Hearing Date: February 17, 2021 at 11:00 a.m. (Prevailing Eastern Time)
Objection Deadline: February 10, 2021 at 4:00 p.m. (Prevailing Eastern Time)

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Counsel for Plan Administration Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	**Chapter 11**
	:	
JCK LEGACY COMPANY, *et al.*,	:	**Case No. 20-10418 (MEW)**
	:	
Wind-Down Debtors.[1]	:	**(Jointly Administered)**
	:	

NOTICE OF HEARING TO CONSIDER PLAN ADMINISTRATION TRUSTEE'S TWENTY-NINTH OMNIBUS OBJECTION TO CLAIMS (AMENDED CLAIMS)

[1] The Wind-Down Debtors in these chapter 11 cases and the last four characters of each Wind-Down Debtor's tax identification number are: JCK Legacy Company (0478) and Herald Custom Publishing of Mexico, S. de R.L. de C.V. (5UZ1). The location of the Plan Administration Trustee's service address for purposes of these chapter 11 cases is: 1201 W Peachtree Street, NW, Suite 500, Atlanta, Georgia 30309.

THIS OBJECTION SEEKS TO EXPUNGE CERTAIN CLAIMS. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ON EXHIBIT 1 TO THE DECLARATION OF SEAN M. HARDING ANNEXED HERETO.

PLEASE TAKE NOTICE that on January 15, 2021, Sean M. Harding, a Senior Managing Director with FTI Consulting, Inc. and the Plan Administration Trustee (the "**Plan Administration Trustee**") for JCK Legacy Company and certain of its affiliates (collectively, the "**Debtors**") filed the *Plan Administration Trustee's Twenty-Ninth Omnibus Objection to Claims (Amended Claims)* (the "**Objection**").

PLEASE TAKE FURTHER NOTICE that a hearing on the Objection to consider the entry of an order disallowing and expunging certain duplicate claims will be held before the Honorable Michael E. Wiles, United States Bankruptcy Judge in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Courtroom 617, New York, New York 10004 (the "**Bankruptcy Court**"), on **February 17, 2021 at 11:00 a.m. (prevailing Eastern Time)** (the "**Hearing**"), or as soon thereafter as counsel may be heard, unless the telephonic hearing procedures set forth in General Order M-543 (Morris, C.J.) (as may be amended) remain in effect as of that date, in which case the Hearing shall be held telephonically via Court Solutions LLC. Instructions to register for Court Solutions LLC are attached to Gen. Ord. M-543.

PLEASE TAKE FURTHER NOTICE that Gen. Ord. M-543, along with other temporary procedures implemented by the Bankruptcy Court in connection with the COVID-19 pandemic (including electronic filing procedures for *pro se* parties) can be found by visiting www.nysb.uscourts.gov and clicking on the "Coronavirus COVID-19 Protocol" banner.

PLEASE TAKE FURTHER NOTICE that responses or objections (the "**Responses**"), if any, to the Objection, must be made in writing and (a) filed with the

Bankruptcy Court no later than 4:00 p.m. (prevailing Eastern Time) on February 10, 2021 (the "**Response Deadline**") and (b) served so as to be actually received by the following parties by the Response Deadline:

(i) the Debtors, JCK Legacy Company, c/o FTI Consulting, Inc., 1201 W Peachtree Street, NW, Suite 500, Atlanta, Georgia 30309, Attn.: Sean M. Harding (sean.harding@fticonsulting.com);

(ii) counsel for the Plan Administration Trustee, Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, New York 10001, Attn.: Shana A. Elberg (shana.elberg@skadden.com) and Bram A. Strochlic (bram.strochlic@skadden.com), 300 South Grand Avenue, Suite 3400, Los Angeles, California 90071, Attn.: Van C. Durrer, II (van.durrer@skadden.com), and Destiny N. Almogue (destiny.almogue@skadden.com) and 525 University Avenue, Palo Alto, California 94301 Attn.: Jennifer Madden (jennifer.madden@skadden.com);

(iii) co-counsel for the Plan Administration Trustee, Togut, Segal & Segal LLP, One Penn Plaza, Suite 3335, New York, New York 10119, Attn.: Albert Togut (altogut@teamtogut.com) and Kyle J. Ortiz (kortiz@teamtogut.com);

(iv) the Office of the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Room 1006, New York, New York 10014, Attn.: Benjamin J. Higgins and Brian S. Masumoto;

(v) counsel to Chatham Asset Management, Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019, Attn.: Andrew N. Rosenberg (arosenberg@paulweiss.com) and Elizabeth R. McColm (emccolm@paulweiss.com) and John T. Weber (jweber@paulweiss.com); and

(vi) any party that has requested notice pursuant to Bankruptcy Rule 2002.

PLEASE TAKE FURTHER NOTICE that a copy of the Objection can be obtained through the Bankruptcy Court's electronic case filing system at www.nysb.uscourts.gov using a PACER password (to obtain a PACER password, go to the PACER website, www.pacer.gov) or the website maintained by the Debtors' noticing agent, Kurtzman Carson Consultants LLC, at www.kccllc.net/McClatchy.

PLEASE TAKE FURTHER NOTICE that if no timely, written responses are filed and received in accordance with the foregoing, an order granting the relief sought in the Objection may be entered by the Court.

Dated: New York, New York
January 15, 2021

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	**Chapter 11**
JCK LEGACY COMPANY, *et al.*,	:	**Case No. 20-10418 (MEW)**
Wind-Down Debtors.[1]	:	**(Jointly Administered)**

PLAN ADMINISTRATION TRUSTEE'S
TWENTY-NINTH OMNIBUS OBJECTION TO CLAIMS
(AMENDED CLAIMS)

[1] The Wind-Down Debtors in these chapter 11 cases and the last four characters of each Wind-Down Debtor's tax identification number are: JCK Legacy Company (0478) and Herald Custom Publishing of Mexico, S. de R.L. de C.V. (5UZ1). The location of the Plan Administration Trustee's service address for purposes of these chapter 11 cases is: 1201 W Peachtree Street, NW, Suite 500, Atlanta, Georgia 30309.

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THIS OBJECTION SEEKS TO EXPUNGE CERTAIN CLAIMS. CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS ON EXHIBIT 1 TO THE DECLARATION OF SEAN M. HARDING ANNEXED HERETO.

TO THE HONORABLE MICHAEL E. WILES,
UNITED STATES BANKRUPTCY JUDGE:

Sean M. Harding, a Senior Managing Director with FTI Consulting, Inc. and the Plan Administration Trustee (the "**Plan Administration Trustee**") for JCK Legacy Company and certain of its affiliates (collectively, the "**Debtors**" or the "**Company**"), hereby submits this omnibus claims objection (the "**Objection**"), pursuant to sections 105(a) and 502 of title 11 of the United States Code (the "**Bankruptcy Code**") and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**"), for an order, substantially in the form annexed hereto as **Exhibit A** (the "**Proposed Order**"), disallowing and expunging certain claims (the "**Amended Claims**") listed under the heading "*Objectionable Claims"* on **Exhibit 1** to the Declaration of Sean M. Harding (the "**Declaration**"), which have been amended and superseded by at least one subsequently filed proof of claim. In support of this Objection, the Plan Administration Trustee relies on the Declaration, annexed hereto as **Exhibit B**, and respectfully represents:

JURISDICTION

1. This Court has jurisdiction to consider this Objection pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief requested herein are sections 105(a) and 502 of the Bankruptcy Code and Bankruptcy Rule 3007.

BACKGROUND

3. On February 13, 2020 (the "**Petition Date**"),[2] each Debtor commenced a case by filing a petition for relief under chapter 11 of the Bankruptcy Code (collectively, the "**Chapter 11 Cases**"). The Chapter 11 Cases are jointly administered.

4. On February 26, 2020, the Office of the United States Trustee for the Southern District of New York appointed a creditors' committee in these Chapter 11 Cases [Docket No. 114].

5. Prior to the Petition Date, the Debtors were a diversified digital and print media business, focused on providing strong, independent local journalism to thirty communities in fourteen states, as well as national news coverage through the Debtors' Washington D.C.-based bureau. The Debtors also provided a full suite of both local and nationwide digital marketing services. The Debtors' businesses were comprised of websites and mobile applications, mobile news and advertising, video products, a digital marketing agency, daily newspapers, niche publications, other print and digital direct marketing services, and community newspapers. The Company's business operations, corporate and capital structures, and restructuring efforts are described in greater detail in the *Declaration of Sean M. Harding in Support of Chapter 11 Petitions and First Day Papers* [Docket No. 23].

6. On April 28, 2020, the Debtors filed their schedules of assets and liabilities and statement of financial affairs (collectively, the "**Schedules and Statements**"). On June 16, 2020, the Debtors filed amendments to the Schedules and Statements.

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[2] On March 24, 2020 (the "**Additional Petition Date**"), Debtor Oak Street Redevelopment Corporation ("**Oak Street**") also commenced a case by filing a chapter 11 petition. As used herein, the term "Petition Date" encompasses the Additional Petition Date, and the term "Chapter 11 Cases" includes the Oak Street chapter 11 case, which is being jointly administered with the Debtors' chapter 11 cases commenced on February 13, 2020. *See Order (I) Directing Joint Administration of Cases and (II) Waiving Requirements of Bankruptcy Code Section 342(c)(1) and Bankruptcy Rules 1005 and 2002(n)* [Docket No. 265].

7. Pursuant to the *Order Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof*, dated May 21, 2020 [Docket No. 485] (the "**Bar Date Order**") and Bankruptcy Rule 3003(c)(3), the Court established July 10, 2020 at 5:00 p.m. (Eastern Time) as the deadline to file proofs of claim against the Debtors' estates on account of claims that arose or were deemed to have arisen prior to the Petition Date (the "**General Bar Date**"). Pursuant to the Bar Date Order and section 502(b)(9) of the Bankruptcy Code, the Court established August 11, 2020 at 5:00 p.m. (Eastern Time) as the deadline for all governmental units to file proofs of claim against the Debtors' estates on account of claims that arose or were deemed to have arisen prior to the Petition Date (the "**Governmental Bar Date**," and together with the General Bar Date, the "**Bar Dates**"). Additionally, the Bar Date Order approved the form of proof of claim to be filed against the Debtors and the manner of giving notice of the Bar Dates.

8. Pursuant to the Bar Date Order, publication notice of the Bar Dates appeared in the *New York Times* on May 29, 2020. *See* Docket No. 513.

9. On September 21, 2020, the Debtors filed the *First Amended Joint Chapter 11 Plan of Distribution of JCK Legacy Company and its Affiliated Debtors and Debtors in Possession* [Docket No. 867, Exhibit A] (as may be amended, modified, and/or supplemented from time to time, the "**Chapter 11 Plan**").[3]

10. On September 25, 2020, the Court entered the *Findings of Fact, Conclusions of Law, and Order Approving the Disclosure Statement and Confirming the First Amended Joint Chapter 11 Plan of Distribution of JCK Legacy Company and its Affiliated Debtors and Debtors in Possession* [Docket No. 879]. The Effective Date of the Chapter 11

[3] Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Chapter 11 Plan.

Plan occurred on September 30, 2020 [Docket No. 886].

11. The Chapter 11 Plan established the deadline for filing proofs of or requests for payment of Administrative Claims as thirty (30) days after the Effective Date of the Chapter 11 Plan, unless otherwise ordered by the Court.

12. Pursuant to Article 6.6 of the Chapter 11 Plan, the Plan Administration Trustee was appointed as of the Effective Date. As set forth in the Chapter 11 Plan:

> Except as otherwise specifically provided for in the Plan, after the Effective Date, the Plan Administration Trustee shall retain responsibility for (a) administering, disputing, objecting to, compromising, or otherwise resolving all Claims against, and Interests in, the Debtors, including (i) filing, withdrawing, or litigating to judgment objections to Claims or Interests, (ii) settling or compromising any Disputed Claim without any further notice to or action, order, or approval by the Bankruptcy Court, and (iii) administering and adjusting the claims register to reflect any such settlements or compromises without any further notice to or action, order, or approval by the Bankruptcy Court, and (b) making distributions (if any) with respect to all Claims and Interests; *provided, however,* that upon the creation of the GUC Recovery Trust, the GUC Recovery Trustee, on behalf of the GUC Recovery Trust, shall have the authority, but not the obligation, to object to, compromise, settle, otherwise resolve, or withdraw any objections to all General Unsecured Claims.

Chapter 11 Plan at Art. 8.2.

RELIEF REQUESTED

13. Pursuant to sections 105(a) and 502 of the Bankruptcy Code and Bankruptcy Rule 3007, the Plan Administration Trustee seeks entry of an order, substantially in the form of the Proposed Order, disallowing and expunging the Amended Claims.

BASIS FOR RELIEF

14. Section 502 of the Bankruptcy Code provides, in pertinent part:

> (a) A claim or interest, proof of which is filed under section 501 of this title, is deemed allowed, unless a party

> in interest, including a creditor of a general partner in a partnership that is a debtor in a case under chapter 7 of this title, objects.

11 U.S.C. § 502(a).

15. Bankruptcy Rule 3001(f) provides that "[a] proof of claim executed and filed in accordance with [the Bankruptcy Rules] shall constitute prima facie evidence of the validity and amount of the claim." Fed. R. Bankr. P. 3001(f).

16. Additionally, Bankruptcy Rule 3007 provides, in relevant part:

> (a)(1) An objection to the allowance of a claim and a notice of objection that substantially conforms to the appropriate Official Form shall be filed and served at least 30 days before any scheduled hearing on the objection or any deadline for the claimant to request a hearing.
>
> …
>
> (d) Subject to subdivision (e), objections to more than one claim may be joined in an omnibus objection if all the claims were filed by the same entity, or the objections are based solely on the grounds that the claims should be disallowed, in whole or in part, because . . .
>
> > (3) they have been amended by subsequently filed proofs of claim[.]

Fed. R. Bankr. P. 3007.

17. As set forth in Bankruptcy Rule 3001(f), a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and the amount of the claim under section 502(a) of the Bankruptcy Code. *See In re Vanegas*, 290 B.R. 190, 193 (Bankr. D. Conn. 2003) (citing Bankruptcy Rule 3001(f) and holding that the evidence submitted by the debtor was insufficient to overcome the validity and amount of bank's proof of claim); *In re Rockefeller Ctr. Props*., 272 B.R. 524, 539 n.13, 553 (Bankr. S.D.N.Y. 2000) (citing Bankruptcy Rule 3001(f) in analysis of debtors' objection to former tenant's proof of claim and

granting partial summary judgment with respect to the objection where there were no material facts in dispute).

18. To receive the benefit of *prima facie* validity, however, "the proof of claim must set forth the facts necessary to support the claim." *In re Marino*, 90 B.R. 25, 28 (Bankr. D. Conn. 1988) (holding that claimant's proof of claim was not entitled to the presumption of *prima facie* validity because it did not set forth the necessary facts); *see also* Fed. R. Bankr. P. 3001(c)(1) (requiring claimant to provide documentation where claim is based on a writing).

19. A party objecting to the proof of claim must only provide evidence sufficient to negate the *prima facie* validity of the claim by refuting one or more of the facts in the filed claim. *See In re Waterman Steamship Corp*., 200 B.R. 770, 774–75, 777 (Bankr. S.D.N.Y. 1996) (reopening discovery into asbestos claims due to insufficient information upon which to determine validity of claims). Once this occurs, "the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence." *In re WorldCom, Inc.*, No. 02-13533 (AJG), 2005 WL 3832065, at *4, *9 (Bankr. S.D.N.Y. 2005) (citing Bankruptcy Rule 3001(f) and holding that claimant did not meet its burden to prove validity of anticipatory breach and unjust enrichment claims, but that further evidence was needed to assess the merits of lack of good faith claim) (quoting *In re Allegheny Int'l, Inc.*, 954 F.2d 167, 173–74 (3d Cir. 1992)); *see also In re St. Johnsbury Trucking Co.*, 206 B.R. 318, 323, 328 (Bankr. S.D.N.Y. 1997) (citing Bankruptcy Rule 3001(f) and allowing claim where debtor failed to refute any of the material facts in proof of claim).

20. The claimant must prove the claim, not sit back while the objector attempts to disprove it. *See In re Bennett*, 83 B.R. 248, 252 (Bankr. S.D.N.Y. 1988) (holding

that debtor presented sufficient evidence to rebut the *prima facie* validity of claimant's claim and that claimant failed to prove claim by a preponderance of credible evidence).

OBJECTION TO AMENDED CLAIMS

21. The Plan Administration Trustee and his professionals analyzed each of the Amended Claims, and the Plan Administration Trustee submits that the Amended Claims should be disallowed and expunged in their entirety because they have been amended and superseded by at least one subsequently filed proof of claim.

22. Importantly, the holders of the Amended Claims will continue to be the actual or beneficial holders of the surviving claims (the "**Surviving Claims**") identified on **Exhibit 1** to the Declaration. This Objection seeks no relief against the Surviving Claims. However, because the Plan Administration Trustee continues to reconcile proofs of claim filed against the Debtors' estates, the Plan Administration Trustee reserves the right to object to the Surviving Claims, if appropriate.

23. Accordingly, the Plan Administration Trustee respectfully requests that this Court disallow and expunge the Amended Claims.

RESERVATION OF RIGHTS

24. The Plan Administration Trustee reserves the right to amend, modify, or supplement this Objection as to any of the Amended Claims on any basis.

25. Additionally, the Plan Administration Trustee reserves the right to further object in the future on any ground to (i) any of the Amended Claims that are not disallowed and expunged pursuant to the Proposed Order and (ii) any of the Surviving Claims, including to seek disallowance and expungement of same, and the rights and defenses of the claimants regarding such claims are fully preserved. A separate notice and hearing will be scheduled for any

such objection. This Objection does not constitute, and cannot form the basis of, any admission by the Plan Administration Trustee with respect to the validity, basis for, or amount of any of the Amended Claims or the Surviving Claims.

26. Nothing herein shall constitute a waiver of any rights that the Plan Administration Trustee may have to (a) bring avoidance actions under the applicable sections of the Bankruptcy Code against holders of the claims subject to the Objection or (b) exercise his right of setoff against the holders of such claims related to such avoidance actions.

SEPARATE CONTESTED MATTER

27. To the extent that a response is filed regarding any Amended Claim and the Plan Administration Trustee is unable to resolve any such response, each such Amended Claim, and the Objection as it pertains to such Amended Claim, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, to the extent applicable. Further, the Plan Administration Trustee requests that any order entered by the Court granting the relief in this Objection be deemed a separate order with respect to each Amended Claim.

NOTICE

28. Pursuant to Article 8.3 of the Plan, notice of this Objection has been given to: (a) parties on the master service list who have agreed to accept service by email; and (b) each of the parties listed on **Exhibit 1** to the Declaration. The Plan Administration Trustee submits that, in view of the facts and circumstances, such notice is sufficient and no other or further notice need be provided.

NO PREVIOUS REQUEST

29. No previous request for the relief sought herein has been made by the Plan Administration Trustee to this or any other court.

CONCLUSION

WHEREFORE the Plan Administration Trustee respectfully requests that the Court enter an order, disallowing and expunging the Amended Claims and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
January 15, 2021

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Counsel for Plan Administration Trustee

EXHIBIT A

Proposed Order

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	**Chapter 11**
	:	
JCK LEGACY COMPANY, *et al.*,	:	**Case No. 20-10418 (MEW)**
	:	
Wind-Down Debtors.[1]	:	**(Jointly Administered)**
	:	

ORDER GRANTING PLAN ADMINISTRATION TRUSTEE'S TWENTY-NINTH OMNIBUS OBJECTION TO CLAIMS (AMENDED CLAIMS)

Upon the omnibus claims objection (the "**Objection**")[2] of the Plan Administration Trustee, seeking entry of an order (this "**Order**"), pursuant to sections 105 and 502 of the Bankruptcy Code and Bankruptcy Rule 3007, disallowing and expunging the Amended Claims, as more fully set forth in the Objection; and the Court having considered the Declaration of Sean M. Harding (the "**Declaration**") in support thereof; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference from the United States District Court for the Southern District of New York*, dated January 31, 2012; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Objection in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and due and sufficient notice of the Objection having been given under the particular circumstances; and it appearing that no

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[2] Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

other or further notice is necessary; and it appearing that the relief requested in the Objection is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon the hearing conducted before this Court to consider the Objection (the "**Hearing**") and upon the record of the Hearing; and after due deliberation thereon; and good and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The relief requested in the Objection is GRANTED as set forth herein.

2. The Amended Claims listed under the heading "*Objectionable Claims*" on **Exhibit 1** to the Declaration, annexed to the Objection, are hereby disallowed and expunged in their entirety. The holders of the Surviving Claims listed under the heading "*Surviving Claims*" on **Exhibit 1** to the Declaration will continue to be the actual or beneficial holders of the Surviving Claims.

3. Each claim and the objections by the Plan Administration Trustee to each claim as identified and set forth on **Exhibit 1** to the Declaration constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim. Any stay of this Order shall apply only to the contested matter that involves such creditor and its claim and shall not act to stay the applicability or finality of this Order with respect to the other contested matters and corresponding claims.

4. The Plan Administration Trustee shall have the right to further object in the future on any ground to (i) any of the Amended Claims that are not disallowed and expunged pursuant to this Order and (ii) any of the Surviving Claims, including to seek disallowance and expungement of same, and the rights and defenses of the claimants regarding such claims are fully preserved. Neither

the Objection nor this Order shall constitute any admission or finding with respect to the validity or amount of the Amended Claims that are not disallowed and expunged pursuant to this Order or the Surviving Claims.

5. The claims agent retained in the Debtors' Chapter 11 Cases is authorized to reflect the disallowance and expungement of the Amended Claims on the official claims register maintained for the Debtors' cases.

6. The terms and conditions of this Order are effective immediately upon entry.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: New York, New York
[Month] __, 2021

HONORABLE MICHAEL E. WILES
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT B

Harding Declaration

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	**Chapter 11**
	:	
JCK LEGACY COMPANY, *et al.*,	:	**Case No. 20-10418 (MEW)**
	:	
Wind-Down Debtors.[1]	:	**(Jointly Administered)**
	:	

DECLARATION OF SEAN M. HARDING
IN SUPPORT OF THE PLAN ADMINISTRATION
TRUSTEE'S TWENTY-NINTH OMNIBUS OBJECTION TO CLAIMS
(AMENDED CLAIMS)

Pursuant to 28 U.S.C. § 1746, I, Sean M. Harding, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief:

1. Pursuant to Article 6.6 of the *First Amended Joint Chapter 11 Plan of Distribution of JCK Legacy Company and its Affiliated Debtors and Debtors in Possession* [Docket No. 867, Exhibit A] (as may be amended, modified, and/or supplemented from time to time, the "**Chapter 11 Plan**"), as of the Effective Date (as defined in the Chapter 11 Plan), which occurred on September 30, 2020, I was appointed as the Plan Administration Trustee for JCK Legacy Company and certain of its affiliates (collectively, the "**Debtors**").

2. I am in all respects competent to make this Declaration, which I submit in support of the *Plan Administration Trustee's Twenty-Ninth Omnibus Objection to Claims (Amended Claims)* (the "**Objection**"),[2] seeking entry of an order disallowing and expunging the

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[2] Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

certain claims (the "**Amended Claims**") listed under the heading "*Objectionable Claims*" on **Exhibit 1** annexed hereto.

3. Except as otherwise set forth herein, all statements in this Declaration are based on my personal knowledge, my familiarity with the Debtors' books and records (the "**Books and Records**"), the Debtors' Schedules and Statements, my review and reconciliation of the filed proofs of claim, my discussions with legal and financial professionals familiar with the Debtors' Chapter 11 Cases, or my review of relevant documents. If I were called upon to testify, I could and would testify competently to the facts set forth in the Objection.

4. I have personally reviewed, caused former members of the Debtors' staff under my supervision to review, or caused professionals under my supervision familiar with these Chapter 11 Cases to review the Amended Claims and compare the information submitted in support thereof, if any, with the Books and Records, the Schedules and Statements, the official claims register maintained in these Chapter 11 Cases, and/or the facts and circumstances set forth in the Objection regarding the Satisfied Claims.

5. Based upon this review, and for the reasons set forth in the Objection, I have determined that the Amended Claims on **Exhibit 1** annexed to this Declaration have been amended and superseded by at least one subsequently filed proof of claim against the Debtors and, therefore, the Amended Claims should be disallowed and expunged.

Executed on this 15th day of January, 2021.

/s/ Sean M. Harding
Sean M. Harding
Plan Administration Trustee

EXHIBIT 1

Amended Claims

(S) - Secured
(A) - Administrative
(B) - 503(b)(9)
(P) - Priority
(U) - Unsecured
(T) - Total Claimed

EXHIBIT 1
Amended Claims

		Objectionable Claims					Surviving Claims				
	Name/Address of Claimant	Claim #	Filed Date	Debtor/Case #	Claim Amount		Claim #	Filed Date	Debtor/Case #	Claim Amount	
1	ADSWERVE, INC 5325 BALLARD AVE NW, SUITE 300 SEATTLE, WA 98107	2452	7/22/20	The News & Observer Publishing Co. 20-10464	$ - - - - 98,395.77 $ 98,395.77	(S) (A) (B) (P) (U) (T)	2458	7/23/20	The News & Observer Publishing Co. 20-10464	$ - - - - 98,395.77 $ 98,395.77	(S) (A) (B) (P) (U) (T)
2	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261	1126	6/22/20	Macon Telegraph Publishing Company 20-10436	$ - - - - 1,874.40 $ 1,874.40	(S) (A) (B) (P) (U) (T)	2015 [1]	7/9/20	Macon Telegraph Publishing Company 20-10436	$ - 937.20 - - 937.20 $ 1,874.40	(S) (A) (B) (P) (U) (T)
3	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1491	6/29/20	Tacoma News, Inc. 20-10461	$ - - - - 3,200.14 $ 3,200.14	(S) (A) (B) (P) (U) (T)	2005 [1]	7/9/20	Tacoma News, Inc. 20-10461	$ - 1,427.90 - - 1,772.24 $ 3,200.14	(S) (A) (B) (P) (U) (T)
4	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1493	6/29/20	Columbus-Ledger Enquirer, Inc. 20-10424	$ - - - - 84.66 $ 84.66	(S) (A) (B) (P) (U) (T)	2019 [1]	7/9/20	Columbus-Ledger Enquirer, Inc. 20-10424	$ - 698.94 - - - $ 698.94	(S) (A) (B) (P) (U) (T)
5	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1495	6/29/20	Wichita Eagle and Beacon Publishing Company, Ir 20-10469	$ - - - - 1,069.55 $ 1,069.55	(S) (A) (B) (P) (U) (T)	2004 [1]	7/9/20	Wichita Eagle and Beacon Publishing Company, Ir 20-10469	$ - 397.32 - - 672.23 $ 1,069.55	(S) (A) (B) (P) (U) (T)
6	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1592	7/2/20	McClatchy Newspapers, Inc. 20-10444	$ - - - - 28,559.19 $ 28,559.19	(S) (A) (B) (P) (U) (T)	1987 [1]	7/9/20	McClatchy Newspapers, Inc. 20-10444	$ - 12,030.98 - - 16,528.21 $ 28,559.19	(S) (A) (B) (P) (U) (T)
7	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1604	7/2/20	Star-Telegram, Inc. 20-10460	$ - - - - 5,692.52 $ 5,692.52	(S) (A) (B) (P) (U) (T)	1981 [1]	7/9/20	Star-Telegram, Inc. 20-10460	$ - 3,829.98 - - 1,862.54 $ 5,692.52	(S) (A) (B) (P) (U) (T)
8	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261-4137	1607	7/1/20	Bellingham Herald Publishing, LLC 20-10420	$ - - - - 3,075.60 $ 3,075.60	(S) (A) (B) (P) (U) (T)	1999 [1]	7/9/20	Bellingham Herald Publishing, LLC 20-10420	$ - 916.74 - - 2,158.86 $ 3,075.60	(S) (A) (B) (P) (U) (T)
9	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261	1623	7/2/20	Miami Herald Media Company 20-10450	$ - - - - 2,721,187.22 $ 2,721,187.22	(S) (A) (B) (P) (U) (T)	1977	7/9/20	Miami Herald Media Company 20-10450	$ - - - 2,707,336.46 $ 2,707,336.46	(S) (A) (B) (P) (U) (T)
10	DOW JONES AND CO INC PO BOX 4137 NEW YORK, NY 10261	1663	7/2/20	McClatchy Shared Services, Inc. 20-10448	$ - - - - 5,864.68 $ 5,864.68	(S) (A) (B) (P) (U) (T)	1982 [1]	7/9/20	McClatchy Shared Services, Inc. 20-10448	$ - 3,081.24 - - 2,783.44 $ 5,864.68	(S) (A) (B) (P) (U) (T)
11	Simplifi Holdings, Inc. 128 East Exchange Ave, Suite 700 Fort Worth, TX 76164	2066	7/9/20	McClatchy Interactive West 20-10440	$ - - - - 527,695.76 $ 527,695.76	(S) (A) (B) (P) (U) (T)	2126	7/9/20	McClatchy Interactive West 20-10440	$ - - - - 527,695.76 $ 527,695.76	(S) (A) (B) (P) (U) (T)

[1] This surviving claim was listed as an "objectionable claim" on Exhibit 1 to the *Plan Administration Trustee's Twentieth Omnibus Objection to Claims (No Liability Claims),* filed on November 17, 2020 [Docket No. 983] (the "**Twentieth Omnibus Objection**"). The Twentieth Omnibus Objection, solely as to this and the other claims notated with [1], was adjourned to January 19, 2021 [Docket No. 1024].