

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

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Counsel for GUC Recovery Trustee

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

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In re:	:	Chapter 11
	:	
JCK LEGACY COMPANY, <i>et al.</i> ,	:	Case No. 20-10418 (MEW)
	:	
Debtors. ¹	:	(Jointly Administered)
	:	
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**GUC RECOVERY TRUSTEE'S EIGHTH OMNIBUS OBJECTION TO DUPLICATE
CLAIMS FILED BY INDIVIDUAL HOLDERS OF UNSECURED DEBENTURES**

**THIS OMNIBUS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN
PROOFS OF CLAIM FILED INDIVIDUAL HOLDERS OF UNSECURED
DEBENTURES.**

William A. Brandt, Jr. in his capacity as trustee (the "**GUC Recovery Trustee**") of the JCK Legacy GUC Recovery Trust ("**GUC Recovery Trust**") created under the JCK Legacy GUC Recovery Trust Agreement (the "**Trust Agreement**") and the confirmed *First Amended Joint Chapter 11 Plan of Distribution of JCK Legacy Company and its affiliated Debtors and Debtors in Possession* (the "**Plan**") [Docket No. 879], by and through undersigned counsel, files this omnibus objection (the "**GUC Recovery Trustee's Eighth Omnibus Objection**"), and

¹ The Debtors in these chapter 11 cases and the last four characters of each 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 GUC Recovery Trustee's service address for purposes of these chapter 11 cases is: 110 East 42 Street, Suite 1818 New York, NY 10017.



pursuant to section 502 of title 11 of the United States Code (the “**Bankruptcy Code**”) and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rule**”), seeks entry of an order (the “**Proposed Order**”) substantially in the form attached as **Exhibit A** disallowing and expunging the individual proofs of claim identified on **Exhibit B** because they are duplicative.

JURISDICTION AND VENUE

1. This Court has jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334.
2. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b).
3. Venue is proper in this district under 28 U.S.C. §§ 1408 and 1409.
4. The predicates for the relief sought herein are section 502 of the Bankruptcy Code and Bankruptcy Rule 3007.

BACKGROUND

5. On February 13, 2020 (the “**Petition Date**”), The McClatchy Company, a corporation organized under the laws of the state of Delaware, and certain of its affiliates (the “**Debtors**”), filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code. The chapter 11 cases have been jointly administered for procedural purposes, and some cases remain pending.

6. On May 21, 2020, the Bankruptcy Court entered an *Order Establishing Bar Dates for Filing Proofs of Claim and Approving Form and Manner of Notice Thereof* (the “**Bar Date Order**”) [Docket No. 485], and set July 10, 2020, at 5:00 p.m. (E.T.), as the deadline for creditors to file proofs of claim against the Debtors.

7. Notice of the Bar Date Order was mailed and also published in *The New York Times* as required by the Bar Date Order. *See* Docket Nos. 485, 513.

8. On September 25, 2020, the Bankruptcy Court entered an order (the “**Confirmation Order**”) confirming the Plan, which became effective on September 30, 2020 (the “**Effective Date**”).

9. The Plan and Confirmation Order provide for the establishment of the GUC Recovery Trust pursuant to the Trust Agreement on the Effective Date, at which time the GUC Recovery Trustee was appointed to administer the GUC Recovery Trust. Confirmation Order at 11, 42; Trust Agreement, § 2.1; Plan, § 6.20.

10. Under the Trust Agreement, the GUC Recovery Trustee is authorized to review, object to, settle and resolve all general unsecured claims filed against the Debtors’ estates. Trust Agreement, § 6.1. The GUC Recovery Trustee is also authorized to represent the Debtors’ estates before any court of competent jurisdiction on matters concerning the GUC Recovery Trust, *id.* at § 2.2(m), to enter into any agreement that is consistent with the Plan, Confirmation Order and the GUC Recovery Trust, *id.* at § 2.2(u), and to take any action that is reasonably necessary to administer the GUC Recovery Trust and the Plan. *Id.* at § 2.2(aa).

The McClatchy Company Debt Securities

11. Prior to the Debtors’ bankruptcy filing, the McClatchy Company (“**McClatchy**”) (as successor in interest to Knight-Ridder, Inc.) issued debt securities in the form of: (a) 7.15% Debentures due November 1, 2027 (the “**2027 Debentures**”); and (b) 6.875% Debentures due March 15, 2029 (the “**2029 Debentures**,” together with the 2027 Debentures, the “**Debentures**”).

12. The Bank of New York Mellon (n/k/a BNY Mellon) originally served as indenture trustee of the Debentures until it was succeeded as trustee by Wilmington Savings Fund Society FSB (“**WSFS**”), pursuant to the Agreement of Resignation, Appointment and

Acceptance, dated as of February 25, 2020, by an among McClatchy, BNY Mellon, as resigning trustee, and WSFS, as successor trustee.

13. On April 28, 2020, the Debtors filed Schedule E/F and listed BNY Mellon as holder of an uncontested scheduled claim in respect of the Debentures, in the amount of \$14,906,874.00 (the “**Scheduled Claim Amount**”). On July 7, 2020, WSFS, in its capacity as indenture trustee for the Debentures, filed Proofs of Claim Nos. 1746 and 1820 for unliquidated amounts. On February 19, 2021, the Plan Administration Trustee filed the *Plan Administration Trustee’s Thirty-Second Omnibus Objection to Claims (Unliquidated Claims)* (the “**Third-Second Omnibus Objection**”) [Docket No. 1125], which included objections to disallow and expunge Proofs of Claim Nos. 1746 and 1820. On March 22, 2021, the Court entered an order granting the Third-Second Omnibus Objection [Docket No. 1150], since the Debenture debt was already scheduled.

Cancellation, Treatment, and Distributions of in Respect of the Debentures under the Plan

14. Section 6.11 of the Plan provides that the Debentures are automatically deemed cancelled on the Effective Date and shall be deemed satisfied except to the extent required in order to effectuate the Plan:

Cancellation of Old McClatchy Securities, Agreements, and the Second Lien Term Loan. On the Effective Date, except as otherwise specifically provided for herein (including in Article 4.6(b) hereof) or pursuant to the Restructuring Transactions (a) the Old McClatchy Securities and the Second Lien Term Loan and any other note, bond, indenture, Certificate, or other instrument or document evidencing or creating any indebtedness or obligation of or ownership interest in the Debtors (including the First Lien Notes Indenture, the Third Lien Notes Indenture, the 2027 Debentures Indenture, and the 2029 Debentures Indenture), shall be deemed to be automatically cancelled without further action by any person and (b) the obligations of, Claims against, and/or Interests in the Debtors under, relating, or pertaining to any agreements, Indentures, certificates of designation, bylaws, or certificate or

articles of incorporation or similar documents governing the Old McClatchy Securities, and any other note, bond, indenture, Certificate, or other instrument or document evidencing or creating any indebtedness or obligation of the Debtors, as the case may be, shall be deemed to be automatically released and cancelled without further action by any person; *provided, however*, that any agreement (including the Indentures) that governs the rights of a Holder of a Claim and that is administered by a Servicer shall continue in effect solely for the purposes of allowing such Servicer to (x) make the distributions on account of such Claims under this Plan and perform such other necessary functions with respect thereto, if any, as provided for in Article 9.4 of this Plan and (y) maintain and exercise its Charging Lien or other right to priority payment against distributions under the Plan on account of such Servicer's reasonable fees, expenses, and indemnities owed to such Servicer under the terms of any of the Indentures. On or after the Effective Date, all duties and responsibilities of the 2027 Debentures Trustee under the 2027 Debentures Indenture, the 2029 Debentures Trustee under the 2029 Debentures Indenture, the First Lien Notes Agent under the First Lien Notes Indenture, the Second Lien Term Loan Agent under the Second Lien Term Loan Documents, and the Third Lien Notes Agent under the Third Lien Notes Indenture shall be deemed satisfied except to the extent required in order to effectuate the Plan.

Plan, § 6.11.

15. Section 1.55 of the Plan provides that the Debentures constitute general unsecured claims under the Plan:

“Debenture Claim” means any claim or obligation arising under or based on the 2027 Debentures or the 2029 Debentures and any related documents or instruments executed or delivered in connection with the 2027 Debentures or 2029 Debentures, as applicable, in each case as amended, restated, supplemented, or modified from time to time. For the avoidance of doubt the Debenture Claims shall constitute General Unsecured Claims.

Plan, § 1.55.

16. Section 4.5(b) of the Plan specifies the treatment of general unsecured claims:

Treatment: Pursuant to Bankruptcy Rule 9019, in satisfaction and in exchange for the Allowed Class 5 Claims, on the Effective Date each Holder of an Allowed Class 5 Claim shall receive its Pro Rata

share of GUC Recovery Trust Interests (entitling such Holder to a Pro Rata share of the GUC Recovery Trust Assets in accordance with the GUC Recovery Trust Agreement).

Plan, § 4.5(b).

17. The Plan provides that all distributions on account of the 2027 Debentures and the 2029 Debentures shall be payable to the indenture trustee for the Debentures (i.e., WSFS), who is defined under the Plan as “Servicer.” Plan, § 1.165 (“**Servicer**” means any indenture trustee, agent (including the Second Lien Term Loan Agent, Third Lien Notes Agent, the 2027 Debentures Trustee and the 2029 Debentures Trustee), servicer, or other authorized representative of Holders of Claims or Interests recognized by the Debtors).

18. Section 9.4 of the Plan provides that the Servicer (i.e., WSFS) is deemed to be the holder of the Debenture claims for purposes of distributions and the paying agent through which distributions to the individual holders with beneficial interests in the Debentures are to flow:

Distribution on Account of Claims Administered by Servicers: Delivery of Distributions to Servicers. In the case of Holders of Claims whose Claims are governed by an agreement and administered by a Servicer, the respective Servicer shall be deemed to be the Holder of such Claims for purposes of distributions to be made hereunder. The Distribution Agent shall make all distributions on account of such Claims to the Servicers or as directed by the Servicers, in the Servicers’ sole discretion. Each Servicer shall, at its option, hold or direct such distributions for the beneficial Holders of such Allowed Claims, as applicable; provided, however, the Servicer shall retain all rights under its respective agreement in connection with delivery of distributions to the beneficial Holders of such Allowed Claim; and provided further, however, that the Debtors’, the Wind-Down Debtors’, the Plan Administration Trust’s, and the GUC Recovery Trust’s obligations to make distributions pursuant to this Plan shall be deemed satisfied upon delivery of distributions to each Servicer or the entity or entities designated by the Servicers. The Servicers shall not be required to give any bond, surety, or other security for the performance of their duties with respect to such distributions.

Plan, § 9.4.

RELIEF REQUESTED

19. Pursuant to section 502 of the Bankruptcy Code and Bankruptcy Rule 3007, the GUC Recovery Trustee seeks entry of the Proposed Order disallowing and expunging the individual proofs of claim identified on **Exhibit B** because those claims are based on the Debentures, which are uncontested and allowed in the Scheduled Claim Amount, and therefore are duplicative.

BASIS FOR RELIEF

20. Section 502 of the Bankruptcy Code governs the allowance and disallowance of claims. 11 U.S.C. § 502. Section 502(b) provides that a claim should not be allowed if “such claim is unenforceable against the debtor . . . under any agreement or applicable law.” 11 U.S.C. § 502(b)(1).

21. Generally, a proof of claim filed is deemed allowed, unless a party objects. 11 U.S.C. § 502(a). Absent an objection, a properly executed and filed proof of claim constitutes *prima facie* evidence of the validity and amount of the claim. *In re Metex Mfg. Corp.*, 510 B.R. 735, 740 (Bankr. S.D.N.Y. 2014) (citing Fed. R. Bankr. P. 3001(f)). If an objection is filed, however, the objecting party has the initial “burden of putting forth evidence sufficient to refute the validity of the claim.” *Metex*, 510 B.R. at 740 (citation omitted). “By producing ‘evidence equal in force to the prima facie case,’ an objector can negate a claim’s presumptive legal validity, thereby shifting the burden back to the claimant to ‘prove by a preponderance of the evidence that under applicable law the claim should be allowed.’” *In re Residential Capital, LLC.*, 518 B.R. 720, 731 (Bankr. S.D.N.Y. 2014) (quoting *In re Motors Liquidation Co.*, 2013 WL 5549643, at *3 (S.D.N.Y. 2013)).

22. Bankruptcy Rule 3003(b)(1) provides that uncontested scheduled claims are deemed “prima facie evidence of the validity and amount of the claims of creditors.” Fed. R. Bankr. P. 3003(b)(1). Bankruptcy Rule 3007, which governs objections to claims, further provides that “objections to more than one claim may be joined in an omnibus objection” if “the objections are based solely on the grounds that claims should be disallowed.” Fed. R. Bankr. P. 3007(a).

23. Bankruptcy Rule 3007(d) allows to debtor to file objections to more than one claim if such claims “duplicate other claims.” Fed. R. Bankr. P. 3007(d)(1). Such objections are appropriate because a creditor cannot recover for the same debt twice. *See In re Finley, Kumble, Wagner, Heine, Underberg, Manley, Myerson & Casey*, 160 B.R. 882, 894 (Bankr. S.D.N.Y. 1993) (“In bankruptcy, multiple recoveries for an identical injury are generally disallowed”); *see also In re Chateaugay Corp.*, 115 B.R. 760, 782-84 (Bankr. S.D.N.Y. 1990), *aff’d*, 130 B.R. 690 (S.D.N.Y. 1991) (“to allow one creditor to assert two dollars in claims for every one dollar of loss from the same debtor violates principles of ratable distribution and offends notions of uniform treatment for creditors.”).

24. Courts in this district routinely disallow and expunge duplicate claims. *See, e.g., In re JCK Legacy Co. et al.*, Case No. 20-10418 (MEW) (Bankr. S.D.N.Y. 2021) (Docket. No. 1129); *In re HSP Liquidation, LLC, et al.*, Case No. 19-11608 (MEW) (Bankr. S.D.N.Y. 2020) (Docket. No. 476); *In re Pacific Drilling S.A. et al.*, Case No. 17-13193 (MEW) (Bankr. S.D.N.Y. 2019) (Docket. No. 926).

Individual Debenture Holder Claims Should Be Disallowed and Expunged

25. The GUC Recovery Trustee has reviewed the individual proofs of claim identified on Exhibit B (the “**Duplicate Claims**”) and determined that such claims are duplicative and

should be disallowed and expunged. Failure to disallow and expunge the Duplicate Claims would allow the individuals to recover twice on the same debt – once under the individual proof of claim and again under the Scheduled Claim Amount to be distributed to WSFS, for onward distribution by it to the individual holders of Debentures.

26. As previously noted, the Debtors scheduled BNY Mellon as holder of an uncontested scheduled claim in the Scheduled Claim Amount. After the bankruptcy filing, WSFS succeeded BNY Mellon as indenture trustee for the Debentures. Under the indentures governing the Debentures, all rights to assert and recover a claim under the Debentures are vested in WSFS. WSFS, as successor trustee, is authorized to act on behalf and represent the interests on bondholders with a beneficial interest in the Debentures, which includes the individuals identified on Exhibit B.

27. Pursuant to Bankruptcy 3003(b)(1) and section 4.5(b) of the Plan, the Scheduled Claim Amount is deemed allowed as a general unsecured claim under Class 5 and WSFS, as trustee, is currently the holder of the uncontested scheduled claim for the benefit of the individual holders and for purposes of distributions. *See* Plan, § 9.4. As holders with beneficial interests in the Debentures, the individuals identified on Exhibit B are entitled to receive distributions from WSFS after WSFS receives a distribution on the allowed Scheduled Claim Amount from the GUC Recovery Trust. *See id.*

28. To prevent the individuals identified on Exhibit B from receiving multiple recoveries, the GUC Recovery Trustee respectfully requests that the Court disallow and expunge their individual claims.

RESPONSES TO GUC RECOVERY TRUSTEE'S EIGHTH OMNIBUS OBJECTION

29. To contest an objection, a claimant must file and serve a written response to this GUC Recovery Trustee's Eighth Omnibus Objection so that it is received no later than November 10, 2021 at 4:00 p.m. (Eastern Time) (the "**Response Deadline**"). Each response must be filed and served upon movant, each counsel to the Plan Administration Trustee, the United States Trustee, the Debtors, and all parties that have requested or that are required to receive notice pursuant to Bankruptcy Rule 2002.

30. Any response must: (a) be in writing; (a) conform to the applicable Bankruptcy Rules and Local Bankruptcy Rules; (c) state the name and address of the claimant and description of the basis for the amount of the claim; (d) include a concise statement for the reason why the claim should not be disallowed and expunged for the reasons set forth in the GUC Recovery Trustee's Eighth Omnibus Objection, including, but not limited to, the specific factual and legal bases upon which the claimant will rely in opposing the GUC Recovery Trustee's Eighth Omnibus Objection; (d) include all documentation or other evidence of the claim, to the extent not included with the proof of claim previously filed with the Bankruptcy Court, upon which the claimant will rely in opposing the GUC Recovery Trustee's Eighth Omnibus Objection at any hearing; and (e) the name, address, and telephone number of the person (which may be the claimant or the claimant's legal representative) possessing ultimate authority to reconcile, settle, or otherwise resolve the claim on behalf of the claimant.

31. Failure to file and serve a timely response by the Response Deadline will result in the Duplicate Claims being disallowed and expunged, without further notice to the claimant.

SEPARATE CONTESTED MATTER

32. If a response is filed regarding the Duplicate Claims, and if the GUC Recovery Trustee is unable to resolve any such response, each claim and the GUC Recovery Trustee's Eighth Omnibus Objection as it pertains to such claims, will constitute a separate contested matter as contemplated by Bankruptcy Rule 9014, if applicable. Further, the GUC Recovery Trustee requests that any order entered by the Court regarding an objection asserted in this GUC Recovery Trustee's Eighth Omnibus Objection be deemed a separate order with respect to each proof of claim.

NOTICE

33. Notice of the GUC Recovery Trustee's Eighth Omnibus Objection has been given to parties on the master service list who have agreed to accept service by email and by first-class mail to the individuals identified on Exhibit B. The GUC Recovery Trustee submits that such notice is sufficient and no other or further notice need be provided.

CONCLUSION

WHEREFORE, the GUC Recovery Trustee respectfully requests that the Court enter the Proposed Order attached as **Exhibit A**: (a) disallowing and expunging the individual proofs of claim identified on Exhibit B; and (b) granting such other and further relief as the Court deems just and proper.

Dated: October 15, 2021
New York, New York

/s/ Leo T. Crowley
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Counsel for GUC Recovery Trustee

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

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Kwame O. Akuffo

Counsel for GUC Recovery Trustee

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

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In re:	:	Chapter 11
	:	
JCK LEGACY COMPANY, <i>et al.</i> ,	:	Case No. 20-10418 (MEW)
	:	
Debtors. ¹	:	(Jointly Administered)
	:	
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**NOTICE OF GUC RECOVERY TRUSTEE'S
EIGHTH OMNIBUS OBJECTION AND HEARING**

**THIS OMNIBUS OBJECTION SEEKS TO DISALLOW AND EXPUNGE CERTAIN
PROOFS OF CLAIM FILED BY INDIVIDUAL HOLDERS OF UNSECURED
DEBENTURES.**

PLEASE TAKE NOTICE that William A. Brandt, Jr., in his capacity as trustee of the JCK Legacy GUC Recovery Trust ("**GUC Recovery Trust**"), filed the *GUC Recovery Trustee's Eighth Omnibus Objection to Duplicate Claims Filed By Individual Holders of Unsecured Debentures* (the "**GUC Recovery Trustee's Eighth Omnibus Objection**") with the United States Bankruptcy Court for the Southern District of New York (the "**Bankruptcy Court**").

¹ The Debtors in these chapter 11 cases and the last four characters of each 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 GUC Recovery Trustee's service address for purposes of these chapter 11 cases is: 110 East 42 Street, Suite 1818 New York, NY 10017.

PLEASE TAKE FURTHER NOTICE that any response to the GUC Recovery Trustee's Eighth Omnibus Objection must be filed on or before **November 10, 2021 at 4:00 p.m. (ET)** (the "**Response Deadline**") with the Bankruptcy Court, Courtroom 617, One Bowling Green, New York, New York 10004. At the same time, you must serve a copy of any response by the Response Deadline upon the undersigned counsel to the movant and to:

- (a) 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);
- (b) 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. Stochlic (bram.stochlic@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);
- (c) 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);
- (d) The GUC Recovery Trust, c/o Development Specialists, Inc., 110 East 42nd Street, Suite 1818, New York, New York 10017 Attn.: William A. Brandt., Jr. (bbrandt@DSiconsulting.com);
- (e) Counsel for the GUC Recovery Trustee, Pillsbury Winthrop Shaw Pittman LLP, 31 West 52nd Street, New York, New York. Attn.: Leo T. Crowley (leo.crowley@pillsburylaw.com), Patrick Fitzmaurice (patrick.fitzmaurice@pillsburylaw.com), and Kwame O. Akuffo (kwame.akuffo@pillsburylaw.com);
- (f) 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; and

(g) Any party that has requested notice pursuant to Bankruptcy Rule 2002.

Only those responses made in writing and timely filed in accordance with the above procedures will be considered by the Bankruptcy Court.

PLEASE TAKE FURTHER NOTICE THAT, unless the telephonic hearing procedures set forth in General Order M-543 (Morris, C.J.) are amended, the hearing to consider the GUC Recovery Trustee's Eighth Omnibus Objection shall be held **telephonically via Court Solutions LLC on November 17, 2021, at 11:00 am (ET)** before the Honorable Michael E. Wiles in the Bankruptcy Court, Courtroom 617, One Bowling Green, New York, New York 10004. Instructions to register for Court Solutions LLC are attached to Gen. Ord. M-543.

PLEASE TAKE FURTHER NOTICE THAT if you fail to respond in accordance with this Notice and by the Response Deadline, the Bankruptcy Court may grant the relief requested in the GUC Recovery Trustee's Eighth Omnibus Objection without further notice or a hearing.

Dated: October 15, 2021
New York, New York

/s/ Leo T. Crowley
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Counsel for GUC Recovery Trustee

Exhibit A

Proposed Order

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Leo T. Crowley
Kwame O. Akuffo

Counsel for GUC Recovery Trustee

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

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In re:	:	Chapter 11
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JCK LEGACY COMPANY, <i>et al.</i> ,	:	Case No. 20-10418 (MEW)
	:	
Debtors. ¹	:	(Jointly Administered)
	:	
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**ORDER GRANTING GUC RECOVERY TRUSTEE’S EIGHTH
OMNIBUS OBJECTION TO DUPLICATE CLAIMS FILED
BY INDIVIDUAL HOLDERS OF UNSECURED DEBENTURES**

Upon consideration of the *GUC Recovery Trustee’s Eighth Omnibus Objection to Duplicate Claims Filed By Individual Holders of Unsecured Debentures* (the “**GUC Recovery Trustee’s Eighth Omnibus Objection**”) to disallow and expunge the individual proofs of claim identified on **Exhibit B** to the GUC Recovery Trustee’s Eighth Omnibus Objection; and the Court having jurisdiction to consider the Objection and relief requested under 28 U.S.C. §§ 157 and 1334; and the GUC Recovery Trustee’s Eighth Omnibus Objection and relief requested being a core proceeding under 28 U.S.C. § 157(b)(2); and venue being proper before this Court under 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the GUC Recovery Trustee’s Eighth Omnibus Objection having been provided; and it appearing that no other notice is needed;

¹ The Debtors in these chapter 11 cases and the last four characters of each 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 GUC Recovery Trustee’s service address for purposes of these chapter 11 cases is: 110 East 42 Street, Suite 1818 New York, NY 10017.

and such relief being in the best interest of the Debtors' estates and its creditors, and the GUC Recovery Trust²; and the Court having considered all papers submitted; and for good cause shown;

It is hereby **ORDERED** that:

1. The GUC Recovery Trustee's Eighth Omnibus Objection is **SUSTAINED** to the extent set forth herein.
2. The individual proofs of claim identified on **Exhibit B** to the GUC Recovery Trustee's Eighth Omnibus Objection are hereby disallowed and expunged.
3. The GUC Recovery Trustee's rights to object to the individual proofs of claim identified on **Exhibit B** on any and all other grounds and/or for any other purposes is expressly reserved.
4. The GUC Recovery Trustee or the claims agent is authorized and directed to modify the claims register and other case records in accordance with the terms of this Order.
5. The Court shall retain jurisdiction over any matter arising from or related to the implementation of this Order.

Dated: November __, 2021
New York, NY

Michael E. Wiles
United States Bankruptcy Judge

² Capitalized terms used and not otherwise defined herein shall have the meaning ascribed to them in the GUC Recovery Trustee's Eighth Omnibus Objection.

Exhibit B

Individual Debenture Proofs of Claim

Name of Claimant	Date Filed	Proof of Claim No.	Proof of Claim Amount	Basis for Disallowance
Brown, Leah M.	07/09/2020	1986	\$20,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Bryks, Howard	06/05/2020	193	\$10,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Casparro, Lawrence I.	07/07/2020	1873	\$10,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Dowd, John	06/12/2020	705	\$10,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Dowd, Louise	06/12/2020	691	\$9,086.00	Duplicate of Allowed Debenture Scheduled Claim.
Gold, Richard B.	06/23/2020	1186	\$10,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Irene Masley Veterans Eligibility Trust	06/20/2020	1096	\$1,360.00	Duplicate of Allowed Debenture Scheduled Claim.
John A. Argent Rollover IRA FBO	06/30/2020	1539	\$20,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Kall, Ron J.	08/27/2020	2602	\$3,670.19	Duplicate of Allowed Debenture Scheduled Claim.
Kenyon, Gerald H. and Sally J.	07/15/2020	2380	\$10,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Phinney, Susan C.	06/29/2020	1523	\$9,213.85	Duplicate of Allowed Debenture Scheduled Claim.
Rey and Jewell Deborja	09/25/2020	2639	\$5,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Smith, Gregory	06/11/2020	517	\$20,000.00	Duplicate of Allowed Debenture Scheduled Claim.
Timothy J. Webb Rollover IRA	06/22/2020	1024	\$14,855.50	Duplicate of Allowed Debenture Scheduled Claim.
William N. Sheffield Jr & Elaine M. Sheffield	06/30/2020	1541	\$5,178.75	Duplicate of Allowed Debenture Scheduled Claim.