# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

|                                |         | X      |                         |
|--------------------------------|---------|--------|-------------------------|
| In re                          |         | :      | Chapter 11              |
| Garrett Motion Inc., et al., 1 |         | :<br>: | Case No. 20-12212 (MEW) |
|                                | Debtors | :      | Jointly Administered    |

# ORDER ESTABLISHING DEADLINES FOR FILING PROOFS OF CLAIM AGAINST CERTAIN DEBTORS AND APPROVING FORM AND MANNER OF NOTICE THEREOF

Upon the motion (the "Motion")<sup>2</sup> of Garrett Motion Inc., and its affiliated debtors and debtors-in-possession (collectively, the "Debtors"), for entry of an order (this "Order") establishing deadlines for filing proofs of claim against the Acquired Debtors and approving the form and manner of notice thereof; and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and venue of these Chapter 11 Cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that proper and adequate notice of the Motion and the relief requested therein has been provided in accordance with the Bankruptcy Rules and the Local Rules, and that, except as otherwise ordered herein, no other or further notice is necessary; and any objections (if any) to the Motion having been withdrawn, resolved or overruled on the merits and upon the record of the hearing and all of the proceedings

<sup>&</sup>lt;sup>2</sup> Capitalized terms not otherwise defined herein are to be given the meanings ascribed to them in the Motion.



The last four digits of Garrett Motion Inc.'s tax identification number are 3189. Due to the large number of debtor entities in these Chapter 11 Cases, which are being jointly administered, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at http://www.kccllc.net/garrettmotion. The Debtors' corporate headquarters is located at La Pièce 16, Rolle, Switzerland.

had before this Court; and this Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors, their estates, their creditors and all other parties-in-interest; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

## IT IS HEREBY ORDERED THAT:

- 1. The Motion is GRANTED to the extent set forth herein.
- 2. The Acquired Debtors General Bar Date, Acquired Debtors Amended Schedule Bar Date, and Acquired Debtors Governmental Bar Date; the Acquired Debtors Bar Date Notice Package; and the manner of providing notice of the Acquired Debtors Bar Dates and filing of proofs of claim as proposed in the Motion are approved. The Debtors are hereby authorized to serve the Acquired Debtors Bar Date Notice Package as set forth in this Order.
- 3. Except as otherwise provided herein, all persons and entities, (including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts) that assert a claim, as defined in section 101(5) of the Bankruptcy Code, against the Acquired Debtors which arose on or prior to the Petition Date, including claims pursuant to section 503(b)(9) of the Bankruptcy Code (each, a "503(b)(9) Claim"), shall file a proof of such claim so that it is actually received by the Bankruptcy Court or KCC LLC ("KCC", or the "Claims and Noticing Agent") pursuant to paragraph 5 herein on or before March 1, 2021 at 4:00 p.m. (Eastern Time).
- 4. Notwithstanding any other provision hereof, proofs of claim filed by governmental units (as defined in section 101(27) of the Bankruptcy Code) must be filed so as to be actually received by the Claims and Noticing Agent on or before **June 14, 2021 at 4:00 p.m.**

(**Eastern Time**) (the first business day following the date that is 180 days after the date of this Order).

- 5. The following procedures for the filing of proofs of claim shall apply:
  - a. Proofs of claim must be submitted on the proof of claim form attached hereto as Exhibit 2 (the "<u>Acquired Debtors Proof of Claim Form</u>") or on a form that otherwise conforms substantially to Official Bankruptcy Form No. 410;
  - b. Proofs of claim must be filed (a) electronically through the website of the Debtors' Court-approved claims and noticing agent, KCC, using the interface available on such website located at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a>, under the link entitled "Submit Electronic Proof of Claim (ePOC)," (b) by hand delivery or mailing the original proof of claim form either by U.S. Postal Service mail or overnight delivery on or before the applicable Acquired Debtors Bar Date to Garrett Motion Claims Processing Center, c/o KCC, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245 or (c) by delivering the original proof of claim by hand to the United States Bankruptcy Court, Southern District of New York, One Bowling Green, Room 614, New York, NY 10004-1408.
  - c. Proofs of claim shall be deemed filed only when actually <u>received</u> by the Claims and Noticing Agent on or before the applicable Acquired Debtors Bar Date.
  - d. Proofs of claim must (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) include supporting documentation (or, if such documentation is voluminous, a summary) or an explanation as to why such documentation is not available; (iv) conform substantially with the Acquired Debtors Proof of Claim Form provided by the Debtors or Official Bankruptcy Form No. 410 and (v) be signed by the claimant or the claimant's authorized agent.
  - e. In addition to the requirements set forth in (d) above, any proof of claim asserting a 503(b)(9) Claim must also: (i) include the value of the goods delivered to and received by the Acquired Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted and (iii) set forth whether any portion of the 503(b)(9) Claim was satisfied by payments made by the Acquired Debtors pursuant to any order of this Court authorizing the Acquired Debtors to pay prepetition claims.

- f. Proofs of claim must specify by name and case number of the Acquired Debtor against which the claim is filed. If the holder asserts a claim against more than one Acquired Debtor or has claims against different Acquired Debtors, a separate proof of claim form must be filed with respect to each Acquired Debtor.
- 6. Proofs of Claim need not be filed as to the following types of claims:
  - a. any claim as to which the holder has already filed a proof of claim against the applicable Acquired Debtor with the Clerk of the Bankruptcy Court for the Southern District of New York or with KCC in a form substantially similar to Official Bankruptcy Form No. 410 adopted by the Court so long as the claimant does not wish to assert such claim against an Acquired Debtor who was not named in the original claim, in which case another Proof of Claim must be filed;
  - b. any claim that is listed on the Schedules filed by the Acquired Debtors unless: (i) such claim is scheduled as "disputed," "contingent" or "unliquidated," (ii) the claimant disagrees with the amount, nature or priority of the claim as set forth in the Acquired Debtors' Schedules or (iii) the claimant believes its claim is an obligation of one or more Acquired Debtors other than (or in addition to) the Acquired Debtor against which the claim is listed on the Schedules;
  - c. any claim that has been allowed by order of this Court;
  - d. any claim that has been paid in full by any of the Acquired Debtors;
  - e. any claim for which a different specific deadline has previously been fixed by this Court;
  - f. any claim by a Debtor against an Acquired Debtor, or any claim by any of the non-debtor subsidiaries of Garrett Motion Inc. having a claim against any of the Debtors;
  - g. any claim allowable under § 503(b) and § 507(a)(2) of the Bankruptcy Code as an administrative expense (other than a claim arising under section 503(b)(9) of the Bankruptcy Code);
  - h. any claim for which the holder thereof is not required to file a proof of claim pursuant to an order of the Court and
  - i. any claim limited exclusively to the repayment of principal, interest and/or other applicable fees and charges (a "<u>Debt Claim</u>") owed under any credit agreement, bond or note issued or guaranteed by the Acquired Debtors pursuant to an indenture (the "<u>Debt Instrument</u>"); <u>provided</u> that (i) an indenture trustee or agent under a Debt Instrument must file one proof of claim, on or before the Acquired Debtors

General Bar Date, with respect to all of the amounts owed under each of the Debt Instruments and (ii) any holder of a Debt Claim wishing to assert a claim, other than a Debt Claim, arising out of or relating to a Debt Instrument must file a proof of claim on or before the Acquired Debtors General Bar Date, unless another exception in the Acquired Debtors Bar Date Notice applies.

- 7. Any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which the order authorizing such rejection is dated on or before the date of entry of this Order, must file a proof of claim based on such rejection on or before the Acquired Debtors Bar Date, and any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which an order authorizing such rejection is dated after the date of entry of this Order, must file a proof of claim on or before such date as the Court may fix in the applicable order authorizing such rejection.
- 8. Holders of equity security interests in the Acquired Debtors need not file proofs of interest with respect to the ownership of such equity interests; <u>provided</u>, <u>however</u>, that if any such holder asserts a claim against any of the Acquired Debtors (including a claim relating to an equity interest or the purchase or sale of such equity interest), a proof of such claim must be filed on or prior to the applicable Acquired Debtors Bar Date pursuant to the procedures set forth in this Order.
- 9. If the Acquired Debtors amend or supplement the Schedules subsequent to the date hereof, the Acquired Debtors shall give notice of any amendment or supplement (a "Schedule Amendment") to the holders of claims affected thereby. The terms of this Order shall apply to all persons and entities affected by a Schedule Amendment, except that the last date by which such person or entity may file a proof of claim with respect to a claim affected by a Schedule Amendment shall be the later of: (a) the Acquired Debtors General Bar Date or the Acquired Debtors Governmental Bar Date, as is applicable and (b) 4:00 p.m., Eastern

Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Schedules is served on such entity (the "Acquired Debtors Amended Schedule Bar Date"). Any such holders of claims shall be given notice of such deadline.

- 10. Nothing in this Order shall prejudice any right of the Debtors or any other party-in-interest to dispute or assert offsets or defenses to any claim included in the Schedules.
- 11. Pursuant to Bankruptcy Rule 3003(c)(2), all holders of claims that fail to comply with this Order by timely filing a proof of claim in appropriate form, if required, shall not be treated as a creditor with respect to such claim for purposes of voting on or receiving any distribution under any plan of reorganization in these Chapter 11 Cases; *provided however* that, notwithstanding anything to the contrary herein, filing a proof of claim or failing to file a proof of claim will not prejudice or preclude a contract counterparty's right to object to and assert a different amount for any cure amount with respect to contracts assumed pursuant to section 365 of the Bankruptcy Code.
- 12. A copy of the notice substantially in the form attached hereto as Exhibit 1 (the "Acquired Debtors Bar Date Notice") hereby is approved and shall be deemed adequate and sufficient if served by email, where practicable, and by first-class mail as soon as possible but in no event later than December 28, 2020 on:
  - a. the U.S. Trustee;
  - b. counsel to the Official Committee of Unsecured Creditors appointed in these Chapter 11 Cases (the "Committee")
  - c. proposed counsel to the Official Committee of Equity Security Holders;
  - d. all persons or entities that have requested notice in these Chapter 11 Cases;
  - e. all persons or entities that have previously filed a proof of claim in these Chapter 11 Cases;

- f. all known creditors and potential holders of claims as of the date of this Order, including those listed in the Acquired Debtors' Schedules as holding potential claims against the Acquired Debtors;
- g. all parties to executory contracts and unexpired leases of the Acquired Debtors;
- h. all parties to pending litigation with the Acquired Debtors;
- i. the Internal Revenue Service, the Securities and Exchange Commission, and all known applicable taxing authorities and other governmental units and
- j. such additional persons and entities as deemed appropriate by the Debtors.
- shall mail or electronically serve one or more proof of claim forms (as appropriate) substantially similar to the Acquired Debtors Proof of Claim Form, indicating on such form how the Debtors have scheduled such claim in the Acquired Debtors' Schedules (including: (a) the identity of the Acquired Debtor against which the claim is scheduled; (b) the amount of the scheduled claim, if any; (c) whether the claim is scheduled as disputed, contingent or unliquidated and (d) whether the claim is scheduled as a secured, unsecured priority or unsecured nonpriority claim).
- 14. Pursuant to Bankruptcy Rule 2002(I), the Debtors shall publish notice of the Acquired Debtors Bar Dates, in substantially the form attached hereto as <a href="Exhibit 3">Exhibit 3</a> (the "Acquired Debtors Bar Date Publication Notice"), in the Financial Times and in the New York Times, in each case once as soon as practicable but in any event no later than 7 business days after entry of this Order, which publication is hereby approved and shall be deemed good, adequate and sufficient publication notice of the Acquired Debtors Bar Dates. The Debtors, after consultation with the Committee, may publish the Acquired Debtors Bar Date Publication Notice in other newspapers, trade journals or similar publications as the Debtors deem appropriate.

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15. The Debtors and KCC are authorized and empowered to execute and

deliver such documents, and to take and perform all actions necessary to implement and

effectuate the relief granted in this Order.

16. The entry of this Order is without prejudice to the right of the Debtors to

seek a further order of this Court fixing a date by which holders of claims or interests not subject

to the Acquired Debtors Bar Dates established herein must file such proofs of claim or interest or

be barred from doing so.

17. This Court shall retain jurisdiction with respect to any matters, claims,

rights or disputes arising from or related to the Motion or the implementation of this Order.

Dated: December 15, 2020

New York, New York

/s/Michael E. Wiles

The Honorable Michael E. Wiles

United States Bankruptcy Judge

# **EXHIBIT 1**

Form of Acquired Debtors Bar Date Notice

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

|                                |          | x      |                         |
|--------------------------------|----------|--------|-------------------------|
| In re                          |          | :      | Chapter 11              |
| Garrett Motion Inc., et al., 1 |          | :<br>: | Case No. 20-12212 (MEW) |
|                                | Debtors. | :      | Jointly Administered    |
|                                |          | v      |                         |

# NOTICE OF DEADLINES REQUIRING FILING OF PROOFS OF CLAIM ON OR BEFORE MARCH 1, 2021

# TO ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST ANY OF THE ACQUIRED DEBTOR ENTITIES LISTED ON PAGES 1-2 OF THIS NOTICE:

On December \_\_\_, 2020, the United States Bankruptcy Court for the Southern District of New York (the "Court") entered an order [D. I. \_\_\_ ] (the "Acquired Debtors Bar Date Order") in the Chapter 11 Cases of Garrett Motion, Inc. and certain of its affiliated debtors and debtors-in-possession (collectively, the "Debtors"), establishing March 1, 2021 at 4:00 p.m., Eastern Time (the "Acquired Debtors General Bar Date") as the general deadline for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts) to file a proof of claim against any of the Debtors listed below (the "Acquired Debtors"):<sup>2</sup>

The last four digits of Garrett Motion Inc.'s tax identification number are 3189. Due to the large number of debtor entities in these Chapter 11 Cases, which are being jointly administered, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a>. The Debtors' corporate headquarters is located at La Pièce 16, Rolle, Switzerland.

On November 4, 2020, the Court entered an order (the "Seller Debtors Bar Date Order") establishing certain deadlines for filing proofs of claim against Garrett Motion Inc. (Case No. 20-12212), Garrett Motion Holdings Inc. (Case No. 20-12223), Garrett ASASCO Inc. (Case No. 20-12211), and Garrett Motion Holdings II Inc. (Case No. 20-12224) (collectively, the "Seller Debtors"). The Acquired Debtors Bar Date Order entered on December \_\_\_, 2020 fixes new deadlines for filing proofs of claim against the Acquired Debtors, which is a different group of debtor entities as set forth in this notice. Nothing in the Acquired Debtors Bar Date Order changes any of the deadlines for filing proofs of claim against the Seller Debtors.

|   | Case     | Last Four Digits of<br>Acquired Debtor's<br>Federal Tax |
|---|----------|---|
| Acquired Debtor   | Number   | <b>Identification Number</b>                            |
| BRH LLC   | 20-12213 | N/A   |
| Calvari Limited   | 20-12214 | 1334  |
| Friction Materials LLC.                                     | 20-12215 | 5114  |
| Garrett Borrowing LLC                                       | 20-12216 | 4489  |
| Garrett Holding Company Sàrl                                | 20-12217 | N/A   |
| Garrett LX I S.à r.l.                                       | 20-12218 | N/A   |
| Garrett LX II S.à r.l.                                      | 20-12219 | 1653  |
| Garrett LX III S.à r.l.                                     | 20-12220 | 2034  |
| Garrett Motion Australia Pty Limited                        | 20-12221 | 0734  |
| Garrett Motion Automotive Research Mexico S. de R.L. de C.V | 20-12222 | N/A   |
| Garrett Motion International Services S.R.L.                | 20-12225 | N/A   |
| Garrett Motion Ireland A Limited                            | 20-12226 | 5267  |
| Garrett Motion Ireland B Limited                            | 20-12227 | 1335  |
| Garrett Motion Ireland C Limited                            | 20-12228 | 1332  |
| Garrett Motion Ireland Limited                              | 20-12229 | 1922  |
| Garrett Motion Italia S.R.L.                                | 20-12230 | 3934  |
| Garrett Motion Japan Inc.                                   | 20-12231 | N/A   |
| Garrett Motion LLC  | 20-12232 | 8786  |
| Garrett Motion México, S.A. de C.V                          | 20-12233 | 9403  |
| Garrett Motion Romania S.R.L.                               | 20-12234 | N/A   |
| Garrett Motion Sàrl   | 20-12235 | 1277  |
| Garrett Motion Slovakia S.R.O.                              | 20-12236 | N/A   |
| Garrett Motion Switzerland Holdings Sàrl                    | 20-12237 | 7081  |
| Garrett Motion UK A Limited                                 | 20-12238 | 3151  |
| Garrett Motion UK B Limited                                 | 20-12239 | N/A   |
| Garrett Motion UK C Limited                                 | 20-12240 | 3203  |
| Garrett Motion UK D Limited                                 | 20-12241 | N/A   |
| Garrett Motion UK Limited                                   | 20-12242 | N/A   |
| Garrett Transportation I Inc.                               | 20-12243 | 3195  |
| Garrett Transportation System Ltd                           | 20-12244 | N/A   |
| Garrett Transportation Systems UK II Ltd                    | 20-12245 | N/A   |
| Garrett TS Ltd  | 20-12246 | 2528  |
| Garrett Turbo Ltd   | 20-12247 | N/A   |

The Acquired Debtors General Bar Date, the other deadlines established by the Acquired Debtors Bar Date Order, and the procedures set forth below for filing proofs of claim apply to all claims against any of the Acquired Debtors, including claims pursuant to section 503(b)(9) of the Bankruptcy Code (each, a "503(b)(9) Claim"), that arose prior to **September 20, 2020**, the date on which the Debtors commenced these Chapter 11 Cases, except for those holders of claims listed in Section 4 below that are specifically excluded from the filing requirements established

by the Acquired Debtors Bar Date Order. Governmental units have until **June 14, 2021 at 4:00 p.m., Eastern Time**, the first business day following the date that is 180 days after the Acquired Debtors Bar Date Order, to file proofs of claim.

## 1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtors' bankruptcy estates if you have a claim against an Acquired Debtor, including any such claim asserting administrative expense status under section 503(b)(9) of the Bankruptcy Code, that arose prior to **September 20, 2020** (the "Petition Date"), and it is not one of the types of claim described in Section 4 below. Claims based on acts or omissions of the Acquired Debtors that occurred before the Petition Date must be filed on or prior to the Acquired Debtors General Bar Date (or, if applicable, one of the other deadlines described below), even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

The Acquired Debtors Bar Date Order establishes the following bar dates for filing proofs of claim against the Acquired Debtors in these Chapter 11 Cases (collectively, the "Acquired Debtors Bar Dates"):

- a. **Acquired Debtors General Bar Date**. Except as otherwise described in this Notice, all persons and entities that hold a claim against any of the Acquired Debtors that arose prior to the Petition Date shall file a proof of claim as described in this Notice by **March 1, 2021 at 4:00 p.m., Eastern Time**. For the avoidance of doubt, the Acquired Debtors General Bar Date applies to all 503(b)(9) Claims against the Acquired Debtors.
- b. Acquired Debtors Amended Schedule Bar Date. If any of the Acquired Debtors amends or supplements its schedules of assets and liabilities filed in these cases (the "Schedules"), the last date by which any claimant affected by such amendment or supplement may file a proof of claim or make any amendments to a previously filed proof of claim shall be the date that is the later of (i) the Acquired Debtors General Bar Date or the Acquired Debtors Governmental Bar Date (as defined below), as is applicable and (ii) 4:00 p.m., Eastern Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Acquired Debtors' Schedules is served on the claimant (the "Acquired Debtors Amended Schedule Bar Date").
- c. Acquired Debtors Governmental Bar Date. All governmental units (as defined in section 101(27) of the Bankruptcy Code (as defined below)) holding claims against any of the Debtors that arose or are deemed to have arisen prior to the Petition Date must file proofs of claim by June 14, 2021 at 4:00 p.m., Eastern Time (the "Acquired Debtors Governmental Bar Date"). This Acquired Debtors Governmental Bar Date applies to all types of claims by any governmental unit against any of the Acquired Debtors arising prior to the Petition Date, including secured claims, unsecured priority claims and unsecured nonpriority claims, subject to the exceptions described in Section 4 below.

The Acquired Debtors Bar Dates listed above only apply with respect to claims against the Acquired Debtors and do not apply with respect to claims against any Debtors other than the Acquired Debtors.

Section 101(5) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq*. (the "Bankruptcy Code") provides that the word "claim" means: (a) any 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) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

### 2. WHAT TO FILE

The Debtors are enclosing a proof of claim form for use in these Chapter 11 Cases. You may also use another proof of claim form that conforms substantially to Official Bankruptcy Form No. 410. If your claim is scheduled by the Acquired Debtors, the attached proof of claim form also sets forth: (a) the amount of your claim as scheduled by the Acquired Debtors; (b) the identity of the Acquired Debtor against which your claim is scheduled; (c) whether your claim is scheduled as disputed, contingent or unliquidated and (d) whether your claim is scheduled as a secured claim, an unsecured priority claim, or an unsecured nonpriority claim. You will receive a different proof of claim form for each claim scheduled in your name by the Acquired Debtors. You may utilize the claim form(s) provided by the Debtors to file your claim. Additional proof of claim forms may be obtained at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a> or <a href="http://www.uscourts.gov/forms/bankruptcy-forms">http://www.uscourts.gov/forms/bankruptcy-forms</a>.

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

In addition to the requirements set forth in the immediately preceding paragraph, any proof of claim asserting a 503(b)(9) Claim must also: (i) include the value of the goods delivered to and received by the Acquired Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted and (iii) set forth whether any portion of the 503(b)(9) Claim was satisfied by payments made by the Acquired Debtors pursuant to any order of the Court authorizing the Acquired Debtors to pay prepetition claims.

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

Proofs of claim must specify by name and case number of the Acquired Debtor against which the claim is filed. If the holder asserts a claim against more than one Acquired Debtor or has claims against different Acquired Debtors, a separate proof of claim form must be filed with respect to each Acquired Debtor. A list of the names of the Acquired Debtors and their case numbers is set forth on pages 1-2 of this Notice.

## 3. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed so as to be received **on or before the applicable Acquired Debtors Bar Date**:

## IF DELIVERED BY HAND OR FIRST CLASS MAIL OR OVERNIGHT DELIVERY:

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

Proofs of claim may also be hand delivered to the United States Bankruptcy Court for the Southern District of New York at One Bowling Green, Room 614, New York, NY 10004-1408.

### IF ELECTRONICALLY:

The website established by KCC, using the interface available on such website located at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a> under the link entitled "Submit Electronic Proof of Claim (ePOC)" (the "Electronic Filing System").

Proofs of claim will be deemed filed only when <u>received</u> at the address listed above or filed electronically on or before the applicable Acquired Debtors Bar Date. Proofs of claim may NOT be delivered by facsimile, telecopy or electronic mail transmission.

### 4. CLAIMS FOR WHICH PROOFS OF CLAIM NEED NOT BE FILED

You do <u>not</u> need to file a proof of claim on or prior to the applicable Acquired Debtors Bar Date described in this Notice if the claim falls into one of the following categories:

- a. Any claim as to which the holder has already filed a proof of claim against the applicable Acquired Debtor with the Clerk of the Bankruptcy Court for the Southern District of New York or with KCC in a form substantially similar to Official Bankruptcy Form No. 410 adopted by the Court so long as the claimant does not wish to assert such claim against an Acquired Debtor who was not named in the original claim, in which case another Proof of Claim must be filed;
- b. Any claim that is listed on the Schedules filed by the Acquired Debtors unless:
  (i) such claim is scheduled as "disputed," "contingent" or "unliquidated," (ii) the claimant disagrees with the amount, nature or priority of the claim as set forth in the Acquired Debtors' Schedules or (iii) the claimant believes its claim is an obligation of one or more Acquired Debtors other than (or in addition to) the Acquired Debtor

against which the claim is listed on the Schedules;

- c. Any claim that has been allowed by order of this Court;
- d. Any claim that has been paid in full by any of the Acquired Debtors;
- e. Any claim for which a different specific deadline has previously been fixed by this Court;
- f. Any claim by a Debtor against an Acquired Debtor, or any claim by any of the non-debtor subsidiaries of Garrett Motion Inc. having a claim against any of the Debtors;
- g. Any claim allowable under § 503(b) and § 507(a)(2) of the Bankruptcy Code as an administrative expense (other than a claim arising under section 503(b)(9) of the Bankruptcy Code);
- h. Any claim for which the holder thereof is not required to file a proof of claim pursuant to an order of the Court and
- i. Any claim limited exclusively to the repayment of principal, interest and/or other applicable fees and charges (a "Debt Claim") owed under any credit agreement, bond or note issued or guaranteed by the Acquired Debtors pursuant to an indenture (the "Debt Instrument"); provided that (i) an indenture trustee or agent under a Debt Instrument must file one proof of claim, on or before the Acquired Debtors General Bar Date, with respect to all of the amounts owed under each of the Debt Instruments and (ii) any holder of a Debt Claim wishing to assert a claim, other than a Debt Claim, arising out of or relating to a Debt Instrument must file a proof of claim on or before the Acquired Debtors General Bar Date, unless another exception in the Acquired Debtors Bar Date Notice applies.

If you are a holder of an equity interest in any of the Acquired Debtors, you need not file a proof of interest with respect to the ownership of such equity interest at this time. However, if you assert a claim against any of the Acquired Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, a proof of such claim must be filed on or prior to the applicable Acquired Debtors Bar Date pursuant to the procedures set forth in this Notice.

This Notice is being sent to many persons and entities that have had some relationship with or have done business with the Acquired Debtors but may not have an unpaid claim against the Acquired Debtors. The fact that you have received this Notice does not mean that you have a claim or that the Acquired Debtors or the Court believe that you have a claim against the Acquired Debtors.

## 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which the order authorizing such rejection is dated on or before the date of entry of this Order, must file a proof of claim based on such rejection on or before the Acquired Debtors Bar Date, and any person or entity that holds a claim that arises from the

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

# 6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE ACQUIRED DEBTORS BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE ACQUIRED DEBTORS BAR DATE ORDER, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM BY THE APPLICABLE ACQUIRED DEBTORS BAR DATE AS DESCRIBED IN THIS NOTICE, SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

## 7. THE ACQUIRED DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against one or more of the Acquired Debtors in the Acquired Debtors' Schedules. To determine if and how you are listed on the Acquired Debtors' Schedules, please refer to the descriptions set forth on the enclosed proof of claim form(s) regarding the nature, amount and status of your claim(s). If you received payments postpetition from the Acquired Debtors (as authorized by the Court) on account of your claim, the information on the enclosed proof of claim form will reflect the net remaining amount of your claims. If the Debtors believe that you may hold claims against more than one Acquired Debtor, you will receive multiple proof of claim forms, each of which will reflect the nature and amount of your claim against one Acquired Debtor, as listed in the Acquired Debtors' Schedules.

If you rely on the Acquired Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Acquired Debtors' Schedules. However, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Acquired Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent or unliquidated. If you agree with the nature, amount and status of your claim as listed in the Acquired Debtors' Schedules, and if you do not dispute that your claim is only against the Acquired Debtor(s) specified by the Acquired Debtors in the Acquired Debtor Schedules, and if your claim is not described in the Acquired Schedules as "disputed," "contingent" or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the applicable Acquired Debtors Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Acquired Debtors' Schedules, the Acquired Debtors Bar Date Order and other information and documents regarding the Debtors' Chapter 11 Cases are available for a fee from the Court's website at <a href="https://ecf.nysb.uscourts.gov">https://ecf.nysb.uscourts.gov</a>. A login and password to the Court's Public Access to Court Electronic Records ("PACER") system are required to access this information and can be obtained through the PACER Service Center at <a href="https://www.pacer.gov">www.pacer.gov</a>.

Copies of the Acquired Debtors' Schedules, the Acquired Debtors Bar Date Order and other information and documents regarding these Chapter 11 Cases may be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, Room 614, New York, New York, 10004-1408; and are also available free of charge from the website of the Debtors' claims and noticing agent at http://www.kccllc.net/garrettmotion or by written request to the Debtors' claims and noticing agent at the address listed above in Section 3 of this Notice or by calling KCC at 866-812-2297 (U.S. toll-free), +800 3742 6170 (international toll-free), or 781-575-4050 US Local (Toll) number.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE ACQUIRED DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT ADDRESSED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

BY ORDER OF THE COURT

Dated: \_\_\_\_\_, 2020 New York, New York

Andrew G. Dietderich Brian D. Glueckstein

Alexa J. Kranzley

Noam R. Weiss

SULLIVAN & CROMWELL LLP

125 Broad Street

New York, New York 10004 Telephone: (212) 558-4000

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> gluecksteinb@sullcrom.com kranzleya@sullcrom.com weissn@sullcrom.com

Counsel to the Debtors

# EXHIBIT 2

**Acquired Debtors Proof of Claim Form** 

## 20-12212-mew Doc 550 Filed 12/15/20 Entered 12/15/20 13:45:21 Main Document

Your claim can be filed electronically on (cc. 2) website Ot https://epoc.kccllc.net/garrettmotion.

| United States Bankruptcy Court for the Southern District of New York  |   |  |  |  |
|---|---|--|--|--|
| Indicate Debtor against which you assert a claim by checking the appropriate box below. (Check only one Debtor per claim form.) |   |  |  |  |
| ☐ BRH LLC (Case No. 20-12213)   | ☐ Garrett Motion Ireland A Limited (Case No. 20-12226)                            | ☐ Garrett Motion Switzerland Holdings Sàrl (Case No. 20-12237) |  |  |
| ☐ Calvari Limited (Case No. 20-12214)   | ☐ Garrett Motion Ireland B Limited (Case No. 20-12227)                            | ☐ Garrett Motion UK A Limited (Case No. 20-12238)              |  |  |
| ☐ Friction Materials LLC (Case No. 20-12215)  | ☐ Garrett Motion Ireland C Limited (Case No. 20-12228)                            | ☐ Garrett Motion UK B Limited (Case No. 20-12239)              |  |  |
| ☐ Garrett Borrowing LLC (Case No. 20-12216)   | ☐ Garrett Motion Ireland Limited (Case No. 20-12229)                              | ☐ Garrett Motion UK C Limited (Case No. 20-12240)              |  |  |
| ☐ Garrett Holding Company Sàrl (Case No. 20-12217)  | ☐ Garrett Motion Italia S.R.L. (Case No. 20-12230)                                | ☐ Garrett Motion UK D Limited (Case No. 20-12241)              |  |  |
| ☐ Garrett LX I S.à r.l. (Case No. 20-12218)   | ☐ Garrett Motion Japan Inc. (Case No. 20-12231)                                   | ☐ Garrett Motion UK Limited (Case No. 20-12242)                |  |  |
| ☐ Garrett LX II S.à r.l. (Case No. 20-12219)  | ☐ Garrett Motion LLC (Case No. 20-12232)  | ☐ Garrett Transportation I Inc. (Case No. 20-12243)            |  |  |
| ☐ Garrett LX III S.à r.l. (Case No. 20-12220)   | ☐ Garrett Motion México, Sociedad Anónima de Capital Variable (Case No. 20-12233) | ☐ Garrett Transportation System Ltd (Case No. 20-12244)        |  |  |
| ☐ Garrett Motion Australia Pty Limited (Case No. 20-12221)  | ☐ Garrett Motion Romania S.R.L. (Case No. 20-12234)                               | ☐ Garrett Transportation Systems UK II Ltd (Case No. 20-12245) |  |  |
| ☐ Garrett Motion Automotive Research Mexico S. de R.L. de C.V (Case No. 20-12222  | 2) Garrett Motion Sàrl (Case No. 20-12235)  | ☐ Garrett TS Ltd (Case No. 20-12246)                           |  |  |
| ☐ Garrett Motion International Services S.R.L. (Case No. 20-12225)  | ☐ Garrett Motion Slovakia s.r.o. (Case No. 20-12236)                              | ☐ Garrett Turbo Ltd (Case No. 20-12247)                        |  |  |
|   |   |  |  |  |

# Official Form 410

Proof of Claim 04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Other than a claim under 11 U.S.C. § 503(b)(9), this form should not be used to make a claim for an administrative expense arising after the commencement of the case.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed.

| Pa | rt 1: Identify the Clair   | n  |   |  |  |
|----|--|--|---|--|--|
| 1. | Who is the current creditor?   | Name of the current creditor (the person or entity to be paid for this claim)  Other names the creditor used with the debtor |   |  |  |
| 2. | Has this claim been acquired from someone else?                                | No Yes. From whom?   |   |  |  |
| 3. | Where should<br>notices and<br>payments to the                                 | Where should notices to the creditor be sent?  | Where should payments to the creditor be sent? (if different) |  |  |
|    | creditor be sent?  | Name   | Name  |  |  |
|    | Federal Rule of<br>Bankruptcy Procedure<br>(FRBP) 2002(g)                      | Number Street  | Number Street   |  |  |
|    | (I RBI ) 2002(g)   | City State ZIP Code  | City State ZIP Code   |  |  |
|    |  | Country  | Country   |  |  |
|    |  | Contact phone  | Contact phone   |  |  |
|    |  | Contact email  | Contact email   |  |  |
|    |  | Uniform claim identifier for electronic payments in chapter 13 (if you use one):   |   |  |  |
| 4. | Does this claim amend one already filed?                                       | <ul><li>□ No</li><li>□ Yes. Claim number on court claims registry (if known)</li></ul>                                       | Filed on  |  |  |
| 5. | Do you know if<br>anyone else has filed<br>a proof of claim for<br>this claim? | □ No □ Yes. Who made the earlier filing?   | MM / DD / YYYY  |  |  |

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Give Information About the Claim as of the Date the Case Was Filed

| P   | Give Information Ab                                    | out the Claim as of the Date the Case Was Filed   |
|-----|--|---|
| 6.  | Do you have any number you use to identify the debtor? | No  Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:  |
| 7.  | How much is the claim?                                 | \$ Does this amount include interest or other charges?  \[ \bigcup_{\text{No}} \]  \[ \bigcup_{\text{Ves.}} \text{ Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).}  |
| 8.  | What is the basis of the claim?                        | Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  Limit disclosing information that is entitled to privacy, such as health care information.  |
| 9.  | Is all or part of the claim secured?                   | No Yes. The claim is secured by a lien on property.  Nature of property: Real estate: If the claim is secured by the debtor's principal residence, file a Mortgage Proof of Claim Attachment (Official Form 410-A) with this Proof of Claim.  Motor vehicle Other. Describe:  Basis for perfection: Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  Value of property: Amount of the claim that is secured: Amount of the claim that is unsecured:  Amount of the claim that is unsecured:  Amount of the claim that is unsecured:  Annual Interest Rate (when case was filed) Fixed Variable |
| 10. | Is this claim based on a lease?                        | <ul> <li>No</li> <li>Yes. Amount necessary to cure any default as of the date of the petition.</li> </ul>   |
| 11. | Is this claim subject to a right of setoff?            | <ul><li>No</li><li>Yes. Identify the property:</li></ul>  |

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|---|---|--|--|---|---|
| 12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?  | □ No □ No Oho   | <b>C</b>   | 1 of 30  |   | Amount entitled to priority   |
| A claim may be partly   | Dome  | <i>ck all that apply:</i><br>estic support obligations (ir<br>S.C. § 507(a)(1)(A) or (a)   | ncluding alimony and child su<br>(1)(B).   | pport) under                                  |   |
| priority and partly<br>nonpriority. For example,<br>in some categories, the<br>law limits the amount  | ☐ Up to   | \$3,025* of deposits towa  | ird purchase, lease, or rental<br>r household use. 11 U.S.C. §   | of property or 507(a)(7).                     | \$<br>\$  |
| entitled to priority.   | days  | es, salaries, or commissio<br>before the bankruptcy pe<br>never is earlier. 11 U.S.C.  | ons (up to \$13,650*) earned vitition is filed or the debtor's b   | vithin 180<br>ousiness ends,                  | \$  |
|   | ☐ Taxes   | s or penalties owed to gov   | ernmental units. 11 U.S.C. §   | 507(a)(8).                                    | \$  |
|   | ☐ Contr   | ibutions to an employee I  | penefit plan. 11 U.S.C. § 507  | (a)(5).                                       | \$  |
|   | Other   | r. Specify subsection of 1   | 1 U.S.C. § 507(a)() that ap  | plies.  | \$  |
|   | * Amounts   | are subject to adjustment on   | 4/01/22 and every 3 years after the  | nat for cases begur                           | n on or after the date of adjustment.                                       |
| 13. Is all or part of the claim   | ☐ No  |  |  |   |   |
| pursuant to 11 U.S.C.<br>§ 503(b)(9)?   | days befo   | ore the date of commence   |  | which the goods                               | eived by the debtor within 20 have been sold to the Debtor in a such claim. |
|   | \$  |  |  |   |   |
| Part 3: Sign Below  |   |  |  |   |   |
| The person completing this proof of claim must sign and date it. FRBP 9011(b).  If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.  A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.  18 U.S.C. §§ 152, 157, and 3571. | I am the trus I am a guara I understand that the amount of the I have examined I declare under portion to be a signature  Signature | ditor. ditor's attorney or authorizestee, or the debtor, or their antor, surety, endorser, or an authorized signature of eclaim, the creditor gave the the information in this <i>Pro</i> enalty of perjury that the formation of the many of th | authorized agent. Bankruptcy other codebtor. Bankruptcy Renthis Proof of Claim serves a the debtor credit for any paym | Rule 3005.  as an acknowledgents received too | e information is true and correct.  |
|   | Title   |  |  |   |   |
|   | Company   | Identify the corporate service   | er as the company if the authorized  | agent is a servicer.                          |   |
|   | Address   | Number Street  |  |   |   |
|   | Contact phone   | City   | State  | ZIP Coo                                       | de Country  |
|   |   |  |  |   |   |

# Official Form 410

# **Instructions for Proof of Claim**

United States Bankruptcy Court 04/19

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.

18 U.S.C. §§ 152, 157 and 3571

#### How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.

  Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)

Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).

- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

# PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

Garrett Motion Claims Processing Center c/o KCC 222 N. Pacific Coast Hwy., Ste. 300 El Segundo, CA 90245

Alternatively, your claim can be filed electronically on KCC's website at https://epoc.kccllc.net/garrettmotion.

- A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth. See Bankruptcy Rule 9037.
- For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian. For example, write A.B., a minor child (John Doe, parent, 123 Main St., City, State). See Bankruptcy Rule 9037.

### Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form or you may view a list of filed claims in this case by visiting the Claims and Noticing and Agent's website at http://www.kccllc.net/garrettmotion.

### Understand the terms used in this form

**Administrative expense:** Generally, an expense that arises after a bankruptcy case is filed in connection with operating, liquidating, or distributing that bankruptcy estate. 11 U.S.C. § 503

**Claim:** A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

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Claim Pursuant to 11 U.S.C. §503(b)(9): A claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of the Debtor's business. Attach documentation supporting such claim.

**Creditor:** A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. §101 (10).

**Debtor:** A person, corporation, or other entity to who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. §101 (13).

**Evidence of perfection:** Evidence of perfection of a security interest may include documents showing that a security interest has been filed or recorded, such as a mortgage, lien, certificate of title, or financing statement.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

**Priority claim:** A claim within a category of unsecured claims that is entitled to priority under 11 U.S.C. §507(a). These claims are paid from the available money or property in a bankruptcy case before other unsecured claims are paid. Common priority unsecured claims include alimony, child support, taxes, and certain unpaid wages.

**Proof of claim:** A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

**Redaction of information:** Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Do not file these instructions with your form.

Secured claim under 11 U.S.C. §506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of 1325(a).

Examples of liens on property include a mortgage on real estate a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In states, a court judgment may be a lien.

**Setoff:** Occurs when a creditor pays itself with money belonging to the debtor that it is holding, or by canceling a debt it owes to the debtor.

**Uniform claim identifier:** An optional 24-character identifier that some creditors use to facilitate electronic payment.

**Unsecured claim:** A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

## Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some 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, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

# **EXHIBIT 3**

Form of Acquired Debtors Bar Date Publication Notice

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

|                                |          | x      |                         |
|--------------------------------|----------|--------|-------------------------|
| In re                          |          | :      | Chapter 11              |
| Garrett Motion Inc., et al., 1 |          | :<br>: | Case No. 20-12212 (MEW) |
|                                | Debtors. | :<br>: | Jointly Administered    |

# NOTICE OF DEADLINES FOR FILING PROOFS OF CLAIM AGAINST CERTAIN DEBTORS

# ACQUIRED DEBTORS GENERAL BAR DATE IS MARCH 1, 2021 AT 4:00 P.M. EASTERN TIME

### PLEASE TAKE NOTICE OF THE FOLLOWING:

On December \_\_\_, 2020, the United States Bankruptcy Court for the Southern District of New York (the "Court") entered an order [D I. \_\_\_\_] (the "Acquired Debtors Bar Date Order") in the Chapter 11 Cases of Garrett Motion Inc. and certain of its affiliated debtors and debtors-in-possession (collectively, the "Debtors"), establishing March 1, 2021 at 4:00 p.m., Eastern Time (the "Acquired Debtors General Bar Date") as the general deadline for the filing of proofs of claim, and establishing certain other deadlines for filing proofs of claim in the Chapter 11 Cases against any of the Debtors listed below (the "Acquired Debtors") in the Chapter 11 Cases:<sup>2</sup>

The last four digits of Garrett Motion Inc.'s tax identification number are 3189. Due to the large number of debtor entities in these Chapter 11 Cases, which are being jointly administered, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at http://www.kccllc.net/garrettmotion. The Debtors' corporate headquarters is located at La Pièce 16, Rolle, Switzerland.

On November 4, 2020, the Court entered an order (the "Seller Debtors Bar Date Order") establishing certain deadlines for filing proofs of claim against Garrett Motion Inc., Garrett Motion Holdings Inc., Garrett ASASCO Inc., and Garrett Motion Holdings II Inc. (collectively, the "Seller Debtors"). The Acquired Debtors Bar Date Order entered on December \_\_\_, 2020 fixes new deadlines for filing proofs of claim against the Acquired Debtors, which is a different group of debtor entities as set forth in this notice. Nothing in the Acquired Debtors Bar Date Order changes any of the deadlines for filing proofs of claim against the Seller Debtors.

| Acquired Debtor   |
|---|
| BRH LLC   |
| Calvari Limited   |
| Friction Materials LLC.                                     |
| Garrett Borrowing LLC                                       |
| Garrett Holding Company Sàrl                                |
| Garrett LX I S.à r.l.                                       |
| Garrett LX II S.à r.l.                                      |
| Garrett LX III S.à r.l.                                     |
| Garrett Motion Australia Pty Limited                        |
| Garrett Motion Automotive Research Mexico S. de R.L. de C.V |
| Garrett Motion International Services S.R.L.                |
| Garrett Motion Ireland A Limited                            |
| Garrett Motion Ireland B Limited                            |
| Garrett Motion Ireland C Limited                            |
| Garrett Motion Ireland Limited                              |
| Garrett Motion Italia S.R.L.                                |
| Garrett Motion Japan Inc.                                   |
| Garrett Motion LLC  |
| Garrett Motion México, S.A de C.V                           |
| Garrett Motion Romania S.R.L.                               |
| Garrett Motion Sàrl   |
| Garrett Motion Slovakia S.R.O.                              |
| Garrett Motion Switzerland Holdings Sàrl                    |
| Garrett Motion UK A Limited                                 |
| Garrett Motion UK B Limited                                 |
| Garrett Motion UK C Limited                                 |
| Garrett Motion UK D Limited                                 |
| Garrett Motion UK Limited                                   |
| Garrett Transportation I Inc.                               |
| Garrett Transportation System Ltd                           |
| Garrett Transportation Systems UK II Ltd                    |
| Garrett TS Ltd  |
| Garrett Turbo Ltd   |

Among other exceptions described below, the Acquired Debtors General Bar Date does not apply to claims of any governmental unit. Claims of governmental units must be filed by the Acquired Debtors Governmental Bar Date, defined below.

## 1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Acquired Debtors' bankruptcy estates if you have a claim against an Acquired Debtor, including any such claim asserting administrative expense status under 503(b)(9) of the Bankruptcy Code that arose prior to **September 20, 2020** (the "Petition Date"), and it is not one

of the types of claim described in Section 4 below. Claims based on acts or omissions of the Acquired Debtors that occurred before the Petition Date must be filed on or prior to the Acquired Debtors General Bar Date (or, if applicable, one of the other deadlines described below), even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

The Acquired Debtors Bar Date Order establishes the following bar dates for filing proofs of claim in these Chapter 11 Cases (collectively, the "Acquired Debtors Bar Dates"):

- a. Acquired Debtors General Bar Date. Except as otherwise described in this Notice, all persons and entities that hold a claim against any of the Acquired Debtors that arose prior to the Petition Date shall file a proof of claim as described in this Notice by March 1, 2021 at 4:00 p.m., Eastern Time. For the avoidance of doubt, the Acquired Debtors General Bar Date applies to all 503(b)(9) Claims against the Acquired Debtors.
- b. Acquired Debtors Amended Schedule Bar Date. If any of the Acquired Debtors amends or supplements its schedules of assets and liabilities filed in these cases (the "Schedules"), the last date by which any claimant affected by such amendment or supplement may file a proof of claim or make any amendments to a previously filed proof of claim shall be the date that is the later of (i) the Acquired Debtors General Bar Date or the Acquired Debtors Governmental Bar Date (as defined below), as is applicable and (ii) 4:00 p.m., Eastern Time, on the date that is 30 days after the date that notice of the applicable amendment or supplement to the Acquired Debtors' Schedules is served on the claimant (the "Acquired Debtors Amended Schedule Bar Date").
- c. Acquired Debtors Governmental Bar Date. All governmental units (as defined in section 101(27) of the Bankruptcy Code (as defined below)) holding claims against any of the Acquired Debtors that arose or are deemed to have arisen prior to the Petition Date must file proofs of claim by June 14, 2021 at 4:00 p.m., Eastern Time (the "Acquired Debtors Governmental Bar Date").

The Acquired Debtors Bar Dates listed above only apply with respect to claims against the Acquired Debtors and do not apply with respect to claims against any Debtors other than the Acquired Debtors.

## 2. WHAT TO FILE

Claims should be filed on the proof of claim form provided by the Debtors or one that conforms substantially to Official Bankruptcy Form No. 410. Proof of claim forms may be obtained free of charge at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a> or <a href="http://www.uscourts.gov/forms/bankruptcy-forms">http://www.uscourts.gov/forms/bankruptcy-forms</a>.

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

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

In addition to the requirements set forth in the immediately preceding paragraph, any proof of claim asserting a 503(b)(9) Claim must also: (i) include the value of the goods delivered to and received by the Acquired Debtors in the 20 days prior to the Petition Date; (ii) attach any documentation identifying the particular invoices for which the 503(b)(9) Claim is being asserted and (iii) set forth whether any portion of the 503(b)(9) Claim was satisfied by payments made by the Acquired Debtors pursuant to any order of the Court authorizing the Acquired Debtors to pay prepetition claims.

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

Proofs of claim must specify by name and case number of the Acquired Debtor against which the claim is filed. If the holder asserts a claim against more than one Acquired Debtor or has claims against different Acquired Debtors, a separate proof of claim form must be filed with respect to each Acquired Debtor.

### 3. WHEN AND WHERE TO FILE

Except has provided for herein, all proofs of claim must be filed so as to be received **on or before the applicable Acquired Debtors Bar Date**:

### IF DELIVERED BY HAND OR FIRST CLASS MAIL OR OVERNIGHT DELIVERY:

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

Proofs of claim may also be hand delivered to the United States Bankruptcy Court for the Southern District of New York at One Bowling Green, Room 614, New York, NY 10004-1408.

## IF ELECTRONICALLY:

The website established by KCC, using the interface available on such website located at <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a> under the link entitled "Submit an Electronic Proof of Claim (ePOC)" (the "Electronic Filing System").

Proofs of claim will be deemed filed only when <u>received</u> at the address listed above or filed electronically on or before the applicable Acquired Debtors Bar Date. Proofs of claim may NOT be delivered by facsimile, telecopy or electronic mail transmission.

### 4. CLAIMS FOR WHICH PROOFS OF CLAIM NEED NOT BE FILED

The Acquired Debtors Bar Date Order further provides that proofs of claim need not be filed for certain categories of claims that might otherwise be subject to the Acquired Debtors Bar Dates. To review a copy of the Acquired Debtors Bar Date Order, please visit <a href="http://www.kccllc.net/garrettmotion">http://www.kccllc.net/garrettmotion</a>.

## 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

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

# 6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE ACQUIRED DEBTORS BAR DATE

ANY HOLDER OF A CLAIM THAT IS REQUIRED TO FILE A PROOF OF CLAIM, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM BY THE APPLICABLE ACQUIRED DEBTORS BAR DATE AS DESCRIBED IN THIS NOTICE, SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

# 7. THE ACQUIRED DEBTORS' SCHEDULES AND ADDITIONAL INFORMATION

You may be listed as the holder of a claim against one or more of the Acquired Debtors in the Acquired Debtors' Schedules. Copies of the Acquired Debtors' Schedules, the Acquired Debtors Bar Date Order and other information and documents regarding the Debtors' Chapter 11 Cases are available for a fee from the Court's website at <a href="https://ecf.nysb.uscourts.gov">https://ecf.nysb.uscourts.gov</a>, and are available free of charge at <a href="http://www.kccllc.net/garrettmotion">https://ecf.nysb.uscourts.gov</a>, and are available free of charge at <a href="http://www.kccllc.net/garrettmotion">https://ecf.nysb.uscourts.gov</a>, and are Debtors' claims agent at the address listed above in Section 3 of this Notice.

If you rely on the Acquired Debtors' Schedules, it is your responsibility to determine that any claim is accurately listed in the Schedules.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE ACQUIRED DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.

BY ORDER OF THE COURT

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Dated: \_\_\_\_\_, 2020 New York, New York

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