
	. 17

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 14 of 21

Blitz Claims Processing Center, c/o Kurtzman Carson Consultants LLC 2335 Alaska Avenue El Segundo, CA 90245

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules. Items to be completed in Proof of Claim form

Name of Debtor and Case Number:

Mark the debtor(s) against which you assert your Blitz Personal Injury Claim.

Claim Information:

Complete items 1 through 8, as applicable.

Attach to this proof of claim form any documents requested in items 1 through 8 above, as applicable. Do not send original documents, as attachments may be destroyed after scanning.

Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

_DEFINITIONS

Debtor

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

Blitz Personal Injury Claim

All claims for damages or other relief for, based upon arising out of, relating to, or in any way involving bodily injury and / or property damage that occurred on or before 12:01 AM CST on July 31, 2012, and shall include asserted and unasserted claims, whether known or unknown, based upon, arising out of, or in any way involving the products, premises or operations of the Debtors.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a

Claim Entitled to Priority Under 11 U.S.C. §507(a) Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

INFORMATION

Acknowledgment of Filing of Claim To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (II U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court,

Date Stamped Copy

To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed return envelope and an extra copy of this proof of Case 11-13603-PJW Doc 1619-2 Filed 08/14/13 Page 1 of 4

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 15 of 21

EXHIBIT B

SUPPLEMENTAL BAR DATE NOTICE

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 16 of 21

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:) Ch	apter 11
BLITZ U.S.A., Inc., et al.,1)) Ca	se No. 11-13603 (PJW)
Debtors.)) (Jo	intly Administered)
)	
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NOTICE OF DEADLINE FOR FILING PROOFS OF BLITZ PERSONAL INJURY CLAIM AGAINST DEBTORS

TO: ALL INDIVIDUALS OR REPRESENTATIVES WHO MAY HOLD BLITZ PERSONAL INJURY CLAIMS AGAINST ANY DEBTOR(S) LISTED BELOW:

PLEASE TAKE NOTICE THAT:

On November 9, 2011 (the "Petition Date"), the above-captioned debtors and debtors-in-possession (the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Delaware (the "Court"). Set forth below are the name, federal tax identification number, and the case number for each of the Debtors:

DEBTOR	EIN	CASE NO.	
Blitz U.S.A., Inc.	8104	11-13603	
LAM 2011 Holdings, LLC	8742	11-13605	
Blitz Acquisition Holdings, Inc.	8825	11-13602	
Blitz Acquisition, LLC	8979	11-13606	
Blitz RE Holdings, LLC	9071	11-13607	
MiamiOK, LLC f/k/a F3 Brands LLC	2604	11-13604	

DEADLINE FOR FILING CLAIMS AGAINST THE ABOVE-REFERENCED DEBTORS:

2. On July __, 2013, the Court entered an order (the "Supplemental Bar Date Order") establishing ____, 2013 at 4:00 p.m. (EDT) as the deadline (the "Supplemental Bar Date") for certain parties (each a "Blitz Personal Injury Claimant") holding claims for damages or other relief for, based upon, arising out of, relating to, or in any way involving bodily injury and / or property damage that occurred on or before 12:01 AM CST on July 31, 2012, and shall include asserted and unasserted claims, whether known or unknown, based upon, arising out of, or in any way involving the products, premises or operations of the Debtors (each a "Blitz Personal Injury Claim") to file proofs of claim against any of the Debtors.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: LAM 2011 Holdings, LLC (8742); Blitz Acquisition Holdings, Inc. (8825); Blitz Acquisition, LLC (8979); Blitz RE Holdings, LLC (9071); Blitz U.S.A., Inc. (8104); and MiamiOK, LLC f/k/a F3 Brands LLC (2604). The location of the Debtors' corporate headquarters and the Debtors' service address is: 309 North Main Street, Miami, OK 74354.

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 17 of 21

- 3. The Bar Date applies only to (i) all Blitz Personal Injury Claims that arose on or after November 9, 2011 but on or before July 31, 2012; or (ii) Blitz Personal Injury Claims related to personal consumer gasoline containers that arose prior to November 9, 2011. The Bar Date Order also sets procedures to be used for filing proofs of claim, which are summarized in this notice for your convenience.
- 4. Unless you fall into one of the categories listed in paragraphs 5 or 6, you MUST file a proof of claim if you wish to assert a Blitz Personal Injury Claim against any of the Debtors that arose on or before July 31, 2012. Acts or omissions that occurred before July 31, 2012 may give rise to claims subject to the Supplemental Bar Date even if the claims may not have become known or fixed or liquidated until after July 31, 2012. Under section 101(5) of the Bankruptcy Code and as used herein, 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.
- 5. Parties holding Blitz Personal Injury Claims which are not related to personal consumer gasoline containers and which arose prior to November 9, 2011were required to file a proof of claim pursuant to the Court's Order (A) Setting Bar Dates for Filing Proofs of Claim, Including Claims Asserted Pursuant to 11 U.S.C. § 503(b)(9), (B) Approving the Form and Manner for Filing Proofs of Claim and (C) Approving Notice Thereof entered May 23, 2012 (the "Initial Bar Date Order") and may not file a proof of claim pursuant to the Supplemental Bar Date Order. Such claims will be disregarded.
- 6. The Supplemental Bar Date Order provides that Blitz Personal Injury Claimants participating in the settlement of certain Blitz Personal Injury Claims (the "Participating Blitz Personal Injury Claimants") and those holding Blitz Personal Injury Claims who timely filed a proof of claim pursuant to the Initial Bar Date Order are not subject to the Supplemental Bar Date. However, to the extent all of the information required on the attached proof of claim form (the "Personal Injury POC") has not been submitted to the Debtors, such parties must provide all information required on or before the Supplemental Bar Date using the Personal Injury POC form.
- 7. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A BLITZ PERSONAL INJURY CLAIM OR THAT THE DEBTORS BELIEVE YOU HAVE A BLITZ PERSONAL INJURY CLAIM.

INSTRUCTIONS FOR FILING PROOFS OF CLAIM:

- 8. If you file a proof of claim, your filed proof of claim must (i) be signed by the Blitz Personal Injury Claimant, the authorized agent of the Claimant or, if the Blitz Personal Injury Claimant is deceased, the agent for the estate of such Blitz Personal Injury Claimant, (ii) be written in English, (iii) include a Claim amount denominated in United States dollars and, if the original claim was in a foreign currency, provide the exchange rate applied in preparing the claim, (iv) conform substantially with the Proof of Claim Form provided by the, and (v) state a Claim against one or more of the Debtors. If a proof of claim form is not enclosed with this notice, you may obtain a proof of claim form by contacting Blitz Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245, Telephone: (877) 606-7519 or downloading a Personal Injury POC from the following website: www.kccllc.net/Blitz.
- 9. Your proof of claim form must be filed so as to be RECEIVED prior to 4:00 p.m. (EDT) on [].

 2013. You can file your proof of claim by sending the original, signed, proof of claim to:

Blitz Claims Processing Center c/o Kurtzman Carson Consultants LLC 2335 Alaska Avenue El Segundo, CA 90245. Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 18 of 21

KCC will not accept a Proof of Claim sent by facsimile or e-mail, and any proof of claim submitted via facsimile or e-mail will be disregarded.

CONSEQUENCES OF MISSING THE DEADLINE FOR FILING CLAIMS:

- 10. EXCEPT WITH RESPECT TO THOSE CLAIMS DESCRIBED IN PARAGRAPHS 5 OR 6 HEREOF, IF YOU FAIL TO FILE A PROOF OF CLAIM ON OR BEFORE 4:00 P.M. (PREVAILING EASTERN TIME) ON THE SUPPLEMENTAL BAR DATE ON ACCOUNT OF ANY BLITZ PERSONAL INJURY CLAIM YOU WISH TO ASSERT AGAINST THE DEBTORS (OR IF YOU DO NOT SUBMIT YOUR CLAIM VIA U.S. MAIL, HAND DELIVERY OR OVERNIGHT MAIL), THEN:
 - > YOU WILL NOT BE TREATED AS A CREDITOR FOR PURPOSES OF THE DEBTORS' CHAPTER 11 CASES;
 - > YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THE CHAPTER 11 CASES ON ACCOUNT OF THAT BLITZ PERSONAL INJURY CLAIM; AND
 - > YOU WILL NOT BE PERMITTED TO VOTE ON ANY PLAN OR PLANS OF REORGANIZATION OR LIQUIDATION FOR THE DEBTORS ON ACCOUNT OF YOUR BARRED CLAIMS.

QUESTIONS:

11. Proof of Claim Forms and a copy of the Supplemental Bar Date Order may be obtained by visiting www.kccllc.net/Blitz, by calling 1-877-606-7519 or by contacting Blitz Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245. Kurtzman Carson Consultants, LLC cannot advise you how to, or whether you should file a Proof of Claim Form.

Dated: July ____, 2013 Wilmington, Delaware

BY ORDER OF THE COURT: THE HONORABLE PETER J. WALSH Case 11-13603-PJW Doc 1619-3 Filed 08/14/13 Page 1 of 3

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 19 of 21

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EXHIBIT C

PUBLICATION NOTICE

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Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 20 of 21

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE

In re:	<u>}</u>	Chapter 11
BLITZ U.S.A., Inc., et al.,1	,)	Case No. 11-13603 (PJW)
Debtors.)	(Jointly Administered)
)	
)	

NOTICE OF DEADLINE FOR THE FILING OF PROOFS OF BLITZ PERSONAL INJURY CLAIMS (SUPPLEMENTAL BAR DATE IS [1887], 2013 AT 4:00 P.M. EDT)

PLEASE TAKE NOTICE THAT:

On November 9, 2011 (the "Petition Date"), the above-captioned debtors and debtors-in-possession (the "Debtors" filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the District of Delaware (the "Court"). Set forth below are the name, federal tax identification number, and the case number for each of the Debtors:

DEBTOR	EIN	CASE NO.
Blitz U.S.A., Inc.	8104	11-13603
LAM 2011 Holdings, LLC	8742	11-13605
Blitz Acquisition Holdings, Inc.	8825	11-13602
Blitz Acquisition, LLC	8979	11-13606
Blitz RE Holdings, LLC	9071	11-13607
MiamiOK, LLC f/k/a F3 Brands LLC	2604	11-13604

- 2. On May ___, 2013, the Court entered an order (the "Supplemental Bar Date Order") establishing ____, 2013 at 4:00 p.m. (EDT) as the deadline (the "Supplemental Bar Date") for certain parties (each a "Injury Claimant") holding any claim for damages or other relief for, based upon, arising out of, relating to, or in any way involving bodily injury and/or property damage, including asserted and unasserted claims, whether known or unknown, based upon, arising out of, or in any way involving the products, premises or operations of the Debtors, that arose on or before July 31, 2012 (each a "Blitz Personal Injury Claim") to file proofs of claim against any of the Debtors.
- 3. The Bar Date applies only to (i) all Blitz Personal Injury Claims that arose on or after November 9, 2011 but on or before July 31, 2012; or (ii) Blitz Personal Injury Claims related to personal consumer gasoline containers that arose prior to November 9, 2011. The Bar Date Order also sets procedures to be used for filing proofs of claim, which are summarized in this notice for your convenience.
- 4. Pursuant to the Supplemental Bar Date Order, all persons and entities, including individuals, estates, trusts and any agents or representatives of the foregoing who have a Blitz Personal Injury Claim or potential Blitz Personal Injury Claim against any of the Debtors that arose prior to July 31, 2012, no matter how remote or contingent such right to payment or equitable remedy may be, MUST FILE A PROOF OF CLAIM on or

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: LAM 2011 Holdings, LLC (8742); Blitz Acquisition Holdings, Inc. (8825); Blitz Acquisition, LLC (8979); Blitz RE Holdings, LLC (9071); Blitz U.S.A., Inc. (8104); and MiamiOK, LLC f/k/a F3 Brands, LLC (2604). The location of the Debtors' corporate headquarters and the Debtors' service address is: 309 North Main Street, Miami, OK 74354.

Case 11-13603-PJW Doc 1619-3 Filed 08/14/13 Page 3 of 3

Case 11-13603-PJW Doc 1539-2 Filed 07/24/13 Page 21 of 21

before, 2013 at 4:00 p.m. (EDT) by sending an original proof of claim form to Dita Cla	- :
before [], 2013 at 4:00 p.m. (EDT) by sending an original proof of claim form to Blitz Cla Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 902 at that it is a set at the consultant of the consultant	aun:
so that it is actually received on or before the applicable Bar Date. <u>Proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will be applied by the proofs of claim sent by facsimile or most will not be applied by the proofs of claim sent by facsimile or most will be applied by the proofs of claim sent by facsimile or most will be applied by the proofs of claim sent by facsimile or most will be applied by the proofs of claim sent by facsimile or most will be applied by the proofs of claim sent by facsimile by the proofs of claim sent by facsimile by the proofs of claim sent by the proofs of claim</u>	243
mail will not be accepted.	r e

- 5. ANY PERSON OR ENTITY (EXCEPT A PERSON OR ENTITY WHO IS EXCUSED BY THE TERMS OF THE SUPPLEMENTAL BAR DATE ORDER) WHO FAILS TO FILE A PROOF OF CLAIM ON OR BEFORE THE APPLICABLE BAR DATE IN ACCORDANCE WITH THE INSTRUCTIONS ABOVE WILL BE FOREVER BARRED AND ESTOPPED FROM VOTING UPON, OR RECEIVING DISTRIBUTIONS UNDER, ANY PLAN OR PLANS OF REORGANIZATION OR LIQUIDATION IN THE DEBTORS' CHAPTER 11 CASES, AND THE DEBTORS AND THEIR PROPERTY WILL BE DISCHARGED FROM ANY AND ALL LIABILITY WITH RESPECT TO THAT CLAIM.
- 6. A copy of the Supplemental Bar Date Order and Blitz Personal Injury Proof of Claim form may be obtained by visiting www.kccllc.net/Blitz or by contacting the Debtors' Claims Agent, in writing, at Blitz Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245, or by telephone at 1-877-606-7519. The Supplemental Bar Date Order, as well as the Debtors' Schedules of Assets and Liabilities, can also be viewed on the United States Bankruptcy Court for the District of Delaware's website at www.deb.uscourts..gov.

Dated: July ____, 2013

BY ORDER OF THE

COURT:

Wilmington, Delaware

THE HONORABLE PETER J. WALSH