

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
In re : **Chapter 11**
:
JCK LEGACY COMPANY, *et al.*, : **Case No. 20-10418 (MEW)**
:
Wind-Down Debtors.¹ : **(Jointly Administered)**
:
----- X **Related Docket No. 1094**

**ORDER GRANTING PLAN ADMINISTRATION
TRUSTEE'S THIRTY-FIRST OMNIBUS OBJECTION TO CLAIMS
(NO LIABILITY 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 No Liability 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

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. (SUZ1). 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.

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



appearing that no 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 a Certificate of No Objection concerning the Objection having been filed on February 12, 2021; 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 No Liability Claims listed on **Exhibits 1-8** attached hereto are hereby disallowed and expunged in their entirety.
3. Each claim and the objections by the Plan Administration Trustee to each claim as identified and set forth on **Exhibits 1-8** attached hereto 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 any of the No Liability Claims that are not disallowed and expunged pursuant to this Order, 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 No Liability Claims that are not disallowed and expunged pursuant to this Order.

5. The claims agent retained in the Debtors' Chapter 11 Cases is authorized to reflect the disallowance and expungement of the No Liability 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
February 19, 2021

s/Michael E. Wiles

HONORABLE MICHAEL E. WILES
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

No Liability Claims – Purchaser Assumed Claims

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

EXHIBIT 1
No Liability Claims - Purchaser Assumed Claims

| Objectionable Claims | | | | | |
|----------------------|--|---------|------------|--|--|
| | Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # | Claim Amount |
| 1 | Adserve, Inc. 5325 Ballard Ave NW #300 Seattle, WA 98107 | 2458 | 7/23/20 | The News & Observer Publishing Co. 20-10464 | \$ - (S) - (A) - (B) - (P) 98,395.77 (U) \$ 98,395.77 (T) |
| 2 | Facebook, Inc. McMahon Serepca LLP 255-B Constitution Drive #1047 Menlo Park, CA 94025 | 1083 | 6/19/20 | McClatchy Shared Services, Inc. 20-10448 | \$ - (S) - (A) - (B) - (P) 302,992.21 (U) \$ 302,992.21 (T) |
| 3 | Facebook, Inc. McMahon Serepca LLP 255-B Constitution Drive #1047 Menlo Park, CA 94025 | 1086 | 6/19/20 | Miami Herald Media Company 20-10450 | \$ - (S) - (A) - (B) - (P) 302,992.21 (U) \$ 302,992.21 (T) |
| 4 | Facebook, Inc. McMahon Serepca LLP 255-B Constitution Drive #1047 Menlo Park, CA 94025 | 1087 | 6/19/20 | The News & Observer Publishing Co. 20-10464 | \$ - (S) - (A) - (B) - (P) 302,992.21 (U) \$ 302,992.21 (T) |
| 5 | Google LLC White and Williams LLP 1650 Market Street, Suite 1800 Philadelphia, PA 19129 | 401 | 6/8/20 | The News & Observer Publishing Co. 20-10464 | \$ - (S) - (A) - (B) - (P) 1,053,200.18 (U) \$ 1,053,200.18 (T) |

EXHIBIT 2

No Liability Claims – Purchaser Satisfied Vendor Claims

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

EXHIBIT 2
No Liability Claims - Purchaser Satisfied Vendor Claims

| Objectionable Claims | | | | |
|---|---------|------------|---|---|
| Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # | Claim Amount |
| 1 Adigami, Inc. 4590 MacArthur Blvd, Suite 500 Newport Beach, CA 92660 | 14 | 2/28/20 | Tru Measure, LLC 20-10468 | \$ - (S) - (A) - (B) 11,057.70 (P) - (U) \$ 11,057.70 (T) |
| 2 BUT WAIT THERES MORE LLC 3023 MCKELVY AVENUE CLOVIS, CA 93611 | 675 | 6/15/20 | McClatchy Newspapers, Inc. 20-10444 | \$ - (S) - (A) - (B) 900.00 (P) - (U) \$ 900.00 (T) |
| 3 Creative Circle, LLC 5900 Wilshire Blvd., 11th Floor Los Angeles, CA 90036 | 2555 | 8/7/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) 1,692.50 (P) - (U) \$ 1,692.50 (T) |
| 4 ELITE RESOURCES PO BOX 410302 CHARLOTTE, NC 28241 | 1353 | 6/25/20 | The Charlotte Observer Publishing Company 20-10463 | \$ - (S) - (A) - (B) 2,007.84 (P) - (U) \$ 2,007.84 (T) |
| 5 Highwoods Realty Limited Partnership 3100 Smoketree Court Suite 600 Raleigh, NC 27604 | 1613 | 7/2/20 | The News & Observer Publishing Co. 20-10464 | \$ 1,445.13 (S) - (A) - (B) - (P) - (U) \$ 1,445.13 (T) |
| 6 Netronix Integration, Inc. 2170 Paragon Dr San Jose, CA 95131 | 893 | 6/11/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) 1,242.34 (P) 1,229.54 (U) \$ 2,471.88 (T) |
| 7 Output Services Group OSG Billing Services 100 Challenger Road Ridgefield Park, NJ 07660 | 1534 | 6/30/20 | McClatchy Shared Services, Inc. 20-10448 | \$ 76,651.78 (S) - (A) - (B) - (P) - (U) \$ 76,651.78 (T) |
| 8 TUXEDO ENTERPRISES INC 701 S 23RD ST TACOMA, WA 98405 | 622 | 6/13/20 | Tacoma News, Inc. 20-10461 | \$ - (S) - (A) - (B) 662.07 (P) - (U) \$ 662.07 (T) |

EXHIBIT 3

No Liability Claims – Old McClatchy Securities Claims

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

EXHIBIT 3
No Liability Claims - Old McClatchy Securities Claims

| Objectionable Claims | | | | | |
|----------------------|---|---------|------------|-----------------------------------|---|
| | Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # | Claim Amount |
| 1 | BOKF, N.A., As Successor Trustee Under the Indenture Dated as of December 18, 2018 Reed Smith LLP 225 Fifth Avenue, Suite 1200 Pittsburgh, PA 15222 | 161 | 5/22/20 | The McClatchy Company 20-10418 | \$ 279,134,697.00 (S) - (A) - (B) - (P) - (U) \$ 279,134,697.00 (T) |
| 2 | Paolo Vaccari 96 Hillman Avenue Glen Rock, NJ 07452 | 1072 | 6/19/20 | The McClatchy Company 20-10418 | \$ 10,000.00 (S) - (A) - (B) - (P) - (U) \$ 10,000.00 (T) |
| 3 | The Bank of New York Mellon Trust Company, N.A. Emmet, Marvin and Martin, LLP 120 Broadway, 32nd Floor New York, NY 10271 | 509 | 6/10/20 | The McClatchy Company 20-10418 | \$ 276,519,252.00 (S) - (A) - (B) - (P) UNLIQUIDATED (U) \$ 276,519,252.00 (T) |
| 4 | The Bank of New York Mellon Trust Company, N.A. 240 Greenwich Street, 7th Floor New York, NY 10286 | 2233 | 7/10/20 | The McClatchy Company 20-10418 | UNLIQUIDATED (S) - (A) - (B) - (P) - (U) \$ - (T) |

EXHIBIT 4

No Liability Claims – Unsecured Bond Claims

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

EXHIBIT 4
No Liability Claims - Unsecured Bond Claims

| Objectionable Claims | | | | |
|--|---------|------------|-----------------------------------|--|
| Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # | Claim Amount |
| 1 Czech Catholic Union 5349 Dolloff Road Cleveland, OH 44127 | 711 | 6/12/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 55,000.00 (U) \$ 55,000.00 (T) |
| 2 Karen J Carcione 39840 Alsace Court Solon, OH 44139 | 1287 | 6/23/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 100,000.00 (U) \$ 100,000.00 (T) |
| 3 Kenneth E Shaffer 17252 N.E. 16 Pl Bellevue, WA 98008 | 2596 | 8/26/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 50,677.60 (U) \$ 50,677.60 (T) |
| 4 Richard M Fawcett Rev Living Trust DTD 07/30/2007 Richard J 832 Windermere Blvd Inverness, FL 34453-4408 | 1200 | 6/22/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 50,000.00 (U) \$ 50,000.00 (T) |
| 5 Robert G. Dulla & Beth R. Davis Dulla 2544 Willow Way Carmichael, CA 95608 | 2655 | 10/9/20 | The McClatchy Company 20-10418 | \$ 88,000.00 (S) - (A) - (B) - (P) - (U) \$ 88,000.00 (T) |
| 6 Sean & Deb Horrigan 1105 Westwicke Lutherville, MD 21093 | 1031 | 6/22/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 172,000.00 (U) \$ 172,000.00 (T) |

EXHIBIT 5

No Liability Claims – Retirement Account Funds Claim

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

EXHIBIT 5

No Liability Claims - Retirement Account Funds Claim

Objectionable Claims

| Name/Address of Claimant | | Claim # | Filed Date | Debtor/Case # | Claim Amount | |
|--------------------------|---|---------|------------|--|--------------|---------------|
| 1 | HUNTER, DAVID 4415 GARVIN DR CHARLOTTE, NC 28269-1608 | 1314 | 6/29/20 | McClatchy Investment Company 20-10442 | \$ | - (S) |
| | | | | | | - (A) |
| | | | | | | - (B) |
| | | | | | | - (P) |
| | | | | | | 51,021.14 (U) |
| | | | | | \$ | 51,021.14 (T) |

EXHIBIT 6

No Liability Claims – Subscription Claims

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

EXHIBIT 6
No Liability Claims - Subscription Claims

| Objectionable Claims | | | | |
|----------------------|---|---------|------------|-------------------------------------|
| | Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # |
| 1 | Janet M Corcoran 6501 N Camden Ave Kansas City, MO 64151-1996 | 585 | 6/12/20 | The McClatchy Company 20-10418 |
| | | | | \$ - (S) |
| | | | | - (A) |
| | | | | 84.59 (B) |
| | | | | - (P) |
| | | | | - (U) |
| | | | | \$ 84.59 (T) |
| 2 | JOHNSON, ROBERT 9025 SALEM CIR APT 1 LENEXA, KS 66215-3287 | 818 | 6/16/20 | The McClatchy Company 20-10418 |
| | | | | \$ - (S) |
| | | | | - (A) |
| | | | | - (B) |
| | | | | 129.99 (P) |
| | | | | - (U) |
| | | | | \$ 129.99 (T) |
| 3 | RIVERS, NORMA 642 HIGHWAY 145 S CHESTERFIELD, SC 29709-8293 | 1142 | 6/22/20 | The State Media Company 20-10465 |
| | | | | \$ - (S) |
| | | | | - (A) |
| | | | | UNLIQUIDATED (B) |
| | | | | - (P) |
| | | | | - (U) |
| | | | | \$ - (T) |

EXHIBIT 7

No Liability Claims – Erroneously Filed Claims

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

EXHIBIT 7
No Liability Claims - Erroneously Filed Claims

| Objectionable Claims | | | | |
|---|---------|------------|---|--|
| Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # | Claim Amount |
| 1 Beaufort County Black Chamber of Commerce 711 Bladen Street Beaufort, SC 29902 | 380 | 6/8/20 | The McClatchy Company 20-10418 | \$ 62,973.07 (S) - (A) - (B) - (P) - (U) \$ 62,973.07 (T) |
| 2 Harris County, et al Linebarger Goggan Blair & Sampson, LLP PO Box 3064 Houston, TX 77253-3064 | 2510 | 7/28/20 | Gulf Publishing Company, Inc. 20-10428 | \$ 3,480.19 (S) - (A) - (B) - (P) - (U) \$ 3,480.19 (T) |
| 3 JONES, LEOLA 3801 E MOUNT VERNON ST WICHITA, KS 67218-4039 | 955 | 6/16/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) 5,200.00 (P) - (U) \$ 5,200.00 (T) |
| 4 PARSONS, MARY R 86 CYPRESS HOLW BLUFFTON, SC 29909-5071 | 1145 | 6/22/20 | The McClatchy Company 20-10418 | \$ 117.66 (S) - (A) - (B) - (P) - (U) \$ 117.66 (T) |
| 5 ROSENBERG MEDIA 14413 AUTUMN BRANCH TERRACE BOYDS, MD 20841 | 880 | 6/16/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) 298,223.50 (U) \$ 298,223.50 (T) |
| 6 Tatyana Likhonina 117 E McCormick Avenue, Apt 9 State College, PA 16801 | 542 | 6/11/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) - (P) - (U) \$ - (T) |
| 7 TONIA HALL 2214 OVERLAND CT LEXINGTON, KY 40515 | 960 | 6/16/20 | The McClatchy Company 20-10418 | \$ - (S) - (A) - (B) UNLIQUIDATED (P) - (U) \$ - (T) |
| 8 VILMA H STEVENSON 15060 LOVELESS DRIVE GULFPORT, MS 39503-2455 | 1467 | 6/28/20 | The McClatchy Company 20-10418 | \$ 600.00 (S) - (A) - (B) - (P) - (U) \$ 600.00 (T) |

EXHIBIT 8

No Liability Claims – Other Claims

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

EXHIBIT 8
No Liability Claims - Other Claims

| Objectionable Claims | | | | |
|----------------------|---|---------|------------|--|
| | Name/Address of Claimant | Claim # | Filed Date | Debtor/Case # |
| 1 | BRE Delta Industrial Sacramento LP Attn Sean C Southard and Lauren C Kiss Klestadt Winters Jureller Southard & Stevens, LLP 200 West 41st Street, 17th Floor New York, NY 10036 | 2671 | 10/29/20 | McClatchy Newspapers, Inc. 20-10444 |
| | | | | \$ - (S) |
| | | | | 14,804.14 (A) |
| | | | | - (B) |
| | | | | - (P) |
| | | | | - (U) |
| | | | | \$ 14,804.14 (T) |
| 2 | Fresno County Tax Collector PO Box 1192 Fresno, CA 93715 | 2130 | 7/10/20 | McClatchy Newspapers, Inc. 20-10444 |
| | | | | \$ 189,930.08 (S) |
| | | | | - (A) |
| | | | | - (B) |
| | | | | - (P) |
| | | | | - (U) |
| | | | | \$ 189,930.08 (T) |
| 3 | METRO PARK WAREHOUSES INC PO BOX 2346 KANSAS CITY, KS 66110 | 2071 | 7/9/20 | The McClatchy Company 20-10418 |
| | | | | \$ - (S) |
| | | | | - (A) |
| | | | | - (B) |
| | | | | - (P) |
| | | | | 56,019.89 (U) |
| | | | | \$ 56,019.89 (T) |