

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

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In re: : Chapter 11  
: :  
**HERITAGE HOME GROUP LLC, et al.,** : Case No. 18-11736 (KG)  
: :  
Debtors.<sup>1</sup> : Jointly Administered  
: :  
: RE: Docket Nos. 468 & 6; 4  
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**ORDER (A) SETTING BAR DATES FOR FILING PROOFS OF CLAIM, INCLUDING REQUESTS FOR PAYMENT UNDER SECTION 503(b)(9) OF THE BANKRUPTCY CODE, (B) SETTING A BAR DATE FOR THE FILING OF ADMINISTRATIVE EXPENSE CLAIMS, (C) ESTABLISHING AN AMENDED SCHEDULES BAR DATE AND A REJECTION DAMAGES BAR DATE, (D) APPROVING THE FORM AND MANNER FOR FILING PROOFS OF CLAIM, INCLUDING SECTION 503(b)(9) REQUESTS, (E) APPROVING NOTICE OF BAR DATES AND (F) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)<sup>2</sup> of the above-captioned debtors and debtors-in-possession (each, a “Debtor,” and collectively, the “Debtors”) for entry of an order, pursuant to sections 105(a), 501, 502, 503, and 1111(a) of title 11 of the Bankruptcy Code, Bankruptcy Rules 2002, 3001-3003 and 5005(a), and Local Rules 1009-2 and 2002-1: (a) establishing deadlines for filing proofs of claim in these chapter 11 cases, including, without limitation, claims pursuant to sections 503(b)(9), 507(a)(4) and/or 507(a)(5) of the Bankruptcy Code; (b) establishing the Administrative Claims Bar Date (as defined herein); (c) establishing the Amended Schedules Bar Date and the Rejection Damages Bar Date (each as defined herein); (d) approving the form and manner for filing such claims, including any section 503(b)(9) requests for payment; (e) approving notice of the Bar Dates (as defined herein); and (f) granting

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each debtor’s tax identification number, as applicable, are: Heritage Home Group LLC (9506); HH Global II B.V. (0165); HH Group Holdings US, Inc. (7206); HHG Real Property LLC (3221); and HHG Global Designs LLC (1150). The Debtors’ corporate headquarters is located at 1925 Eastchester Drive, High Point, North Carolina 27265.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.



related relief; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court being able to issue a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this District is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been given; and it appearing that no other or further notice is required; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is granted as set forth herein.
2. The following procedures for filing Proofs of Claim (as defined below) and Administrative Claims (as defined below) are approved.

**A. The Bar Dates and Procedures for Filing Proofs of Claim and/or Administrative Claims, as Applicable**

3. Each entity<sup>3</sup> that asserts a claim (whether secured, unsecured priority, or unsecured non-priority) against the Debtors that arose (or is deemed to have arisen) before July 29, 2018 (the "Petition Date"), including requests for payment under section 503(b)(9) of the Bankruptcy Code, shall be required to file an original, written proof of claim (each a "Proof of Claim," and collectively "Proofs of Claim"), substantially in the form attached hereto as **Exhibit 1** (the "Proof of Claim Form"), which such Proof of Claim Form is hereby approved, or Official

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<sup>3</sup> Except as otherwise defined herein, all terms specifically defined in the Bankruptcy Code shall have those meanings ascribed to them by the Bankruptcy Code. In particular, as used herein: (a) the term "claim" has the meaning given to it in section 101(5) of the Bankruptcy Code; (b) the term "entity" has the meaning given to it in section 101(15) of the Bankruptcy Code; (c) the term "governmental unit" has the meaning given to it in section 101(27) of the Bankruptcy Code; and (d) the term "person" has the meaning given to it in section 101(41) of the Bankruptcy Code.

Bankruptcy Form No. 410.<sup>4</sup> The Proof of Claim shall be further customized (to the extent possible) to provide information about how the creditor's claim has been scheduled by the Debtors. Except in the cases of governmental units and certain other exceptions explicitly set forth herein, **all Proofs of Claim must be sent so that they are actually received by Kurtzman Carson Consultants LLC ("KCC"), the notice and claims agent retained in these chapter 11 cases, on or before 5:00 p.m. (prevailing Eastern Time) on the date which is forty-five (45) days after the Service Date (the "Claims Bar Date"), at the address and in the form set forth herein.** The Claims Bar Date applies to all types of claims against the Debtors that arose or are deemed to have arisen before the Petition Date, except for claims specifically exempt from complying with the applicable Bar Dates (as defined herein) as set forth in this Order.

4. All governmental units holding claims (whether secured, unsecured priority, or unsecured non-priority) that arose (or are deemed to have arisen) prior to the Petition Date, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code and claims for unpaid taxes, whether such claims arise from prepetition tax years or periods or prepetition transactions to which the Debtors were a party, must send such Proofs of Claim **so that they are actually received by KCC on or before the later of (i) January 25, 2019 at 5:00 p.m. (prevailing Eastern Time) or (ii) the Claims Bar Date (the "Governmental Bar Date"), at the address and in the form set forth herein.**

5. All parties asserting a request for allowance of claims under section 503(b) and/or 507(a)(2) arising on or after the Petition Date through and including the date that is five (5) days

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<sup>4</sup> Official Bankruptcy Form No. 410 can be found at <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>. The Proof of Claim Form, which has been customized for these chapter 11 cases, will be available on the website established by Kurtzman Carson Consultants LLC, the Debtors' claims and noticing agent, at <http://www.kccllc.net/heritagehome>.

prior to the Service Date (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business) shall be required to send an original, written administrative claim (each, an “Administrative Claim,” and collectively “Administrative Claims”), substantially in the form attached hereto as **Exhibit 2** (the “Administrative Claim Form”), which such Administrative Claim Form is hereby approved,<sup>5</sup> **so that all Administrative Claims are actually received by KCC on or before 5:00 p.m. (prevailing Eastern Time) on the date which is forty-five (45) days after the Service Date (the “Administrative Claims Bar Date”) at the address and in the form set forth herein.**

6. Unless otherwise ordered, all entities asserting claims arising from the rejection of executory contracts and unexpired leases of the Debtors shall file a Proof of Claim on account of such rejection so that such Proof of Claim is actually received by KCC by the later of: (a) the Claims Bar Date or, as applicable, the Governmental Bar Date; (b) 5:00 p.m. (prevailing Eastern Time) on the date that is thirty (30) days following entry of an order approving the rejection of any executory contract or unexpired lease of the Debtors or (c) such other date as the Court may fix in the applicable order authorizing such rejection (as applicable, the “Rejection Damages Bar Date”).

7. If the Debtors amend their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and statements of financial affairs (collectively, the “Schedules”) after having given notice of the Bar Dates, the Debtors shall give notice by first-class mail of any amendment to holders of claims affected thereby, and the deadline for those holders to file Proofs of Claim, if necessary, so that they are actually received by KCC by the

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<sup>5</sup> The Administrative Claim Form will be available on the website established by KCC at <http://www.kccllc.net/heritagehome>.

later of: (a) the Claims Bar Date or the Governmental Bar Date, as applicable; or (b) 5:00 p.m. (prevailing Eastern Time) on the date that is twenty-one (21) days from the date the notice of the Schedule amendment is given (or another time period as may be fixed by the Court) (the “Amended Schedules Bar Date,” and collectively with the Claims Bar Date, the Governmental Bar Date, the Administrative Claims Bar Date and the Rejection Damages Bar Date, the “Bar Dates” and each a “Bar Date”).

8. All Proofs of Claim and/or Administrative Claims must be sent so as to be actually received by KCC on or before the applicable Bar Date. If Proofs of Claim and Administrative Claims are not received by KCC on or before the applicable Bar Date, except in the case of certain exceptions explicitly set forth herein, the holders of the underlying claims shall be barred from asserting such claims against the Debtors and precluded from voting on any plans of reorganization or liquidation filed in these chapter 11 cases and/or receiving distributions from the Debtors on account of such claims in these chapter 11 cases.

**B. Parties Required to File Proofs of Claim and/or Administrative Claims, as Applicable**

9. Subject to the exceptions set forth in Paragraph 10 of this Order, the following categories of claimants shall be required to file a Proof of Claim and/or Administrative Claim, as applicable, by the applicable Bar Date:

- (a) any entity whose claim against a Debtor is not listed in the applicable Debtor’s Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- (b) any entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;

- (c) any entity that believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules;
- (d) any non-debtor affiliate of the Debtors (as the term affiliate is defined in section 101(2) of the Bankruptcy Code) that wishes to assert a prepetition claim in these chapter 11 cases against any of the Debtors;
- (e) any entity who believes that its claim against a Debtor is or may be an administrative expense that arose on or after the Petition Date through and including the date that is five (5) days prior to the Service Date (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business); and
- (f) any entity who believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

**C. Parties Exempted from the Bar Date**

10. Notwithstanding anything to the contrary contained herein, the following categories of claimants are **not** required to file a Proof of Claim or Administrative Claim, as applicable, on or before the applicable Bar Date, solely with respect to the claims described below:

- (a) any entity that already has filed a signed Proof of Claim against the respective Debtor(s) with the Clerk of the United States Bankruptcy Court, District of Delaware or with KCC in a form substantially similar to Official Bankruptcy Form No. 410;
- (b) any entity whose claim is listed on the Schedules if: (i) the claim is **not** scheduled as any of “disputed,” “contingent,” or “unliquidated”; (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- (c) any entity whose claim has previously been allowed by order of the Court;
- (d) any entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;

- (e) any Debtor having a claim against another Debtor;
- (f) any entity whose claim is solely against any of the Debtors' non-Debtor affiliates;
- (g) any holder of an equity interest in the Debtors need not file a proof of interest with respect to the ownership of such equity interest at this time; *provided, however*, that any holder of an equity interest who wishes to assert a claim against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the Claims Bar Date pursuant to the procedures set forth herein;
- (h) a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage, commission, or benefit; *provided, however*, that a current employee must submit a Proof of Claim by the Claims Bar Date for all other claims arising before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- (i) any entity holding a claim for which a separate deadline to file a Proof of Claim has been fixed previously by this Court;
- (j) any holder of a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- (k) any entity holding claims for fees and expenses of professionals retained in these proceedings;
- (l) any member of the Committee for reimbursement of expenses incurred in connection with the member's service on the Committee;
- (m) any entity holding claims for payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business;
- (n) any officer or director of any of the Debtors that holds a claim for indemnification, contribution or reimbursement; and
- (o) the DIP Agent, DIP Lender, or the Prepetition Secured Parties as set forth in Final DIP Order.

#### **IV. Substantive Requirements of Proofs of Claim and Administrative Claims**

11. The following requirements shall apply with respect to filing and preparing each Proof of Claim and/or Administrative Claim:

- (a) Contents. Each Proof of Claim must: (i) be written in English; (ii) include a claim amount denominated in United States dollars as of the Petition Date; (iii) conform substantially with the Proof of Claim Form provided by the Debtors or Official Bankruptcy Form No. 410; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant. Each Administrative Claim must: (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Administrative Claim Form provided by the Debtors; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant.
- (b) Section 503(b)(9) Claim. Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the twenty (20) days prior to the Petition Date; (ii) provide a full description of the goods (*e.g.*, type, part or SKU # and quantities), the location to which the goods were delivered, the date of delivery of the goods, and either (1) a copy of the receipt for delivery of the goods signed by the Debtors, or (2) a declaration/affidavit to the effect that the goods were actually delivered as stated in the claim; (iii) attach copies of the particular invoices for which the 503(b)(9) claim is being asserted; and (iv) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- (c) Original Signatures Required. Only **original** Proofs of Claim and Administrative Claims, as applicable, may be deemed acceptable for purposes of claims administration. Copies of Proofs of Claim and/or Administrative Claims or Proofs of Claim and/or Administrative Claims sent by facsimile or electronic mail will not be accepted.
- (d) Identification of the Debtor Entity. Each Proof of Claim and/or Administrative Claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A Proof of Claim and/or Administrative Claim, as applicable, filed under the joint administration case number (No. 18-11736) or otherwise without identifying a specific Debtor, will be deemed as filed only against Heritage Home Group LLC.
- (e) Claim Against Multiple Debtor Entities. Each Proof of Claim and/or Administrative Claim must state a claim against **only one** Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the Proof of Claim or Administrative Claim, as applicable, such claim may be treated as if filed only against the first-listed Debtor.



- (f) Supporting Documentation. Each Proof of Claim and/or Administrative Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d) (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available.
- (g) Timely Service. Each Proof of Claim and Administrative Claim, as applicable, must be sent, including supporting documentation, by U.S. Mail or other hand delivery system, so as to be **actually received** by KCC on or before the applicable Bar Date at the following address:

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

<p><b>PROOFS OF CLAIM AND/OR ADMINISTRATIVE CLAIMS SUBMITTED BY FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.</b></p>
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- (h) Receipt of Service. Claimants wishing to receive acknowledgment that their Proofs of Claim and/or Administrative Claims were received by KCC must submit: (i) a copy of the Proof of Claim Form or Administrative Claim Form, as applicable (in addition to the original Proof of Claim Form or Administrative Claim Form, as applicable, sent to KCC); and (ii) a self-addressed, stamped envelope.
- (i) Term Loan Agent Master Proof of Claim. KPS, in its capacity as Term Loan Agent, shall be permitted to file a single proof of claim on account of any and all claims arising under the Prepetition Term Loan Facility, including, without limitation, any claims for fees, costs, and indemnification. Such proof of claim shall be deemed asserted by KPS against each of the Debtors who are borrowers or obligors under the Prepetition Term Loan Facility. KPS will be permitted, in lieu of attaching voluminous documentation, to file with its proof of claim a summary of the Prepetition Term Loan Facility and any other operative documents.
- (j) KPS Master Proof of Claim. KPS shall be permitted to file a single proof of claim on behalf of itself or its affiliates on account of any and all claims KPS may have against the Debtors (other than claims arising under the Prepetition Term Loan Facility), including, without limitation, any claims for fees, costs or indemnification. Such proof of claim shall be deemed asserted by KPS against each of the Debtors with respect to any such claims. KPS will be permitted, in lieu of attaching voluminous

documentation, to file with its proof of claim a summary of any operative and relevant documents.

**V. Identification of Known Creditors**

12. The Debtors shall mail notice of the Bar Dates only to their known creditors, and such mailing shall be made to the last known mailing address for each such creditor.

**VI. Procedures for Providing Notice of the Bar Date**

**A. Mailing of Bar Date Notices**

13. Subject to obtaining the consent of the DIP Agent, which shall not be unreasonably withheld, or, in the absence of such consent, further order of the Court, the Debtors shall cause a written notice of the Bar Dates, substantially in the form attached hereto as **Exhibit 3** (the “Bar Date Notice”), which such Bar Date Notice is hereby approved, a Proof of Claim Form and an Administrative Claim Form (collectively, the “Bar Date Package”) to be mailed via first class mail to the following entities:

- (a) the United States Trustee for the District of Delaware;
- (b) PNC Bank, National Association, in its capacity as Pre-Petition Agent and DIP Agent;
- (c) KPS Special Situations Fund III(A), L.P., in its capacity as Pre-Petition Term Agent;
- (d) counsel for the Committee;
- (e) all creditors and other known holders of claims and their counsel if known at the address set forth in the Schedules and the Debtors’ creditor matrix or as updated pursuant to a request by the creditor or by returned mail from the post office with a forwarding address;
- (f) all parties actually known to the Debtors, and their counsel if known, as having potential claims against any of the Debtors;
- (g) all entities that have requested notice of the proceedings in these chapter 11 cases pursuant to Bankruptcy Rule 2002 as of the date of this Order;

- (h) all entities that have filed proofs of claim in these chapter 11 cases as of the date of this Order;
- (i) all known non-Debtor equity and interest holders of the Debtors as of the date this Order is entered;
- (j) all counterparties to the Debtors' executory contracts and unexpired leases at the addresses stated therein or as updated pursuant to a request by the counterparty or by returned mail from the post office with a forwarding address;
- (k) all entities who are party to litigation, arbitration, or a mediation proceeding with the Debtors (as of the date of the entry of this Order) and their counsel if known;
- (l) the District Director of the Internal Revenue Service for the District of Delaware;
- (m) the United States Attorney for the District of Delaware;
- (n) the Office of the United States Attorney General for the District of Delaware;
- (o) the office of the attorneys general for the states in which the Debtors operate;
- (p) all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct business;
- (q) the Securities and Exchange Commission and any regulatory agencies with oversight authority of the Debtors; and
- (r) such additional persons and entities deemed appropriate by the Debtors.

14. On the date the Debtors commence service of the Bar Date Notice Packages in accordance with paragraph 13 of this Order (the "Service Date"), the Debtors shall also file on the docket of these chapter 11 cases a copy of the Bar Date Notice that specifies the actual date of the Claims Bar Date.

15. After the initial mailing of the Bar Date Packages, the Debtors may, in their discretion, make supplemental mailings of notices or packages, including in the event that:

- (a) notices are returned by the post office with forwarding addresses; *provided, that*, if notices

are returned as “return to sender” without a forwarding address, the Debtors shall not be required to mail additional notices to such creditors; (b) certain parties acting on behalf of parties in interest decline to pass along notices to these parties and instead return their names and addresses to the Debtors for direct mailing; and (c) additional potential claimants become known as the result of the Bar Date mailing process. In this regard, the Debtors may make supplemental mailings of the Bar Date Package in these and similar circumstances at any time up to twenty-one (21) days in advance of the Bar Dates, with any such mailings being deemed timely and the Bar Dates being applicable to the recipient creditors.

**B. Publication of Bar Date Notice**

16. The Debtors shall cause notice of the Bar Dates to be given by publication to creditors to whom notice by mail is impracticable, including creditors who are unknown or not reasonably ascertainable by the Debtors and creditors whose identities are known but whose addresses are unknown by the Debtors. Specifically, the Debtors shall cause the Bar Date Notice to be published, modified for publication, substantially in the form attached hereto as **Exhibit 4** (the “Publication Notice”), in the national edition of *USA Today*, *New York Times*, or *Washington Post*, as soon as practicable after the Service Date, which such Publication Notice is hereby approved and shall be good, adequate and sufficient publication notice of the Bar Dates.

**VII. Consequences of Failure to File a Proof of Claim or Administrative Claim**

17. Any entity who is required, but fails, to file a Proof of Claim or Administrative Claim, as applicable, in accordance with this Order on or before the applicable Bar Date shall be, absent further order of this Court, prohibited from voting to accept or reject any plan of reorganization or liquidation filed in these chapter 11 cases, participating in any distribution in

these chapter 11 cases on account of such claim, or receiving further notices regarding such claim.

### **VIII. Sufficient Notice**

18. Notice of the Bar Dates as set forth in this Order and in the manner set forth herein (including, but not limited to, the Bar Date Notice, the Publication Notice, and any supplemental notices that the Debtors may send from time to time) constitutes adequate and sufficient notice of each of the Bar Dates and satisfies the requirements of the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules.

### **IX. Miscellaneous**

19. The Debtors reserve all rights and defenses with respect to any Proof of Claim and/or Administrative Claim, including, among other things, the right to object to any Proof of Claim or Administrative Claim, as applicable, on any grounds. The Debtors also reserve their right to amend the Schedules and reserve all rights and defenses to any claim listed on the Schedules, as may be amended, including, among other things, the right to dispute any such claim and assert any offsets or defenses thereto. To the extent the Debtors dispute any claim listed on the Schedules, and such claim is not already listed as “disputed,” “contingent,” or “unliquidated,” the Debtors shall amend their Schedules as appropriate.

20. The Debtors reserve the right to seek a further order of this Court to fix a deadline by which holders of claims or equity interests **not** subject to the Bar Dates must file proofs of such claims or equity interests against the Debtors, or be forever barred from doing so.

21. The Debtors and KCC are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

22. The terms and conditions of this Order shall be immediately effective and enforceable upon entry of this Order.

23. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.



**KEVIN GROSS**  
**UNITED STATES BANKRUPTCY JUDGE**

**Exhibit 1**

**Proof of Claim Form**

United States Bankruptcy Court for the District of Delaware

Indicate Debtor against which you assert a claim by checking the appropriate box below. **(Check only one Debtor per claim form.)**

- Heritage Home Group LLC (Case No. 18-11736)
- HH Global II B.V. (Case No. 18-11737)
- HH Group Holdings US, Inc. (Case No. 18-11738)
- HHG Real Property LLC (Case No. 18-11739)
- HHG Global Designs LLC (Case No. 18-11740)

## Official Form 410 Proof of Claim

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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.

### Part 1: Identify the Claim

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



**Part 2: Give Information About 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: \_\_\_ \_ \_ \_

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7. How much is the claim? \$ \_\_\_\_\_. Does this amount include interest or other charges?  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

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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.  
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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:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

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10. Is this claim based on a lease?  No  
 Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

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11. Is this claim subject to a right of setoff?  No  
 Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- No
- Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). Amount entitled to priority  
\$ \_\_\_\_\_
- Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ \_\_\_\_\_
- Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ \_\_\_\_\_
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ \_\_\_\_\_
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ \_\_\_\_\_
- Other. Specify subsection of 11 U.S.C. § 507(a)(\_\_\_\_) that applies. \$ \_\_\_\_\_

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

- No
- Yes. Indicate the amount of your 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 such Debtor's business. Attach documentation supporting 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.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_  
MM / DD / YYYY

\_\_\_\_\_  
Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City State ZIP Code Country

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

**Official Form 410****Instructions for Proof of Claim**

United States Bankruptcy Court

04/16

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

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

Heritage Home Group LLC Claims Processing Center  
c/o KCC  
2335 Alaska Avenue  
El Segundo, CA 90245

**How to fill out this form**

- **Fill in all of the information about the claim as of July 29, 2018, the date the cases were 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.**

- **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.kcellc.net/heritagehome>.

**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.

**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 2**

**Administrative Claim Form**

**USE ONLY FOR ADMINISTRATIVE EXPENSE CLAIMS THAT AROSE ON OR AFTER THE PETITION DATE THROUGH AND INCLUDING [\_\_\_].**

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE</b>		<b>ADMINISTRATIVE EXPENSE PROOF OF CLAIM FORM</b>
Debtor against which claim is asserted: (check one) <input type="checkbox"/> Heritage Home Group LLC (Case No. 18-11736) <input type="checkbox"/> HH Global II B.V. (Case No. 18-11737) <input type="checkbox"/> HH Group Holdings US, Inc. (Case No. 18-11738) <input type="checkbox"/> HHG Real Property LLC (Case No. 18-11739) <input type="checkbox"/> HHG Global Designs LLC (Case No. 18-11740)		<b>Administrative Expense Claim Request</b>
<b>NOTE: This Administrative Expense Claim Request form is to be used solely in connection with a request for payment of an administrative expense arising after commencement of these cases pursuant to 11 U.S.C. § 503.</b>		<b>THIS SPACE IS FOR COURT USE ONLY.</b>
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> _____ (If known)  Filed on: _____
Name and address where notices should be sent:    Telephone number: _____		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your administrative claim. Attach copy of statement giving particulars.
Telephone number: _____  <b>IMPORTANT:</b> Please list the name and address of any property related to your claim (if applicable). Property Name: _____ Property Address: _____		
<b>1. Basis for Claim:</b> _____ (See instruction #2 on reverse side.)		
<b>2. Last four digits of any number by which creditor identifies debtor:</b> _____		
<b>3. TOTAL AMOUNT OF ADMINISTRATIVE EXPENSE CLAIM:</b> <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		\$ _____ <b>(Total)</b>
<b>4. BRIEF DESCRIPTION OF CLAIM (attach any additional information):</b>   		
<b>5. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this administrative expense proof of claim.  <b>6. Supporting Documents:</b> Attached are <b>redacted</b> copies of any documents that support the administrative expense claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:  <b>DATE-STAMPED COPY:</b> To receive an acknowledgment of the filing of your administrative expense proof of claim, enclose a stamped, self-addressed envelope and copy of this administrative expense proof of claim, or you may view your claim information by visiting the website of the Claims Agent ( <a href="http://www.kccllc.net/heritagehome">www.kccllc.net/heritagehome</a> ).		<b>THIS SPACE IS FOR COURT USE ONLY.</b>
<b>IF SENT BY MAIL, HAND DELIVERY, OR OVERNIGHT COURIER, SEND TO:</b>  <b>Heritage Home Group LLC Claims Processing Center</b> c/o KCC 2335 Alaska Avenue El Segundo, CA 90245  Please see instructions on back of Administrative Expense Proof of Claim		
<b>Date:</b> _____	<b>Signature:</b> the person filing this administrative expense claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this administrative expense claim and state address and telephone number if different from the notice address above.	

*Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.*

**INSTRUCTIONS FOR ADMINISTRATIVE EXPENSE PROOF OF CLAIM FORM**

The instructions and definitions below are general explanations of the law. In certain circumstances, there may be exceptions to these general rules.

**ITEMS TO BE COMPLETED IN ADMINISTRATIVE EXPENSE PROOF OF CLAIM FORM**

**Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, District of Delaware), the bankruptcy Debtor’s name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor’s Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Basis for Claim:**

State the type of debt for which the administrative expense proof of claim is being filed. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card.

**2. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the Debtor’s account or other number used by the creditor to identify the Debtor.

**3. Total Amount of Administrative Expense Claim:**

Fill in the applicable amounts of the entire administrative expense proof of claim. If interest or other charges in addition to the principal amount of the administrative expense proof of claim are included, check the appropriate place on the form and attach an itemization of interest and charges.

**4. Brief Description of Claim**

Describe the Administrative Expense Claim including, but not limited to, the actual and necessary costs and expenses of operating one or more of the Debtors' estates or any actual and necessary costs and expenses of operating one or more of the Debtors' businesses.

**5. Credits:**

An authorized signature on this administrative expense proof of claim serves as an acknowledgement that when calculating the amount of the administrative expense proof of claim, the creditor gave the Debtor credit for any payments received toward the debt.

**6. Supporting Documents:**

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

**7. Date and Signature:**

The individual completing this administrative expense proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer’s address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS**

**Name of Debtor and Case Number:**

A complete list of Debtors with corresponding case numbers is listed above. You MUST fill in the specific Debtor against which your claim is being asserted and the case number of the Debtor’s bankruptcy case. If you are asserting claims against more than one Debtor, you MUST file a separate administrative expense proof of claim for each Debtor.

**Creditor**

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

**Administrative Expense Claim**

Any right to payment constituting a cost or expense of administration of any of the Reorganized Cases allowed under sections 503(b) and 507(a)(1) of the Bankruptcy Code, including, without limitation, any actual and necessary costs and expenses of operating one or more of the Debtors' Estates, any actual and necessary costs and expenses of operating one or more of the Debtors' businesses, and any fees or charges assessed against one or more of the Debtors' Estates, any actual and necessary costs and expenses of operating one or more of the Debtors' businesses, and any fees or charges assessed against one or more of the Estates of the Debtors under section 1930 of chapter 123 of title 28 of the United States Code.

**Petition Date:**

The Petition Date is July 29, 2018.

**Administrative Expense Creditor**

An Administrative Expense Creditor is any person, corporation, or other entity to whom the Debtor owes a debt for an administrative expense.

**Administrative Expense Proof of Claim**

A form telling the Bankruptcy Court how much the Debtor owes a creditor for administrative expenses.

**Submitting Administrative Expense Proof of Claim**

Submit a signed original claim request with any attachments via United States mail, overnight courier service or hand delivery to:

**Heritage Home Group LLC Claims Processing Center  
c/o KCC  
2335 Alaska Avenue  
El Segundo, CA 90245**

Submission by facsimile or other electronic means will not be accepted.

**INFORMATION**

**Acknowledgement of Filing a Claim**

To receive acknowledgment of your filing, enclose a stamped self-addressed envelope and a copy of this administrative expense proof of claim or you may view your claim information by visiting the website of the Claims Agent ([www.kcccllc.net/heritagehome](http://www.kcccllc.net/heritagehome)).

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the Debtors. These entities do not represent the bankruptcy court or the Debtors. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

**Exhibit 3**

**Bar Date Notice**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

-----X  
 In re: : Chapter 11  
 :  
**HERITAGE HOME GROUP LLC, et al.,** : Case No. 18-11736 (KG)  
 :  
 Debtors.<sup>1</sup> : Jointly Administered  
 :  
 : Ref. Docket No. \_\_\_\_  
 -----X

**NOTICE OF DEADLINES FOR THE FILING OF (A) PROOFS OF CLAIM,  
INCLUDING REQUESTS FOR PAYMENT PURSUANT TO SECTION 503(b)(9) OF  
THE BANKRUPTCY CODE, AND (B) ADMINISTRATIVE CLAIMS**

**TO: ALL PERSONS AND ENTITIES WHO MAY HAVE CLAIMS AGAINST ANY  
OF THE FOLLOWING DEBTOR ENTITIES:**

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY BE  
HOLDING A CLAIM AGAINST ONE OR MORE OF THE DEBTORS IN  
THE ABOVE-CAPTIONED CHAPTER 11 CASES. THEREFORE, YOU SHOULD  
READ THIS NOTICE CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY.  
IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

**PLEASE TAKE NOTICE THAT:**

On July 29, 2018 (the “Petition Date”), the above-captioned debtors and debtors-in-possession (each, a “Debtor,” and collectively, the “Debtors”), filed voluntary petitions for relief under title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

DEBTOR	CASE NO.
Heritage Home Group LLC	18-11736 (KG)
HH Global II B.V.	18-11737 (KG)
HH Group Holdings US, Inc.	18-11738 (KG)
HHG Real Property LLC	18-11739 (KG)
HHG Global Designs LLC	18-11740 (KG)

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each debtor’s tax identification number, as applicable, are: Heritage Home Group LLC (9506); HH Global II B.V. (0165); HH Group Holdings US, Inc. (7206); HHG Real Property LLC (3221); and HHG Global Designs LLC (1150). The Debtors’ corporate headquarters is located at 1925 Eastchester Drive, High Point, North Carolina 27265.

On \_\_\_\_\_, 2018, the Court entered an order [Docket No. \_\_\_] (the “Bar Date Order”)<sup>2</sup> establishing certain dates by which parties holding prepetition claims against the Debtors must file proofs of claim, including requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code (each a “Proof of Claim” and collectively “Proofs of Claim”).

The Debtors are enclosing a proof of claim form (the “Proof of Claim Form”) for use in these chapter 11 cases. If your claim is scheduled by the Debtors, the attached Proof of Claim Form also sets forth: (a) the amount of your claim (if any) as scheduled; (b) whether your claim is scheduled as disputed, contingent or unliquidated; and (c) whether your claim is listed as a secured, priority or unsecured nonpriority claim. You will receive a different Proof of Claim Form for each claim scheduled in your name by the Debtors. You may utilize the Proof of Claim Form(s) provided by the Debtors to file your claim. Additional Proof of Claim Forms may be obtained at the following websites: <http://www.kccllc.net/heritagehome> or <http://www.uscourts.gov/forms/bankruptcy-forms/proof-claim-0>.

In addition, the Bar Date Order also established a certain date by which parties holding Administrative Claims arising on or after the Petition Date through and including [\_\_\_] (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business) must file a request for allowance of such Administrative Claims.

The Debtors are enclosing an administrative claim form (the “Administrative Claim Form”) for use in these chapter 11 cases. Additional Administrative Claim Forms may be obtained at the following website: <http://www.kccllc.net/heritagehome>.

As used in this Notice, the term “entity” has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, governmental units, and the Office of the United States Trustee for the District of Delaware. In addition, the terms “persons” and “governmental units” are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

As used in this Notice, the term “claim” means, as to or against the Debtors and in accordance with section 101(5) of the Bankruptcy Code: (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.

## **A. THE BAR DATES**

The Bar Date Order established the following bar dates for filing Proofs of Claim and Administrative Claims, as applicable, in these chapter 11 cases (each a “Bar Date,” and collectively, the “Bar Dates”):

---

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Order.

**Claims Bar Date.** Pursuant to the Bar Date Order, except as described below, all entities (other than a governmental unit) holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases on the Petition Date, including, without limitation, requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code, secured claims, and priority claims against the Debtors and their estates must file a Proof of Claim in respect of such prepetition claim so that it is received on or before [ ] **at 5:00 p.m. (prevailing Eastern Time)** (the “Claims Bar Date”).

**Governmental Bar Date.** Pursuant to the Bar Date Order, except as described below, any governmental unit seeking to assert a prepetition claim in these chapter 11 cases against any of the Debtors, including, without limitation, claims pursuant to section 503(b)(9) of the Bankruptcy Code, must file a Proof of Claim in respect of such prepetition claim so that it is received on or before **the later of (i) January 25, 2019 at 5:00 p.m. (prevailing Eastern Time) and (ii) the Claims Bar Date** (the “Governmental Bar Date”).

**Administrative Claims Bar Date.** Pursuant to the Bar Date Order, all claimants holding Administrative Claims against the Debtors’ estates arising on or after the Petition Date through and including [ ] (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business) must file an Administrative Claim in respect of such claim so that it is received on or before [ ] **at 5:00 p.m. (prevailing Eastern Time)** (the “Administrative Claims Bar Date”).

**Rejection Damages Bar Date.** Any person or entity asserting a claim against any of the Debtors that arises from the rejection of an executory contract or unexpired lease in these chapter 11 cases (a “Rejection Damages Claim”) must file a Proof of Claim in respect of such claim on or before the later of (i) thirty (30) days following the entry of the Court order approving such rejection (which order may be the order confirming a chapter 11 plan in the Debtors’ cases), (ii) the applicable Bar Date, or (iii) such other date as the Court may fix in the applicable order authorizing such rejection (as applicable, the “Rejection Damages Bar Date”).

**Amended Schedules Bar Date.** In the event that the Debtors amend or supplement their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and statements of financial affairs (collectively, the “Schedules”) subsequent to the date of entry of the Bar Date Order, the Debtors shall give notice of: (1) any such amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (x) the Claims Bar Date or Governmental Bar Date, as applicable, and (y) 5:00 p.m. (prevailing Eastern Time) on the date that is twenty-one (21) days from the date of service of such notice (or another time period as may be fixed by the Court) to file a Proof of Claim or be barred from doing so (such date, the “Amended Schedules Bar Date”); and (2) such deadline to such holders, in accordance with Local Rule 1009-2.

**B. WHO MUST FILE A PROOF OF CLAIM OR ADMINISTRATIVE CLAIM**

Except as otherwise set forth herein, the following entities holding claims against the Debtors **must** file Proofs of Claim or Administrative Claims, as applicable, on or before the applicable Bar Date:

- a. any entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases;
- b. any entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
- c. any entity that believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules;
- d. any non-debtor affiliate of the Debtors (as the term affiliate is defined in section 101(2) of the Bankruptcy Code) that wishes to assert a prepetition claim in these chapter 11 cases against any of the Debtors;
- e. any entity who believes that its claim against a Debtor is or may be an administrative expense that arose on or after the Petition Date through and including [ ] (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business); and
- f. any entity who believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

**C. PARTIES WHO DO NOT NEED TO FILE PROOFS OF CLAIM OR ADMINISTRATIVE CLAIMS**

Certain parties are not required to file Proofs of Claim or Administrative Claims. The Court may, however, enter one or more separate orders at a later time requiring creditors to file Proofs of Claim or Administrative Claims, as applicable, for some kinds of the following claims and setting related deadlines. If the Court does enter such an order, you will receive notice of such order. The following entities holding claims that would otherwise be subject to the Bar Dates need **not** file Proofs of Claims or Administrative Claims:

- a. any entity that already has filed a signed Proof of Claim against the respective Debtor(s) with the Clerk of the United States Bankruptcy Court,

District of Delaware or with KCC in a form substantially similar to Official Bankruptcy Form No. 410;

- b. any entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of “disputed,” “contingent,” or “unliquidated”; (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules;
- c. any entity whose claim has previously been allowed by order of the Court;
- d. any entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court;
- e. any Debtor having a claim against another Debtor;
- f. any entity whose claim is solely against any of the Debtors’ non-Debtor affiliates;
- g. any holder of an equity interest in the Debtors need not file a proof of interest with respect to the ownership of such equity interest at this time; *provided, however*, that any holder of an equity interest who wishes to assert a claim against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the Claims Bar Date pursuant to the procedures set forth herein;
- h. a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage, commission, or benefit; *provided, however*, that a current employee must submit a Proof of Claim by the Claims Bar Date for all other claims arising before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation;
- i. any entity holding a claim for which a separate deadline to file a Proof of Claim has been fixed previously by this Court;
- j. any holder of a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- k. any entity holding claims for fees and expenses of professionals retained in these proceedings;
- l. any member of the Committee for reimbursement of expenses incurred in connection with the member’s service on the Committee;

- m. any entity holding claims for payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business;
- n. any officer or director of any of the Debtors that holds a claim for indemnification, contribution or reimbursement; and
- o. the DIP Agent, DIP Lender, or the Prepetition Secured Parties as set forth in the Final DIP Order.

**D. INSTRUCTIONS FOR FILING PROOFS OF CLAIM AND ADMINISTRATIVE CLAIMS**

The following requirements shall apply with respect to filing and preparing each Proof of Claim and Administrative Claim:

- a. Contents. Each Proof of Claim must: (i) be written in English; (ii) include a claim amount denominated in United States dollars as of the Petition Date; (iii) conform substantially with the Proof of Claim Form provided by the Debtors or Official Bankruptcy Form No. 410; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant. Your Proof of Claim must **not** contain complete social security numbers or taxpayer identification numbers, a complete birth date, the name of a minor, or a financial account number. If applicable, your Proof of claim should include only the last four digits of social security, tax payer identification, or financial account numbers, only the year of your birth date, or only the initial of a minor. Each Administrative Claim must: (i) be written in English; (ii) include a claim amount denominated in United States dollars; (iii) conform substantially with the Administrative Claim Form provided by the Debtors; and (iv) be signed by the claimant or by an authorized agent or legal representative of the claimant.
- b. Section 503(b)(9) Claim. Any Proof of Claim asserting a claim entitled to priority under section 503(b)(9) of the Bankruptcy Code must also: (i) include the value of the goods delivered to and received by the Debtors in the twenty (20) days prior to the Petition Date; (ii) provide a full description of the goods (*e.g.*, type, part or SKU # and quantities), the location to which the goods were delivered, the date of delivery of the goods, and either (1) a copy of the receipt for delivery of the goods signed by the Debtors, or (2) a declaration/affidavit to the effect that the goods were actually delivered as stated in the claim; (iii) attach copies of the particular invoices for which the 503(b)(9) claim is being asserted; and (iv) attach documentation of any reclamation demand made to the Debtors under section 546(c) of the Bankruptcy Code (if applicable).
- c. Original Signatures Required. Only **original** Proofs of Claim and Administrative Claims, as applicable, may be deemed acceptable for purposes of claims administration. Copies of Proofs of Claim and/or

Administrative Claims or Proofs of Claim and/or Administrative Claims sent by facsimile or electronic mail will not be accepted.

- d. Identification of the Debtor Entity. Each Proof of Claim and/or Administrative Claim must clearly identify the Debtor against which a claim is asserted, including the individual Debtor's case number. A Proof of Claim or Administrative Claim, as applicable, filed under the joint administration case number (No. 18-11736) or otherwise without identifying a specific Debtor, will be deemed as filed only against Heritage Home Group LLC.
- e. Claim Against Multiple Debtor Entities. Each Proof of Claim and/or Administrative Claim must state a claim against **only one** Debtor and clearly indicate the Debtor against which the claim is asserted. To the extent more than one Debtor is listed on the Proof of Claim or Administrative Claim, as applicable, such claim may be treated as if filed only against the first-listed Debtor.
- f. Supporting Documentation. Each Proof of Claim and/or Administrative Claim must include supporting documentation in accordance with Bankruptcy Rules 3001(c) and 3001(d) (or, if such documentation is voluminous, include a summary of such documentation) or an explanation as to why such documentation is not available.
- g. Timely Service. Each Proof of Claim and Administrative Claim, as applicable, must be sent, including supporting documentation, by U.S. Mail or other hand delivery system, so as to be **actually received** by KCC on or before the applicable Bar Date at the following address:

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

<p><b>PROOFS OF CLAIM AND/OR ADMINISTRATIVE CLAIMS SUBMITTED BY FACSIMILE OR ELECTRONIC MAIL WILL NOT BE ACCEPTED.</b></p>
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- h. Receipt of Service. Claimants wishing to receive acknowledgment that their Proofs of Claim and/or Administrative Claims were received by KCC must submit: (i) a copy of the Proof of Claim Form or Administrative Claim Form, as applicable (in addition to the original Proof of Claim Form or Administrative Claim Form, as applicable, sent to KCC); and (ii) a self-addressed, stamped envelope.
- i. Term Loan Agent Master Proof of Claim. KPS, in its capacity as Term Loan Agent, shall be permitted to file a single proof of claim on account

of any and all claims arising under the Prepetition Term Loan Facility, including, without limitation, any claims for fees, costs, and indemnification. Such proof of claim shall be deemed asserted by KPS against each of the Debtors who are borrowers or obligors under the Prepetition Term Loan Facility. KPS will be permitted, in lieu of attaching voluminous documentation, to file with its proof of claim a summary of the Prepetition Term Loan Facility and any other operative documents.

- j. KPS Master Proof of Claim. KPS shall be permitted to file a single proof of claim on behalf of itself or its affiliates on account of any and all claims KPS may have against the Debtors (other than claims arising under the Prepetition Term Loan Facility), including, without limitation, any claims for fees, costs or indemnification. Such proof of claim shall be deemed asserted by KPS against each of the Debtors with respect to any such claims. KPS will be permitted, in lieu of attaching voluminous documentation, to file with its proof of claim a summary of any operative and relevant documents.

**E. CONSEQUENCES OF FAILING TO TIMELY FILE YOUR PROOF OF CLAIM OR ADMINISTRATIVE CLAIM**

Pursuant to the Bar Date Order and in accordance with Bankruptcy Rule 3003(c)(2), if you or any party or entity who is required, but fails, to file a Proof of Claim or Administrative Claim in accordance with the Bar Date Order on or before the applicable Bar Date, please be advised that, except as otherwise ordered by the Court:

- a. YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND
- b. YOU WILL NOT BE PERMITTED TO VOTE ON ANY PLAN OR PLANS OF REORGANIZATION OR LIQUIDATION FOR THE DEBTORS ON ACCOUNT OF THESE BARRED CLAIMS OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.

**F. RESERVATION OF RIGHTS**

The Debtors reserve all rights and defenses with respect to any Proof of Claim and/or Administrative Claim, including, among other things, the right to object to any Proof of Claim or Administrative Claim, as applicable, on any grounds. The Debtors also reserve their right to amend the Schedules and reserve all rights and defenses to any claim listed on the Schedules, as may be amended, including, among other things, the right to dispute any such claim and assert any offsets or defenses thereto. To the extent the Debtors dispute any claim listed on the Schedules, and such claim is not already listed as “disputed,” “contingent,” or “unliquidated,” the Debtors shall amend their Schedules as appropriate.



## G. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against one or more of the Debtor entities in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed Proof of Claim Forms regarding the nature, amount, and status of your claim(s). If the Debtors believe that you may hold claims against more than one Debtor entity, you will receive multiple Proof of Claim Forms, each of which will reflect the nature and amount of your claim against one Debtor entity, as listed in the Schedules.

If you rely on the Debtors' Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. As described above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim is only against the Debtor entity specified by the Debtors, and if your claim is not described 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 Bar Date in accordance with the procedures set forth in this Notice.

## H. ADDITIONAL INFORMATION

Copies of the Debtors' Schedules, the Bar Date Order, and other information regarding these chapter 11 cases are available for inspection free of charge on KCC's website at <http://www.kccllc.net/heritagehome>.

If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' claims agent, KCC, directly by writing to: Heritage Home Group Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245 or contact the Debtors' restructuring hotline at: (888) 251-2954 (U.S./Canada) or (310) 751-2614 (International).

KCC cannot advise you how to file, or whether you should file, a Proof of Claim and/or Administrative Claim. You may wish to consult an attorney regarding this matter.

Dated: [\_\_\_\_]  
Wilmington, Delaware

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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*Counsel to the Debtors and Debtors in Possession*

**EXHIBIT 4**

**Publication Notice**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

	X	
	:	
In re:	:	Chapter 11
	:	
<b>HERITAGE HOME GROUP LLC, et al.,</b>	:	Case No. 18-11736 (KG)
	:	
Debtors. <sup>1</sup>	:	Jointly Administered
	:	
	:	<b>Ref. Docket No. ____</b>
	X	

**NOTICE OF DEADLINES FOR THE FILING OF (A) PROOFS OF CLAIM, INCLUDING  
REQUESTS FOR PAYMENT PURSUANT TO SECTION 503(b)(9) OF THE BANKRUPTCY  
CODE AND (B) ADMINISTRATIVE CLAIMS**

On July 29, 2018 (the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed petitions commencing chapter 11 cases under title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”). On [•], 2018, the Court entered an order establishing various bar dates for filing proofs of claim and requests for allowance of certain administrative expenses (the “Bar Date Order”).<sup>2</sup>

**Claims Bar Date.** Pursuant to the Bar Date Order, except as described below, all entities (other than a governmental unit) holding claims against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases on the Petition Date, including, without limitation, requests for payment pursuant to section 503(b)(9) of the Bankruptcy Code, secured claims, and priority claims against the Debtors and their estates must file a Proof of Claim in respect of such prepetition claim so that it is received on or before [ ] **at 5:00 p.m. (prevailing Eastern Time)** (the “Claims Bar Date”).

**Administrative Claims Bar Date.** Pursuant to the Bar Date Order, all claimants holding Administrative Claims against the Debtors’ estates arising on or after the Petition Date through and including [ ] (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business) must file an Administrative Claim in respect of such claim so that it is received on or before [ ] **at 5:00 p.m. (prevailing Eastern Time)** (the “Administrative Claims Bar Date”).

**The Governmental Bar Date.** All governmental units holding claims against the Debtors that arose prior to the Petition Date are required to file proofs of claim by **the later of (i) January 25, 2019 at 5:00 p.m. (prevailing Eastern Time) and (ii) the Claims Bar Date** (the “Governmental Bar Date”). The Governmental Bar Date applies to all governmental units holding claims against the Debtors that arose prior to the Petition Date, including governmental units with claims against the Debtors for unpaid taxes, whether such claims arise from prepetition tax periods or prepetition transactions to which the Debtors were a party.

**Rejection Damages Bar Date.** Any person or entity asserting a claim against any of the Debtors that arises from the rejection of an executory contract or unexpired lease in these chapter 11 cases (a “Rejection Damages Claim”)

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each debtor’s tax identification number, as applicable, are: Heritage Home Group LLC (9506); HH Global II B.V. (0165); HH Group Holdings US, Inc. (7206); HHG Real Property LLC (3221); and HHG Global Designs LLC (1150). The Debtors’ corporate headquarters is located at 1925 Eastchester Drive, High Point, North Carolina 27265.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Order.

must file a Proof of Claim in respect of such claim on or before the later of (i) thirty (30) days following the entry of the Court order approving such rejection (which order may be the order confirming a chapter 11 plan in the Debtors' cases), (ii) the applicable Bar Date, or (iii) such other date as the Court may fix in the applicable order authorizing such rejection (as applicable, the "Rejection Damages Bar Date").

**Amended Schedules Bar Date.** In the event that the Debtors amend or supplement their schedules of assets and liabilities, schedules of executory contracts and unexpired leases, and statements of financial affairs (collectively, the "Schedules") subsequent to the date of entry of the Bar Date Order, the Debtors shall give notice of: (1) any such amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (x) the Claims Bar Date or Governmental Bar Date, as applicable, and (y) 5:00 p.m. (prevailing Eastern Time) on the date that is twenty-one (21) days from the date of service of such notice (or another time period as may be fixed by the Court) to file a Proof of Claim or be barred from doing so (such date, the "Amended Schedules Bar Date") and, together with the Claims Bar Date, Administrative Claims Bar Date, the Governmental Bar Date, and the Rejection Damages Bar Date, the "Bar Dates"; and (2) such deadline to such holders, in accordance with Local Rule 1009-2.

**Entities That Must File Proofs of Claim by the Bar Dates:** Except as otherwise set forth in the Bar Date Order, the following entities holding claims against the Debtors **must** file Proofs of Claim or Administrative Claims, as applicable, on or before the applicable Bar Date: (a) any entity whose claim against a Debtor is not listed in the applicable Debtor's Schedules or is listed as contingent, unliquidated, or disputed if such entity desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases; (b) any entity who believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules; (c) any entity that believes that its prepetition claim as listed in the Schedules is not an obligation of the specific Debtor against which the claim is listed and that desires to have its claim allowed against a Debtor other than that identified in the Schedules; (d) any non-debtor affiliate of the Debtors (as the term affiliate is defined in section 101(2) of the Bankruptcy Code) that wishes to assert a prepetition claim in these chapter 11 cases against any of the Debtors; (e) any entity who believes that its claim against a Debtor is or may be an administrative expense that arose on or after the Petition Date through and including [ ] (excluding claims for (i) fees and expenses of professionals retained in these proceedings and (ii) payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business); and (f) any entity who believes that its claim against a Debtor is or may be an administrative expense pursuant to section 503(b)(9) of the Bankruptcy Code.

**Entities That Do Not Need to File Proofs of Claim or Administrative Claims:** The following entities holding claims that would otherwise be subject to the Bar Dates need **not** file Proofs of Claims or Administrative Claims: (a) any entity that already has filed a signed Proof of Claim against the respective Debtor(s) with the Clerk of the United States Bankruptcy Court, District of Delaware or with KCC in a form substantially similar to Official Bankruptcy Form No. 410; (b) any entity whose claim is listed on the Schedules if: (i) the claim is not scheduled as any of "disputed," "contingent," or "unliquidated"; (ii) such entity agrees with the amount, nature, and priority of the claim as set forth in the Schedules; and (iii) such entity does not dispute that its claim is an obligation only of the specific Debtor against which the claim is listed in the Schedules; (c) any entity whose claim has previously been allowed by order of the Court; (d) any entity whose claim has been paid in full by the Debtors pursuant to the Bankruptcy Code or in accordance with an order of the Court; (e) any Debtor having a claim against another Debtor; (f) any entity whose claim is solely against any of the Debtors' non-Debtor affiliates; (g) any holder of an equity interest in the Debtors need not file a proof of interest with respect to the ownership of such equity interest at this time; *provided, however,* that any holder of an equity interest who wishes to assert a claim against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, must file a proof of claim asserting such claim on or prior to the Claims Bar Date pursuant to the procedures set forth herein; (h) a current employee of the Debtors, if an order of this Court authorized the Debtors to honor such claim in the ordinary course of business as a wage, commission, or benefit; *provided, however,* that a current employee must submit a Proof of Claim by the Claims Bar Date for all other claims arising before the Petition Date, including claims for wrongful termination, discrimination, harassment, hostile work environment, and/or retaliation; (i) any entity holding a claim for which a separate deadline to file a Proof of Claim has been fixed previously by this Court; (j) any holder of a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930; (k) any entity holding claims for fees and expenses of

professionals retained in these proceedings; (l) any member of the Committee for reimbursement of expenses incurred in connection with the member's service on the Committee; (m) any entity holding claims for payables arising from postpetition goods or services provided to the Debtors in the ordinary course of business; (n) any officer or director of any of the Debtors that holds a claim for indemnification, contribution or reimbursement; and (o) the DIP Agent, DIP Lender, or the Prepetition Secured Parties as set forth in the Final DIP Order.

How, When and Where to File: The Bar Date Order specifies the manner and process for submitting Proofs of Claim and Administrative Claims. Each Proof of Claim and Administrative Claim, as applicable, must be sent, including supporting documentation, by U.S. Mail or other hand delivery system, so as to be **actually received** by KCC on or before the applicable Bar Date at the following address:

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

Proofs of claim will be collected, docketed, and maintained by KCC. *Proofs of claim will be deemed filed only when actually received by KCC. Proofs of claim may not be delivered by facsimile or electronic mail transmission.*

**PURSUANT TO THE BAR DATE ORDER AND IN ACCORDANCE WITH BANKRUPTCY RULE 3003(C)(2), IF YOU OR ANY PARTY OR ENTITY WHO IS REQUIRED, BUT FAILS, TO FILE A PROOF OF CLAIM OR ADMINISTRATIVE CLAIM IN ACCORDANCE WITH THE BAR DATE ORDER ON OR BEFORE THE APPLICABLE BAR DATE, PLEASE BE ADVISED THAT, EXCEPT AS OTHERWISE ORDERED BY THE COURT: (A) YOU WILL NOT RECEIVE ANY DISTRIBUTION IN THESE CHAPTER 11 CASES ON ACCOUNT OF THAT CLAIM; AND (B) YOU WILL NOT BE PERMITTED TO VOTE ON ANY PLAN OR PLANS OF REORGANIZATION OR LIQUIDATION FOR THE DEBTORS ON ACCOUNT OF THESE BARRED CLAIMS OR RECEIVE FURTHER NOTICES REGARDING SUCH CLAIM.**

If you require additional information regarding the filing of a proof of claim, you may contact the Debtors' claims agent, KCC, directly by writing to: Heritage Home Group Claims Processing Center, c/o Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245 or contact the Debtors' restructuring hotline at: (888) 251-2954 (U.S./Canada) or (310) 751-2614 (International).

KCC cannot advise you how to file, or whether you should file, a Proof of Claim and/or Administrative Claim. You may wish to consult an attorney regarding this matter.

Dated: [ ]  
Wilmington, Delaware

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