

In re:
Fibrant, LLC
Debtor

Case No. 18-10274-SDB
Chapter 11

CERTIFICATE OF NOTICE

District/off: 113J-1

User: cmw
Form ID: pdf004

Page 1 of 2
Total Noticed: 3

Date Rcvd: Feb 14, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 16, 2019.

aty +Paul K Ferdinands, King & Spalding LLP, 1180 Peachtree Street, N.E.,
Atlanta, GA 30309-7525
aty +Sarah L. Primrose, 1180 Peachtree Street, NE, Atlanta, GA 30309-3531
aty +W. Craig Smith, King & Spalding, LLP, 1180 Peachtree Street, NE, Atlanta, GA 30309-7525

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 16, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 14, 2019 at the address(es) listed below:

Adam William King on behalf of Creditor Betty Baxley, Individually and as Personal Representative of Estate of Malcom M. Baxley adam@nicholsonrevell.com
Bernadett Rosszer on behalf of Creditor Georgia Department of Natural Resources Environmental Protection Division brosszer@law.ga.gov
Bowen Anderson Klosinski on behalf of Debtor Fibrant, LLC bak@klosinski.com, 5111@notices.nextchapterbk.com
Brian Fenton McEvoy on behalf of Creditor Chemtrade Chemicals US LLC and Chemtrade Chemicals Corporation bmcevoy@polsinelli.com, mhobby@polsinelli.com/atldocketing@polsinelli.com
Christopher A Ward on behalf of Creditor Chemtrade Chemicals US LLC and Chemtrade Chemicals Corporation cward@polsinelli.com, lsuprum@polsinelli.com/delawaredocketing@polsinelli.com/atldocketing@polsinelli.com
Davis A. Dunaway on behalf of Interested Party PCS Nitrogen Fertilizer, L.P. ddunaway@hullbarrett.com, mtalley@hullbarrett.com
James C. Overstreet, Jr. on behalf of Debtor Fibrant South Center, LLC jco@klosinski.com, 4978@notices.nextchapterbk.com
James C. Overstreet, Jr. on behalf of Debtor Evergreen Nylon Recycling, LLC jco@klosinski.com, 4978@notices.nextchapterbk.com
James C. Overstreet, Jr. on behalf of Debtor Fibrant, LLC jco@klosinski.com, 4978@notices.nextchapterbk.com
James C. Overstreet, Jr. on behalf of Debtor Georgia Monomers Company, LLC jco@klosinski.com, 4978@notices.nextchapterbk.com
Jason Wendell Blanchard on behalf of Creditor Internal Revenue Service jason.blanchard@usdoj.gov, USAGAS.ECFBankruptcyAUG@usdoj.gov
Jeffrey D. Prol on behalf of Creditor Committee Official Committee of Unsecured Creditors jprol@lowenstein.com, bnathan@lowenstein.com/mpapandrea@lowenstein.com
Jeffrey R. Miller on behalf of Other Professional Kurtzman Carson Consultants, LLC ecfpleadings@kccllc.com
John K. Rezac on behalf of Interested Party Koninklijke DSM., N.V. jrezac@taylorenghish.com
John K. Rezac on behalf of Creditor DSM Coating Resins, Inc. jrezac@taylorenghish.com
John T. Garcia, Sr. on behalf of Financial Advisor GlassRatner Advisory & Capital Group LLC garcia81@knology.net
John T. Garcia, Sr. on behalf of Creditor Committee Official Committee of Unsecured Creditors garcia81@knology.net
John Wesley Mills on behalf of Creditor DSM Coating Resins, Inc. jmills@taylorenghish.com
John Wesley Mills on behalf of Interested Party Koninklijke DSM., N.V. jmills@taylorenghish.com
Jonathan W. Jordan on behalf of Debtor Fibrant, LLC
Matthew R. Brooks on behalf of Creditor Augusta Sulfi matthew.brooks@troutmansanders.com, alicia.rountree@tr



181027419021600000000001

District/off: 113J-1

User: cmw
Form ID: pdf004

Page 2 of 2
Total Noticed: 3

Date Rcvd: Feb 14, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Matthew W. Levin on behalf of Interested Party Fibrant B.V. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Matthew W. Levin on behalf of Interested Party ChemicalInvest Holding B.V. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Matthew W. Levin on behalf of Interested Party CAP II B.V. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Matthew W. Levin on behalf of Interested Party Augusta Holdco Inc. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Matthew W. Levin on behalf of Interested Party CAP I B.V. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Matthew W. Levin on behalf of Interested Party Fibrant Holding B.V. mlevin@swlawfirm.com, fharris@swlawfirm.com;centralstation@swlawfirm.com;rwilliamson@swlawfirm.com
Office of the U. S. Trustee Ustpregion21.sv.ecf@usdoj.gov
Randolph Frails on behalf of Creditor Richmond County Tax Commissioner randyfrails@frailswilsonlaw.com, thaynes@frailswilsonlaw.com
Robert Patrick Vance on behalf of Creditor Chevron Phillips Chemical Company pvance@joneswalker.com
Shannon Heath Statkus on behalf of Interested Party Environment & Natural Resources Division USAGAS.ECFBankruptcyAUG@usdoj.gov, shannon.statkus@usdoj.gov
Thomas Raymond Walker on behalf of Creditor Georgia Power Company thomas.walker@fisherbroyles.com
Ward Stone, Jr. on behalf of Creditor AdvanSix, Inc. wstone@stoneandbaxter.com, dbury@stoneandbaxter.com;mbelflower@stoneandbaxter.com;lford-faherty@stoneandbaxter.com;mcathy@stoneandbaxter.com

TOTAL: 33

IT IS ORDERED as set forth below:



Date: February 14, 2019

Susan D. Barrett
Susan D. Barrett
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

In re:	)	Chapter 11
)	
FIBRANT, LLC, et al.,¹	)	Case No. 18-10274 (SDB)
)	
)	
Debtors.	)	Jointly Administered
)	

ORDER APPROVING: (I) THE DISCLOSURE STATEMENT WITH RESPECT TO AMENDED AND RESTATED PLAN OF LIQUIDATION; (II) PROCEDURES FOR THE SOLICITATION AND TABULATION OF VOTES TO ACCEPT OR REJECT THE PLAN; AND (III) RELATED NOTICE AND OBJECTION PROCEDURES

This matter is before the Court on the Debtors’ *Motion for Entry of an Order Approving (I) the Disclosure Statement; (II) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Debtors’ Chapter 11 Plan; and (III) Related Notice and Objection Procedures* [Docket No. 468] (the “Motion”) of Fibrant, LLC and its affiliated debtors-in-possession

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant South Center, LLC (8270); and Georgia Monomers Company, LLC (0042).

(collectively, the “Debtors”). All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

The Court has considered the Motion, the Disclosure Statement for Amended and Restated Plan of Liquidation Filed By Fibrant, LLC, *et al.*, dated February 13, 2019 [Docket No. 601] (the “Disclosure Statement”), the pleadings filed in support thereof and the objections thereto, and the matters reflected in the record of the hearing held on the Motion on February 7, 2019 (the “Hearing”). It appears that the Court has jurisdiction over this proceeding; that this is a core proceeding; that the Debtors have filed with the Court the Disclosure Statement and the Amended and Restated Plan of Liquidation for Fibrant, LLC, *et al.* dated February 13, 2019 [Docket No. 600] (the “Plan”); that notice of the Motion has been given as required by Bankruptcy Rule 3017; that notice of the Hearing was properly served on the Debtors’ creditors, equity security holders and parties-in-interest; that no further notice is necessary; that the relief sought in the Motion is in the best interests of the Debtors, their estates, and their stakeholders; and that good and sufficient cause exists for such relief.

IT IS HEREBY FOUND THAT:

A. The Disclosure Statement (as the same may have been amended and/or revised from time to time, including in connection with the Hearing) contains “adequate information” within the meaning of section 1125 of the Bankruptcy Code.

B. The form of Notice of Non-Voting Status to be sent to Holders of Claims in Classes 1 and 2, and Holders of Equity Interests in Class 5, substantially in the form attached hereto as Exhibit 1, complies with Bankruptcy Rule 3017, and adequately addresses the particular needs of these chapter 11 cases.

C. The forms of the Ballots attached hereto as Exhibit 2 are substantially consistent with Official Form No. 14, adequately address the particular needs of these chapter 11 cases, and are appropriate for each Class of Claims entitled to vote to accept or reject the Plan.

D. The Ballots require the furnishing of sufficient information to ensure that duplicate Ballots are not submitted and tabulated and that Ballots reflect the votes of creditors.

E. The period set forth below during which the Debtors may solicit acceptances to the Plan is a reasonable and adequate period of time for creditors to make an informed decision to accept or reject the Plan.

F. The procedures for the solicitation and tabulation of votes to accept or reject the Plan (as more fully set forth in the Motion and below) provide for a fair and equitable voting process and are consistent with section 1126 of the Bankruptcy Code.

G. The Confirmation Hearing Notice substantially in the form attached hereto as Exhibit 3, the procedures set forth below for providing notice to all creditors and equity interest holders of the time, date and place of the Confirmation Hearing (as defined below), and the contents of the Solicitation Packages comply with Bankruptcy Rules 2002 and 3017 and constitute sufficient notice to all interested parties.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. The Disclosure Statement is approved.
3. The Hearing date is hereby established as the Voting Record Date for purposes of determining: (a) the Holders of Claims entitled to vote to accept or reject the Plan; and (b) in the case of nonvoting Classes, the Holders of Claims and the Holders of Interests that are entitled to receive non-voting materials.

4. The form of Notice of Non-Voting Status, substantially in the form attached hereto as Exhibit 1 is approved and shall be distributed to Holders, as of the Voting Record Date, of Claims in Classes 1 and 2, and Holders of Equity Interests in Class 5.

5. Within five days of entry of this Order (the “Solicitation Deadline”), the Debtors are directed to distribute or cause to be distributed Solicitation Packages to all Holders of Claims in the Voting Classes, including:

- (a) all Persons identified in the Debtors’ Schedules as holding liquidated, noncontingent and undisputed Unsecured Claims in an amount greater than zero dollars, excluding (i) scheduled Claims that have been paid in full prior to the Solicitation Date or superseded by filed proofs of claim, or (ii) scheduled Claims validly transferred prior to the Voting Record Date;
- (b) all parties having timely filed proofs of claim, as reflected in the official claims register maintained by the Voting Agent (i) in an amount greater than zero dollars, (ii) that have not been disallowed, expunged, or paid in full prior to the Solicitation Date, and (iii) that have not been transferred and assigned prior to the Voting Record Date;
- (c) the assignee of a transferred and assigned Claim (whether a filed or scheduled Claim) whose transfer and assignment has been properly noted on the Court’s docket and is effective pursuant to Bankruptcy Rule 3001(e) as of the close of business on the Voting Record Date and whose Claims have not been disallowed, expunged, or satisfied in full prior to the Solicitation Date; and
- (e) any other known Holders of such Claims in the Voting Classes as of the Voting Record Date.

6. The Solicitation Packages to the Voting Classes shall contain copies of: (a) a cover letter describing the contents of the Solicitation Package (including, with respect to Class 4 claimants, a letter from the Official Committee of Unsecured Creditors recommending that Class 4 claimants vote to accept the Plan); (b) this Order (without exhibits); (c) the Confirmation Hearing Notice (as defined below); (d) an appropriate form of Ballot together with a pre-addressed, postage prepaid return envelope addressed to Fibrant’s Ballot Processing Center, c/o Kurtzman Carson

Consultants, LLC, 2335 Alaska Avenue, El Segundo, California 90245; and (e) the Disclosure Statement (together with the Plan annexed thereto and all other appendices).

7. The Debtors may send the Solicitation Packages in an electronic format instead of printed hard copies; provided, however, the Debtors shall provide printed hard copies upon request.

8. The forms of the Ballots attached hereto as Exhibit 2 (including Exhibits 2A and 2B) are approved.

9. Classes 1 and 2 are unimpaired and, therefore, conclusively presumed to accept the Plan in accordance with section 1126(f). Therefore, the Debtors shall not send any Ballots to Holders of Claims in these Classes.

10. Class 5 is impaired, and is conclusively presumed to reject the Plan. Therefore, the Debtors shall not send any Ballots to Holders of Equity Interests in Class 5.

11. Except as otherwise provided herein, to be counted as a vote to accept or reject the Plan, a Ballot must be properly executed, completed, and delivered to the Voting Agent: (i) by mail in the return envelope provided with the Ballot, (ii) by overnight courier, or (iii) by personal delivery so that, in each case, the Ballot is received by the Voting Agent no later than 5:00 p.m., Pacific time, 45 days after the Solicitation Deadline (the "Voting Deadline"). No Ballots may be submitted by facsimile or electronic mail, and any Ballots submitted by facsimile or electronic mail will not be accepted or counted.

12. The Debtors may extend the Voting Deadline, if necessary or desirable in the sole discretion of the Debtors, without further order of the Court, to a date that is no later than three days before the Confirmation Hearing by publishing on <http://www.kccllc.net/Fibrant> an announcement of such extension.

13. Solely for purposes of voting to accept or reject the Plan, not for the purposes of the allowance of or distribution on account of a Claim, and without prejudice to the rights of the Debtors in any other context, each Holder of a Claim within a Class of Claims entitled to vote to accept or reject the Plan shall be entitled to vote the amount of such Claim as set forth in the Schedules (as may be amended from time to time) unless (a) such Holder has timely filed a proof of claim, in which event such Holder shall be entitled to vote the amount of such Claim as set forth in such proof of claim (except to the extent such claim has been disallowed by order of this Court); or (b) the Debtors have satisfied such Claim in accordance with orders of the Court, in which event such Holder would be entitled to vote only the amount of such Claim that had not been satisfied (if any). The foregoing general procedure will be subject to the following exceptions:

- a. if a Claim is deemed “Allowed” under the Plan or an order of the Court, such Claim is Allowed for voting purposes in the deemed “Allowed” amount set forth in the Plan or the Court’s order;
- b. if a Claim for which a proof of claim has been timely filed is wholly contingent, unliquidated or disputed (as determined by the Debtors after a reasonable review of the Claim and its supporting documentation), such Claim shall be temporarily Allowed for voting purposes only, and not for purposes of allowance or distribution, at \$1.00, and the Ballot mailed to the Holder of such Claim shall be marked as voting at \$1.00;
- c. if a Claim is partially liquidated and partially unliquidated, such Claim shall be Allowed for voting purposes only in the liquidated amount;
- d. if a Claim is listed in the Schedules as contingent, unliquidated or disputed and a proof of claim was not (a) filed by the applicable bar date for the filing of proofs of claim established by the Court or (b) deemed timely filed by an order of the Court prior to the Voting Deadline, then, unless the Debtors have consented in writing, such Claim shall be disallowed for voting purposes;
- e. if the Debtors have filed an objection to a Claim before the Voting Record Date, such Claim shall be disallowed for voting purposes only; and
- f. notwithstanding anything to the contrary contained herein, any creditor who has filed or purchased duplicate Claims (whether against the same or multiple Debtors) that are classified under the Plan in the same Class, shall be provided with only one Solicitation Package and one Ballot for voting a

single Claim in such Class, regardless of whether the Debtors have objected to such duplicate Claims.

14. If any creditor seeks to challenge the allowance of its Claim for voting purposes in accordance with the above procedures, such claimant is directed to serve on counsel for Debtors and file with the Court a Rule 3018 Motion no later than the later of: (a) 5:00 p.m. (Eastern time) on the Voting Deadline; and (b) 5:00 p.m. (Eastern time) on the seventh day after the date of service of an objection, if any, to such Claim.

15. As to any creditor filing such a motion, such creditor's Ballot shall not be counted unless temporarily allowed by the Court for voting purposes after notice and a hearing. If and to the extent that the Debtors and such party are unable to resolve the issues raised by the Rule 3018 Motion prior to the Voting Deadline, then on or before the Confirmation Hearing the Court will determine whether the provisional Ballot should be counted as a vote on the Plan.

16. If a Holder of a Claim entitled to vote to accept or reject the Plan casts more than one Ballot voting the same Claim before the Voting Deadline, the last properly completed Ballot received before the Voting Deadline shall be deemed to reflect the voter's intent and, thus, to supersede any prior Ballots.

17. Creditors with multiple Claims within a particular Class must vote all of their Claims within such Class either to accept or reject the Plan and may not split their votes, and thus neither (i) any Ballot that partially rejects and partially accepts the Plan nor (ii) any Ballot filed by a creditor with multiple Claims within a Class that votes inconsistently, will be counted.

18. Any Ballot that is properly completed, executed, and timely returned to the Voting Agent but does not indicate an acceptance or rejection of the Plan or indicates both an acceptance and a rejection of the Plan shall not be counted.

19. Any Ballot actually received by the Voting Agent after the Voting Deadline shall not be counted unless the Debtors granted an extension of the Voting Deadline with respect to such Ballot.

20. Any Ballot that is illegible or contains insufficient information to permit the identification of the Person that submitted the Ballot shall not be counted.

21. Any Ballot cast by a Person that does not hold a Claim in a Class that is entitled to vote to accept or reject the Plan shall not be counted.

22. Any Ballot cast for a Claim scheduled as unliquidated, contingent, or disputed and for which no proof of claim was timely filed shall not be counted.

23. Any unsigned Ballot or non-originally signed Ballot shall not be counted unless expressly authorized by the Debtors (in their sole discretion).

24. Any Ballot sent directly to any of the Debtors, their agents (other than the Voting Agent), the Debtors' financial or legal advisors, or any party other than the Voting Agent shall not be counted.

25. Any Ballot cast for a Claim that has been disallowed (for voting purposes or otherwise) shall not be counted.

26. Any Ballot transmitted to the Voting Agent by facsimile or other electronic means shall not be counted unless expressly authorized by the Debtors (in their sole discretion).

27. The Debtors may reject any and all Ballots the acceptance of which, in the reasonable judgment of the Debtors, would not be in accordance with the provisions of the Bankruptcy Code or the Bankruptcy Rules. The Debtors may also waive (in their sole discretion) any defects or irregularities as to any particular Ballot at any time, either before or after the Voting

Deadline; provided, however, that any such rejections and/or waivers shall be documented in the tabulation report filed by the Voting Agent with the Court.

28. No Person (including the Debtors and the Voting Agent) shall be under any duty to provide notification of defects or irregularities with respect to delivered Ballots, nor shall the Debtors, the Voting Agent or any other Person incur any liability for failure to provide such notification.

29. The Voting Agent may disregard any and all defective ballots with no further notice to any other Person.

30. The Voting Agent will file a certificate of tabulation on or before April 10, 2019.

31. **The Confirmation Hearing shall be held at 10:00 a.m. (Eastern time) on April 17, 2019** (the “Confirmation Hearing”); *provided, however*, that the Confirmation Hearing may be adjourned from time to time by the Court or the Debtors without further notice to parties other than an announcement in Court at the Confirmation Hearing or any adjourned Confirmation Hearing.

32. The Confirmation Hearing Notice substantially in the form attached hereto as Exhibit 3 is approved and shall be transmitted to all creditors, equity interest holders and parties-in-interest substantially in the form attached as Exhibit 3 within five days after entry of this Order.

33. The Debtors shall publish the Confirmation Hearing Notice substantially in the form attached as Exhibit 3 electronically on <http://www.kccllc.net/Fibrant> and once each in the legal notices of *USA Today* and the *Augusta Chronicle* within 20 days of the date of entry of this Order.

34. The Debtors shall send Solicitation Packages, Notices of Non-Voting Status, and Confirmation Hearing Notices as required by this Order only to known deliverable addresses;

provided, however, the Debtors shall send Solicitation Packages, Notices of Non-Voting Status, and Confirmation Hearing Notices as required by this Order to any Person that provides written notice of a new mailing address or forwarding address prior to the Solicitation Deadline. The failure to distribute Solicitation Packages, Notices of Non-Voting Status, or Confirmation Hearing Notices to Persons at undeliverable addresses will not constitute a violation of Bankruptcy Rule 3017(d) or inadequate notice of the Confirmation Hearing, the Voting Deadline, or this Order.

35. Objections to confirmation of the Plan or proposed modifications to the Plan, if any, must: (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such party; (d) state with particularity the basis and nature of any objection to the Plan; and (e) be filed, together with proof of service, with the Court electronically and served on the parties listed in the Confirmation Hearing Notice, on or before 5:00 p.m. (Eastern time) on the Voting Deadline (the “Objection Deadline”).

36. Objections to confirmation of the Plan not timely filed and served in the manner set forth above may not be considered and may be overruled.

37. The Debtors shall use commercially reasonable efforts to send the Confirmation Hearing Notice to each Person that owns real property directly adjacent to the Debtors’ Augusta, Georgia plan site.

38. The Debtors are authorized to take or refrain from taking any action and expending such funds necessary or appropriate to implement the terms of and the relief granted in this Order without seeking further order of the Court.

39. The Debtors are authorized to make nonsubstantive changes to the Disclosure Statement, Plan, Ballots, the Confirmation Hearing Notice, any other notice related to the Plan or

Disclosure Statement and all exhibits and appendices to any of the foregoing without further order of the Court, including, without limitation, changes to correct typographical and grammatical errors and to make conforming changes among the Disclosure Statement, the Plan and any other materials in the Solicitation Package prior to their distribution.

40. The United States of America and each of its agencies, including (but not limited to) the Environmental Protection Agency (“EPA”), have not consented to approval of the Disclosure Statement and have not approved the language of the Disclosure Statement, and EPA reserves and preserves all of its rights in connection with confirmation of the Plan, including any and all rights to vote to reject the Plan.

[END OF DOCUMENT]

Prepared and presented by:

KING & SPALDING LLP

/s/ Paul K. Ferdinands

Paul K. Ferdinands
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COUNSEL FOR THE
DEBTORS-IN-POSSESSION

EXHIBIT 1

NOTICE OF NON-VOTING STATUS

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

In re:	)	Chapter 11
)	
FIBRANT, LLC, <i>et al.</i> , ¹	)	Case No. 18-10274 (SDB)
)	
)	
Debtors.	)	Jointly Administered
<hr/>		

NOTICE OF NON-VOTING STATUS UNDER THE DEBTORS' AMENDED AND RESTATED PLAN DATED AS OF FEBRUARY 13, 2019

1. On February 23, 2018 (the "Petition Date"), the above-captioned debtors and debtors in possession (collectively, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code").

2. On February 14, 2019, the United States Bankruptcy Court for the Southern District of Georgia, Augusta Division (the "Bankruptcy Court") entered an *Order Approving (I) the Disclosure Statement With Respect to Amended and Restated Plan of Liquidation; (II) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan; and (III) Related Notice and Objection Procedures* [Docket No. ____] (the "Approval Order").

3. Among other things, the Approval Order: (a) approved the *Disclosure Statement for Amended and Restated Plan of Liquidation Filed by Fibrant, LLC, et al. dated February 13, 2019* [Docket No. 601] (the "Disclosure Statement"); (b) established certain procedures (collectively, the "Solicitation Procedures") for the solicitation and tabulation of votes to accept or reject the *Amended and Restated Plan of Liquidation for Fibrant, dated February 13, 2019* [Docket No. 600] (as may be amended, the "Plan"); (c) approved the contents of the proposed solicitation packages to be distributed to the Debtors' creditors who are entitled to vote to accept or reject the Plan (collectively, the "Solicitation Packages"); (d) approved the forms of notice to be sent to certain stakeholders who are not entitled to vote to accept or reject the Plan; and (e) approved other notice and objection procedures in connection with the hearing to confirm the Plan (the "Confirmation Hearing"). All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Plan.

4. Pursuant to Rule 3017(d) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and the Approval Order, the Debtors: (a) are required to provide Solicitation Packages to all Holders of Claims entitled to vote to accept or reject the Plan; and (b) are not required to provide Solicitation Packages to Holders of Claims or Interests in Classes under the

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant South Center, LLC (8270); and Georgia Monomers Company, LLC (0042).

Plan that are conclusively presumed to either accept or reject the Plan (collectively, the “Non-Voting Classes”).

5. The Non-Voting Classes, and their proposed treatment under the Plan, are set forth immediately below:

Class 1: Allowed Miscellaneous Secured Claims are not impaired under the Plan and will be satisfied in full. Holders of Claims in Class 1 are conclusively presumed to have accepted the Plan and are not entitled to vote to accept or reject the Plan on account of such Claims.

Class 2: Allowed Priority Claims are not impaired under the Plan and will be satisfied in full. Holders of Claims in Class 2 are conclusively presumed to have accepted the Plan and are not entitled to vote to accept or reject the Plan on account of such Claims.

Class 5: Holders of Class 5 Equity Interests shall receive no Distribution and shall not receive or retain any property under the Plan on account of such Equity Interests. Because Class 5 will receive no distribution under the Plan, Class 5 is conclusively deemed to have rejected the Plan and holders of Class 5 Equity Interests are not entitled to vote on the Plan.

6. **YOU HAVE BEEN IDENTIFIED AS THE HOLDER OF A CLAIM OR INTEREST IN A NON-VOTING CLASS UNDER THE PLAN AND, THEREFORE, YOU ARE NOT ENTITLED TO VOTE TO ACCEPT OR REJECT THE PLAN ON ACCOUNT OF SUCH CLAIM OR INTEREST.** Accordingly, pursuant to the Approval Order, you are receiving this Notice in lieu of a Solicitation Package containing, among other things, copies of the Disclosure Statement and the Plan. Should you wish to obtain a copy of either the Disclosure Statement or the Plan, copies of both documents (including any exhibits and appendices thereto) are available at no charge via the internet at: <http://www.kccllc.net/Fibrant>. Copies of the Disclosure Statement and the Plan (excluding any publicly-filed exhibits and appendices thereto) are also available upon a written request made to the Debtors at Fibrant’s Ballot Processing Center, c/o Kurtzman Carson Consultants, LLC, 2335 Alaska Avenue, El Segundo, California 90245.

7. **If you wish to challenge the Debtors’ classification of your Claim, you must file a motion, pursuant to Bankruptcy Rule 3018(a) (a “Rule 3018(a) Motion”), for an order temporarily allowing your Claim in a different classification or amount for purposes of voting to accept or reject the Plan and serve such motion on the Debtors so that it is received by the later of (a) 5:00 p.m. (Eastern time) on April 5, 2019, and (b) the seventh day after the date of service of a notice of an objection, if any, to your Claim. In accordance with Bankruptcy Rule 3018, as to any creditor filing a Rule 3018 Motion, such creditor’s Ballot will not be counted unless temporarily allowed by the Bankruptcy Court for voting purposes, after notice and a hearing on or prior to April 17, 2019. Rule 3018(a) Motions that are not timely filed and served in the manner as set forth above will not be considered.**

8. The Confirmation Hearing will be held before Judge Susan Barrett of the United States Bankruptcy Court for the Southern District of Georgia, Augusta Division, Federal Justice Center, 600 James Brown Blvd Augusta, Georgia 30901 on **April 17, 2019 at 10:00 a.m. Eastern time**. The Confirmation Hearing may be continued from time to time without further notice other than the announcement of the adjourned date at the Confirmation Hearing or any continued hearing.

9. Objections, if any, to the confirmation of the Plan must: (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the amount and nature of the Claim or Interest of such party; (d) state with particularity the basis and nature of any objection to the Plan; and (e) be filed, together with proof of service, with the Bankruptcy Court electronically and served on the parties listed below on or before 5:00 p.m. (Eastern time) on April 5, 2019:

- King & Spalding LLP, 1180 Peachtree Street NE, Atlanta, Georgia 30309 (Attn: Paul Ferdinands);
- Fibrant, LLC, c/o Alvarez & Marsal North America, LLC, Monarch Tower, 3424 Peachtree Road NE, Suite 1500, Atlanta, Georgia 30326 (Attn: Lawrence Hirsh);
- Office of the United States Trustee, Johnson Square Business Center Suite 725, 2 East Bryan Street, Savannah, Ga 31401 (Attn: Joel Paschke);
- Lowenstein Sandler, PC, 65 Livingston Avenue, Roseland, NJ 07068 (Attn: Jeffrey D. Prol);
- Lowenstein Sandler, PC, 1251 Avenue of the Americas, New York, NY 10020 (Attn: Bruce S. Nathan); and
- Latham & Watkins LLP, 885 Third Avenue, New York, New York 10022 (Attn: Adam J. Goldberg).

Dated: February 14, 2019

BY ORDER OF THE COURT

KING & SPALDING LLP

/s/ Paul K. Ferdinands

Paul K. Ferdinands

Georgia Bar No. 258623

pferdinands@kslaw.com

Jonathan W. Jordan

Georgia Bar No. 404874

jjordan@kslaw.com

Sarah L. Primrose

Georgia Bar No. 532582

sprimrose@kslaw.com

1180 Peachtree Street

Atlanta, Georgia 30309-3521

Telephone: (404) 572-4600

Facsimile: (404) 572-5100

and

KLOSINSKI OVERSTREET, LLP

James C. Overstreet Jr.

Georgia Bar No. 556005

jco@klosinski.com

1229 Augusta West Parkway

Augusta, GA 30909

Telephone: (706) 863-2255

Facsimile: (706) 863-5885

COUNSEL FOR THE

DEBTORS-IN-POSSESSION

EXHIBIT 2

FORMS OF BALLOTS

EXHIBIT 2A

BALLOT FOR CLASS 3 CLAIMS

NO PERSON HAS BEEN AUTHORIZED TO GIVE ANY INFORMATION OR ADVICE, OR TO MAKE ANY REPRESENTATION, OTHER THAN WHAT IS INCLUDED IN THE MATERIALS MAILED WITH THIS BALLOT.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

In re:	)	Chapter 11
)	
FIBRANT, LLC, et al.,¹	)	Case No. 18-10274 (SDB)
)	
Debtors.	)	Jointly Administered
)	

**BALLOT FOR CLASS 3 ENVIRONMENTAL CLAIMS
VOTING TO ACCEPT OR REJECT THE AMENDED AND RESTATED PLAN OF
LIQUIDATION FOR FIBRANT, LLC, et al. DATED FEBRUARY 13, 2019**

**THE VOTING DEADLINE BY WHICH YOUR BALLOT
MUST BE ACTUALLY RECEIVED BY THE VOTING AGENT IS 5:00 P.M. (PACIFIC TIME)
ON APRIL 5, 2019 (THE “VOTING DEADLINE”).**

**IF YOUR BALLOT IS NOT RECEIVED ON OR PRIOR
TO THE VOTING DEADLINE, THE VOTE REPRESENTED
BY YOUR BALLOT WILL NOT BE COUNTED, EXCEPT IN THE DEBTORS’ SOLE
DISCRETION.**

If you are, as of February 7, 2019, a holder of a Class 3 Claim (an “Environmental Claim”) against Fibrant, LLC and its affiliated debtors-in-possession (collectively, the “Debtors”), please use this ballot (the “Ballot”) to cast your vote to accept or reject the Amended and Restated Plan of Liquidation for Fibrant, LLC, et al., dated as of February 13, 2019 (as may be amended, the “Plan”). The Plan is Exhibit A to the Disclosure Statement for Amended and Restated Plan of Liquidation filed by Fibrant, LLC, et al., dated February 13, 2019 (the “Disclosure Statement”), which accompanies this Ballot. Capitalized terms used but not otherwise defined herein have the meanings given to them in the Plan. Before you transmit any votes, please review the Plan, the Disclosure Statement and all related documents enclosed herewith carefully, including the voting procedures explained in the Disclosure Statement.

The Plan can be confirmed by the Bankruptcy Court and thereby made binding upon you if (a) it is accepted by the holders of at least two-thirds in dollar amount and more than one-half in number of Claims in each Class of Claims entitled to vote and that actually vote on the Plan; and (b) it otherwise satisfies the requirements of section 1129(a) of the Bankruptcy Code. If the requisite acceptances are not obtained (or if a Class of Claims or Interests is deemed to reject the Plan), the Bankruptcy Court may nonetheless

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant South Center, LLC (8270); and Georgia Monomers Company, LLC (0042).

confirm the Plan if it finds that the Plan provides fair and equitable treatment to, and does not discriminate unfairly against, the Class or Classes rejecting it, and otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

PLEASE READ AND FOLLOW THE ATTACHED INSTRUCTIONS CAREFULLY. COMPLETE, SIGN, AND DATE THIS BALLOT, AND RETURN IT SO THAT IT IS ACTUALLY RECEIVED BY THE VOTING AGENT (AS DEFINED BELOW) NO LATER THAN 5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019, AT THE FOLLOWING ADDRESS: FIBRANT'S BALLOT PROCESSING, C/O KURTZMAN CARSON CONSULTANTS LLC, 2335 ALASKA AVENUE, EL SEGUNDO, CA 90245.

IF THIS BALLOT IS NOT COMPLETED, SIGNED, AND ACTUALLY RECEIVED BY THE DEBTORS' VOTING AGENT PRIOR TO THE EXPIRATION OF THE VOTING DEADLINE, THEN THE VOTES TRANSMITTED BY THIS BALLOT WILL NOT BE COUNTED, EXCEPT IN THE DEBTORS' SOLE DISCRETION.

Item 1. *Voting Classification and Amount.* The undersigned hereby certifies that as of February 7, 2019 the undersigned was the record holder of Environmental Claims in Class 3 under the Plan, in the aggregate unpaid amount of:

\$1.00

Item 2. *Vote on Plan.* The undersigned holder of Environmental Claims in Class 3 under the Plan, as described in Item 1 above, votes all such Claims to (check one box):

Accept the Plan

OR

Reject the Plan

A vote to accept or reject the Plan will be deemed to be a vote to accept or reject the Plan for each of the companies.

Item 3. *Certifications.* By returning this Ballot, the undersigned holder of Environmental Claims in Class 3 under the Plan, as described in Item 1 above, certifies that (a) it has full power and authority to vote to accept or reject the Plan; (b) it was the record holder of the Claims described in Item 1 on February 7, 2019; (c) it has received a copy of the Plan and Disclosure Statement (and all attachments and supplements thereto); and (d) all authority conferred or agreed to be conferred pursuant to this Ballot, and every obligation of the undersigned hereunder, shall be binding upon the transferees, successors, assigns, heirs, executors, administrators, trustees in bankruptcy and legal representatives of the undersigned and shall not be affected by, and shall survive, the death or incapacity of the undersigned. By signing the Ballot you also are acknowledging that your vote is subject to all terms or conditions set forth in the Disclosure Statement and the Plan.

Name of Holder: _____
(print or type)

Signature: _____

Print Name: _____

Title: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address: _____

Date Completed: _____

THIS BALLOT MUST BE ACTUALLY RECEIVED BY THE DEBTORS' VOTING AGENT AT THE FOLLOWING ADDRESS: FIBRANT'S BALLOT PROCESSING, C/O KURTZMAN CARSON CONSULTANTS LLC, 2335 ALASKA AVENUE, EL SEGUNDO, CA 90245, NO LATER THAN 5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019, OR THE VOTES TRANSMITTED HEREBY WILL NOT BE COUNTED, EXCEPT IN THE DEBTORS' SOLE DISCRETION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT OR THE VOTING PROCEDURES, OR IF YOU NEED ADDITIONAL COPIES OF THIS BALLOT, THE DISCLOSURE STATEMENT, THE PLAN, OR OTHER RELATED MATERIALS OR DOCUMENTS, PLEASE CALL THE VOTING AGENT, KURTZMAN CARSON CONSULTANTS LLC AT (888) 647-1715 (USA/CANADA) OR (310) 751-2619 (INTERNATIONAL).

INSTRUCTIONS FOR COMPLETING THE BALLOT

VOTING DEADLINE:

The Voting Deadline is **5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019** unless extended in writing by the Debtors in their sole discretion. To have your vote count, you must complete, sign, and return this Ballot so that it is **ACTUALLY RECEIVED** on or before the Voting Deadline by Kurtzman Carson Consultants LLC in the following manner:

MAIL TO:

Fibrant Ballot Processing
c/o Kurtzman Carson Consultants LLC
2335 Alaska Avenue
El Segundo, CA 90245

By signing the Ballot, you have certified that you are either (i) a creditor with a Claim to which the Ballot pertains that is designated in the class of Claims referenced in the Ballot pursuant to the Plan, or (ii) an authorized signatory of such a creditor, and have full power and authority to vote to accept or reject the Plan. You also have acknowledged that such vote is subject to all the terms and conditions set forth in the Disclosure Statement and the Plan.

It is important that you vote. The Plan can be confirmed by the Bankruptcy Court and thereby made binding on you if (a) it is accepted by the holders of at least two-thirds in dollar amount and more than one-half in number of Claims in each Class of Claims entitled to vote and that actually vote on the Plan; and (b) it otherwise satisfies the requirements of section 1129(a) of the Bankruptcy Code. In a bankruptcy proceeding, the votes of the Claims actually voted in your Class will bind those who do not vote. In the event that the requisite acceptances are not obtained, the Bankruptcy Court may nevertheless confirm the Plan if at least one impaired Class of Claims or Interests has accepted the Plan and the Bankruptcy Court finds that the Plan affords fair and equitable treatment to, and does not discriminate unfairly against, the Class(es) rejecting it and otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

HOW TO VOTE:

1. The Debtors are soliciting the votes of holders of Class 3 Environmental Claims with respect to the Plan. **You will be bound by the terms of the Plan, if confirmed, even if you did not vote to accept the Plan.** Please review the Plan and Disclosure Statement for more information.
2. To ensure that your vote is counted, you must: (a) complete the Ballot; (b) indicate your decision either to accept or to reject the Plan in the boxes provided in Item 2 of the Ballot; and (c) sign and return the Ballot as required by Item 3 of the Ballot.
3. If a Ballot is received by the Voting Agent after the Voting Deadline it will **not** be counted, except in the Debtors' sole discretion. The method of delivery of the Ballots is at the election and risk of each holder of Class 3 Claims. Except as otherwise provided herein, such delivery will be deemed made only when the Voting Agent **actually receives** the executed Ballot. In all cases, holders of Class 3 Claims should allow sufficient time to assure timely delivery to the Voting Agent. You are encouraged to vote on the Plan as soon as possible. If you believe that your Ballot will not be

received on or before the Voting Deadline, the Debtors encourage you to submit your Ballot notwithstanding that the Voting Deadline may have already occurred.

4. You must vote all of your Class 3 Environmental Claims either to accept or reject the Plan, and you may not split your vote. Any Ballot that fails to indicate acceptance or rejection of the Plan or that indicates both an acceptance and a rejection of the Plan will not be counted.
5. If a holder casts simultaneous Ballots voted inconsistently with respect to Environmental Claims classified in Class 3, such Ballots will not be counted.
6. Whenever a holder of an Environmental Claim submits more than one Ballot voting the same Claim prior to the Voting Deadline, the last such properly completed Ballot sent and received prior to the Voting Deadline will be deemed to reflect the voter's intent and thus to supersede any prior received Ballots.
7. Please be sure to sign and date your Ballot. If you are signing a Ballot in your capacity as a trustee, executor, administrator, guardian, attorney in fact, officer of a corporation, or otherwise acting in a fiduciary or representative capacity, you must indicate such capacity when signing and, if required or requested by the Voting Agent or the Bankruptcy Court, you must submit proper evidence to the requesting party so as to act on behalf of such holder or beneficial holder. In addition, please provide your name and mailing address if it is different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
8. If you hold Claims in one or more Classes other than Class 3, you should receive more than one Ballot specifically designed for the different Classes. Each Ballot votes only your Claims indicated on that Ballot. **IF YOU RECEIVE MORE THAN ONE BALLOT, YOU SHOULD ASSUME THAT EACH BALLOT IS FOR A SEPARATE CLAIM AND SHOULD COMPLETE AND RETURN ALL OF THEM.** Please complete and return each Ballot you receive.
9. The following Ballots shall not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot postmarked prior to the Voting Deadline but received afterward, except in the sole discretion of the Debtors; (b) any Ballot that is illegible or contains insufficient information to permit the identification of the holder of the Environmental Claims; (c) any Class 3 Ballot cast by a Person that does not hold an Environmental Claim; (d) any unsigned Ballot, except in the sole discretion of the Debtors; and (e) any Ballot submitted by any Person not entitled to vote.
10. If a Ballot is damaged or lost, you believe that you have received the wrong Ballot, or you have any questions concerning the voting procedures, you should contact the Voting Agent at **(888) 647-1715 (USA/Canada) or (310) 751-2619 (International)** immediately.

PLEASE COMPLETE AND MAIL YOUR BALLOT PROMPTLY!

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT OR THE VOTING PROCEDURES, YOU SHOULD CONTACT THE VOTING AGENT AT (888) 647-1715 (USA/CANADA) OR (310) 751-2619 (INTERNATIONAL).

PLEASE NOTE:

This Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan. Holders should not surrender, at this time, certificates or instruments

representing or evidencing their Environmental Claims. Neither the Debtors nor the Voting Agent will accept delivery of any such certificates or instrument surrendered together with a Ballot.

No Ballot shall constitute or be deemed a proof of claim or equity interest, an assertion of a claim or equity interest, or an admission by the Debtors of the nature, validity or amount of any claim or interest.

Your Claim has been **temporarily allowed solely for purposes of voting** to accept or reject the Plan in accordance with certain tabulation rules (the “Tabulation Rules”). The Tabulation Rules are set forth in the *Order Approving (I) the Disclosure Statement With Respect to Amended and Restated Plan of Liquidation; (II) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan; and (III) Related Notice and Objection Procedures* [Docket No. ____]. The temporary allowance of your Claim for voting purposes does not constitute an allowance of your Claim for purposes of distribution under the Plan and is without prejudice to the rights of the Debtors in any other context (e.g., the right of the Debtors to contest the amount or validity of any Claim for purposes of allowance under the Plan).

No fees or commissions or other remuneration will be payable to any broker, dealer or other person for soliciting votes on the Plan.

NOTHING CONTAINED HEREIN OR IN THE ENCLOSED DOCUMENTS SHALL RENDER YOU OR ANY OTHER PERSON THE AGENT OF THE DEBTORS OR KURTZMAN CARSON CONSULTANTS LLC, OR AUTHORIZE YOU OR ANY OTHER PERSON TO USE ANY DOCUMENT OR MAKE ANY STATEMENTS ON BEHALF OF ANY OF THEM WITH RESPECT TO THE PLAN OR DISCLOSURE STATEMENT, EXCEPT FOR THE STATEMENTS CONTAINED IN THE ENCLOSED DOCUMENTS.

EXHIBIT 2B

BALLOT FOR CLASS 4 CLAIMS

if a Class of Claims or Interests is deemed to reject the Plan), the Bankruptcy Court may nonetheless confirm the Plan if it finds that the Plan provides fair and equitable treatment to, and does not discriminate unfairly against, the Class or Classes rejecting it, and otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

PLEASE READ AND FOLLOW THE ATTACHED INSTRUCTIONS CAREFULLY. COMPLETE, SIGN, AND DATE THIS BALLOT, AND RETURN IT SO THAT IT IS ACTUALLY RECEIVED BY THE VOTING AGENT (AS DEFINED BELOW) NO LATER THAN 5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019, AT THE FOLLOWING ADDRESS: FIBRANT'S BALLOT PROCESSING, C/O KURTZMAN CARSON CONSULTANTS LLC, 2335 ALASKA AVENUE, EL SEGUNDO, CA 90245.

IF THIS BALLOT IS NOT COMPLETED, SIGNED, AND ACTUALLY RECEIVED BY THE DEBTORS' VOTING AGENT PRIOR TO THE EXPIRATION OF THE VOTING DEADLINE, THEN THE VOTES TRANSMITTED BY THIS BALLOT WILL NOT BE COUNTED, EXCEPT IN THE DEBTORS' SOLE DISCRETION.

Item 1. *Voting Classification and Amount.* The undersigned hereby certifies that as of February 7, 2019 the undersigned was the record holder of General Unsecured Claims in Class 4 under the Plan, in the aggregate unpaid amount of:

[\$_____]

[CLAIM AMOUNT TO BE ENTERED BY VOTING AGENT PRIOR TO SOLICITATION]

Item 2. *Vote on Plan.* The undersigned holder of General Unsecured Claims in Class 4 under the Plan, as described in Item 1 above, votes all such Claims to (check one box):

Accept the Plan

OR

Reject the Plan

A vote to accept or reject the Plan will be deemed to be a vote to accept or reject the Plan for each of the companies.

Item 3. *Tax Information.* Under penalties of perjury, claimant certifies that:

A. Claimant's correct taxpayer identification number is:

(Social Security Number)____-__-____,

(or Employer Identification Number)____-_____; and

B. Please check the Appropriate Box(es):

Claimant is not subject to backup withholding because:

(a) Claimant is exempt from backup withholding;

(b) Claimant has not been notified by the Internal Revenue Service (“IRS”) that Claimant is subject to backup withholding as a result of a failure to report all interest or dividends; or

(c) The IRS has notified claimant that claimant is no longer subject to backup withholding.

Item 4. *Certifications.* By returning this Ballot, the undersigned holder of General Unsecured Claims in Class 4 under the Plan, as described in Item 1 above, certifies that (a) it has full power and authority to vote to accept or reject the Plan; (b) it was the record holder of the Claims described in Item 1 on February 7, 2019; (c) it has received a copy of the Plan and Disclosure Statement (and all attachments and supplements thereto); and (d) all authority conferred or agreed to be conferred pursuant to this Ballot, and every

obligation of the undersigned hereunder, shall be binding upon the transferees, successors, assigns, heirs, executors, administrators, trustees in bankruptcy and legal representatives of the undersigned and shall not be affected by, and shall survive, the death or incapacity of the undersigned. By signing the Ballot you also are acknowledging that your vote is subject to all terms or conditions set forth in the Disclosure Statement and the Plan.

Name of Holder: _____
(print or type)

Signature: _____

Print Name: _____

Title: _____

Street Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address: _____

Date Completed: _____

THIS BALLOT MUST BE ACTUALLY RECEIVED BY THE DEBTORS' VOTING AGENT AT THE FOLLOWING ADDRESS: FIBRANT'S BALLOT PROCESSING, C/O KURTZMAN CARSON CONSULTANTS LLC, 2335 ALASKA AVENUE, EL SEGUNDO, CA 90245, NO LATER THAN 5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019, OR THE VOTES TRANSMITTED HEREBY WILL NOT BE COUNTED, EXCEPT IN THE DEBTORS' SOLE DISCRETION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT OR THE VOTING PROCEDURES, OR IF YOU NEED ADDITIONAL COPIES OF THIS BALLOT, THE DISCLOSURE STATEMENT, THE PLAN, OR OTHER RELATED MATERIALS OR DOCUMENTS, PLEASE CALL THE VOTING AGENT, KURTZMAN CARSON CONSULTANTS LLC AT (888) 647-1715 (USA/CANADA) OR (310) 751-2619 (INTERNATIONAL).

INSTRUCTIONS FOR COMPLETING THE BALLOT

VOTING DEADLINE:

The Voting Deadline is **5:00 P.M. (PACIFIC TIME) ON APRIL 5, 2019** unless extended in writing by the Debtors in their sole discretion. To have your vote count, you must complete, sign, and return this Ballot so that it is **ACTUALLY RECEIVED** on or before the Voting Deadline by Kurtzman Carson Consultants LLC in the following manner:

MAIL TO:

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2335 Alaska Avenue
El Segundo, CA 90245

By signing the Ballot, you have certified that you are either (i) a creditor with a Claim to which the Ballot pertains that is designated in the class of Claims referenced in the Ballot pursuant to the Plan, or (ii) an authorized signatory of such a creditor, and have full power and authority to vote to accept or reject the Plan. You also have acknowledged that such vote is subject to all the terms and conditions set forth in the Disclosure Statement and the Plan. It is important that you vote. The Plan can be confirmed by the Bankruptcy Court and thereby made binding on you if (a) it is accepted by the holders of at least two-thirds in dollar amount and more than one-half in number of Claims in each Class of Claims entitled to vote and that actually vote on the Plan; and (b) it otherwise satisfies the requirements of section 1129(a) of the Bankruptcy Code. In a bankruptcy proceeding, the votes of the Claims actually voted in your Class will bind those who do not vote. In the event that the requisite acceptances are not obtained, the Bankruptcy Court may nevertheless confirm the Plan if at least one impaired Class of Claims or Interests has accepted the Plan and the Bankruptcy Court finds that the Plan affords fair and equitable treatment to, and does not discriminate unfairly against, the Class(es) rejecting it and otherwise satisfies the requirements of section 1129(b) of the Bankruptcy Code.

HOW TO VOTE:

1. The Debtors are soliciting the votes of holders of Class 4 General Unsecured Claims with respect to the Plan. **You will be bound by the terms of the Plan, if confirmed, even if you did not vote to accept the Plan.** Please review the Plan and Disclosure Statement for more information.
2. To ensure that your vote is counted, you must: (a) complete the Ballot; (b) indicate your decision either to accept or to reject the Plan in the boxes provided in Item 2 of the Ballot; and (c) sign and return the Ballot as required by Item 4 of the Ballot.
3. If a Ballot is received by the Voting Agent after the Voting Deadline it will **not** be counted, except in the Debtors' sole discretion. The method of delivery of the Ballots is at the election and risk of each holder of Class 4 Claims. Except as otherwise provided herein, such delivery will be deemed made only when the Voting Agent **actually receives** the executed Ballot. In all cases, holders of Class 4 Claims should allow sufficient time to assure timely delivery to the Voting Agent. You are encouraged to vote on the Plan as soon as possible. If you believe that your Ballot will not be received on or before the Voting Deadline, the Debtors encourage you to submit your Ballot notwithstanding that the Voting Deadline may have already occurred.

4. You must vote all of your Class 4 General Unsecured Claims either to accept or reject the Plan, and you may not split your vote. Any Ballot that fails to indicate acceptance or rejection of the Plan or that indicates both an acceptance and a rejection of the Plan will not be counted.
5. If a holder casts simultaneous Ballots voted inconsistently with respect to General Unsecured Claims classified in Class 4, such Ballots will not be counted.
6. Whenever a holder of a General Unsecured Claim submits more than one Ballot voting the same Claim prior to the Voting Deadline, the last such properly completed Ballot sent and received prior to the Voting Deadline will be deemed to reflect the voter's intent and thus to supersede any prior received Ballots.
7. Please be sure to sign and date your Ballot. If you are signing a Ballot in your capacity as a trustee, executor, administrator, guardian, attorney in fact, officer of a corporation, or otherwise acting in a fiduciary or representative capacity, you must indicate such capacity when signing and, if required or requested by the Voting Agent or the Bankruptcy Court, you must submit proper evidence to the requesting party so as to act on behalf of such holder or beneficial holder. In addition, please provide your name and mailing address if it is different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
8. The following Ballots shall not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot postmarked prior to the Voting Deadline but received afterward, except in the sole discretion of the Debtors; (b) any Ballot that is illegible or contains insufficient information to permit the identification of the holder of the General Unsecured Claims; (c) any Class 4 Ballot cast by a Person that does not hold a General Unsecured Claim; (d) any unsigned Ballot, except in the sole discretion of the Debtors; and (e) any Ballot submitted by any Person not entitled to vote.
9. If a Ballot is damaged or lost, you believe that you have received the wrong Ballot, or you have any questions concerning the voting procedures, you should contact the Voting Agent at **(888) 647-1715 (USA/Canada) or (310) 751-2619 (International)** immediately.

PLEASE COMPLETE AND MAIL YOUR BALLOT PROMPTLY!

IF YOU HAVE ANY QUESTIONS REGARDING THIS BALLOT OR THE VOTING PROCEDURES, YOU SHOULD CONTACT THE VOTING AGENT AT (888) 647-1715 (USA/CANADA) OR (310) 751-2619 (INTERNATIONAL)

PLEASE NOTE:

This Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan. Holders should not surrender, at this time, certificates or instruments representing or evidencing their General Unsecured Claims. Neither the Debtors nor the Voting Agent will accept delivery of any such certificates or instrument surrendered together with a Ballot.

No Ballot shall constitute or be deemed a proof of claim or equity interest, an assertion of a claim or equity interest, or an admission by the Debtors of the nature, validity or amount of any claim or interest.

Your Claim has been **temporarily allowed solely for purposes of voting** to accept or reject the Plan in accordance with certain tabulation rules (the "Tabulation Rules"). The Tabulation Rules are set forth in the *Order Approving (I) the Disclosure Statement With Respect to Amended and Restated Plan of Liquidation; (II) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Debtors' the Plan; and (III) Related Notice and Objection Procedures* [Docket No. ____]. The temporary allowance of your

Claim for voting purposes does not constitute an allowance of your Claim for purposes of distribution under the Plan and is without prejudice to the rights of the Debtors in any other context (*e.g.*, the right of the Debtors to contest the amount or validity of any Claim for purposes of allowance under the Plan).

No fees or commissions or other remuneration will be payable to any broker, dealer or other person for soliciting votes on the Plan.

NOTHING CONTAINED HEREIN OR IN THE ENCLOSED DOCUMENTS SHALL RENDER YOU OR ANY OTHER PERSON THE AGENT OF THE DEBTORS OR KURTZMAN CARSON CONSULTANTS LLC, OR AUTHORIZE YOU OR ANY OTHER PERSON TO USE ANY DOCUMENT OR MAKE ANY STATEMENTS ON BEHALF OF ANY OF THEM WITH RESPECT TO THE PLAN OR DISCLOSURE STATEMENT, EXCEPT FOR THE STATEMENTS CONTAINED IN THE ENCLOSED DOCUMENTS.

EXHIBIT 3

CONFIRMATION HEARING NOTICE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

In re:	)	Chapter 11
)	
FIBRANT, LLC, <i>et al.</i> , ¹	)	Case No. 18-10274 (SDB)
)	
)	
Debtors.	)	Jointly Administered
<hr/>		

NOTICE OF (A) ENTRY OF ORDER APPROVING DISCLOSURE STATEMENT AND SOLICITATION PROCEDURES; (B) DEADLINE FOR CASTING VOTES TO ACCEPT OR REJECT CHAPTER 11 PLAN; (C) HEARING TO CONSIDER CONFIRMATION OF CHAPTER 11 PLAN AND (D) RELATED MATTERS

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. Pursuant to an order dated February 14, 2019 [Docket No. ____] (the “Approval Order”), the United States Bankruptcy Court for the Southern District of Georgia, Augusta Division (the “Court”) has (a) approved the *Disclosure Statement for Amended and Restated Plan of Liquidation Filed by Fibrant, dated February 13, 2019* [Docket No. 601] (the “Disclosure Statement”) filed by the above-captioned debtors and debtors in possession (the “Debtors”) and (b) authorized the Debtors to solicit votes to accept or reject *Amended and Restated Plan of Liquidation for Fibrant, dated February 13, 2019* [Docket No. 600] (as may be amended, the “Plan”). All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Plan.

2. The Approval Order establishes February 7, 2019 as the Voting Record Date for determining the holders of prepetition Claims and entitled to vote to accept or reject the Plan and establishes **5:00 p.m. (Pacific Time) on April 5, 2019** as the Voting Deadline for submission of ballots to accept or reject the Plan (the “Ballots”). Holders of Claims entitled to vote to accept or reject the Plan will receive the following materials: (a) this Notice, (b) a copy of the Approval Order (without exhibits) to which this Notice corresponds, (c) the Disclosure Statement, (d) the Plan, and (e) one or more Ballots (and return envelopes) to be used in voting to accept or reject the Plan (collectively, the “Solicitation Package”). Failure to follow the instructions set forth in the Ballot may disqualify that Ballot and the vote represented thereby.

3. Holders of unimpaired Claims are not entitled to vote on the Plan and, therefore, will receive a notice of non-voting status rather than a Ballot.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant South Center, LLC (8270); and Georgia Monomers Company, LLC (0042).

4. If you wish to challenge the Debtors' classification of your Claim or if your Claim is disputed, you must file a motion, pursuant to Bankruptcy Rule 3018(a) (a "Rule 3018(a) Motion"), for an order temporarily allowing your Claim in a different classification or amount for purposes of voting to accept or reject the Plan and serve such motion on the Debtors so that it is received by the later of (a) 5:00 p.m. (Eastern time) on April 5, 2019 and (b) the seventh day after the date of service of a notice of an objection, if any, to your Claim. In accordance with Bankruptcy Rule 3018, as to any creditor filing a Rule 3018 Motion, such creditor's Ballot will not be counted unless temporarily allowed by the Bankruptcy Court for voting purposes, after notice and a hearing on or prior to April 17, 2019 (*i.e.*, the Confirmation Hearing date). Rule 3018(a) Motions that are not timely filed and served in the manner as set forth above will not be considered.

5. A hearing to consider confirmation of the Plan (the "Confirmation Hearing") will be held before United States Bankruptcy Court for the Southern District of Georgia, Augusta Division, Federal Justice Center, 600 James Brown Blvd Augusta, Georgia 30901 on **April 17, 2019 at 10:00 a.m., Eastern Time**. The Confirmation Hearing may be continued from time to time without further notice other than the announcement of the adjourned date at the Confirmation Hearing or any continued hearing.

6. **Objections, if any, to confirmation of the Plan must: (a) be in writing; (b) conform to the Bankruptcy Rules and the Local Rules; (c) state the name and address of the objecting party and the nature of the Claim or Interest of such party; (d) state with particularity the basis and nature of any objection; and (e) be served on the following parties (the "Notice Parties") so as to be actually received no later than 5:00 p.m. (prevailing Eastern time) on April 5, 2019 (the "Plan Objection Deadline):**

- a. King & Spalding LLP, 1180 Peachtree Street NE, Atlanta, Georgia 30309 (Attn: Paul Ferdinands);
- b. Fibrant, LLC, c/o Alvarez & Marsal North America, LLC, Monarch Tower, 3424 Peachtree Road NE, Suite 1500, Atlanta, Georgia 30326 (Attn: Lawrence Hirsh);
- c. Office of the United States Trustee, Johnson Square Business Center Suite 725, 2 East Bryan Street, Savannah, Ga 31401 (Attn: Joel Paschke);
- d. Lowenstein Sandler, PC, 65 Livingston Avenue, Roseland, NJ 07068 (Attn: Jeffrey D. Prol);
- e. Lowenstein Sandler, PC, 1251 Avenue of the Americas, New York, NY 10020 (Attn: Bruce S. Nathan); and
- f. Latham & Watkins LLP, 885 Third Avenue, New York, New York 10022 (Attn: Adam J. Goldberg).

7. THE PLAN CONTAINS CERTAIN RELEASE, INJUNCTION AND EXCULPATION PROVISIONS. THESE PROVISIONS ARE SET FORTH IN THE PLAN AND DESCRIBED IN THE DISCLOSURE STATEMENT.

8. The Plan provides that on or after the Effective Date of the Plan, the Debtors will transfer their employee and human resources records regarding their former employees to a DSM Entity pursuant to a data transfer agreement. The Debtors shall use commercially reasonable efforts to ensure that the data transfer agreement provides that such DSM Entity will be obligated (i) to keep the records confidential, (ii) to comply with all federal, state and local laws regarding the records, (iii) to use the employee information only in connection with providing services and benefits to participants under DSM's defined benefit pension plan, (iv) to protect the information through a business associate agreement, and (v) to allow the Debtors reasonable access to the records during normal business hours to comply with any legal obligations the Debtors may have. **If you are a former employee of the Debtors and you object to the transfer of your records to such DSM Entity, you are required to file an objection to confirmation of the Plan. Failure to file such an objection prior to the Plan Objection Deadline shall constitute your consent to transfer of your records.**

9. Requests for copies of the Disclosure Statement and the Plan (excluding certain exhibits thereto) by parties in interest may be made in writing to Fibrant's Ballot Processing Center, c/o Kurtzman Carson Consultants, LLC, 2335 Alaska Avenue, El Segundo, California 90245. In addition, any party may view and download the Plan, the Disclosure Statement and related exhibits (as they are filed) without charge at <http://www.kccllc.net/Fibrant>. If you have any questions regarding this Notice, please call the Voting Agent at (888) 647-1715 (USA/Canada) or (310) 751-2619 (International).

UNLESS AN OBJECTION IS TIMELY FILED AND SERVED AS PROVIDED HEREIN, IT MAY NOT BE CONSIDERED AT THE CONFIRMATION HEARING.

Dated: February 14, 2019

BY ORDER OF THE COURT

KING & SPALDING LLP

/s/ Paul K. Ferdinands _____

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