



IT IS ORDERED as set forth below:

Date: January 10, 2020

**Paul W. Bonapfel
U.S. Bankruptcy Court Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

| | | |
|--------------------------------------|---|------------------------------|
| IN RE: |) | CHAPTER 11 |
| |) | |
| P-D VALMIERA GLASS USA CORP., |) | CASE NO. 19-59440-pwb |
| |) | |
| Debtor. |) | |
| |) | |

ORDER GRANTING MOTION (A) TO ESTABLISH A BAR DATE FOR FILING PROOFS OF CLAIM INCLUDING REQUESTS FOR PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS UNDER 11 U.S.C. § 503(b)(9); (B) FOR APPROVAL OF BAR DATE NOTICE AND PROOF OF CLAIM FORM; AND (C) FOR APPROVAL OF OTHER PROCEDURES

This matter is before the Court on the Motion filed by the above-captioned debtor and debtor-in-possession (the “**Debtor**”), dated December 20, 2019, for an order (i) establishing a deadline for filing proofs of claim, (ii) approving a bar date notice, (iii) approving a proof of claim form, and (iv) authorizing other procedures (the “**Motion**”). Capitalized terms used but not defined in this Order shall have the meanings ascribed to such terms in the Motion.

The Court has considered the Motion and the record in the case. It appears that the Court has jurisdiction over this proceeding; that this is a core proceeding; that the establishment of a date



by which claims must be asserted against the Debtor is in accordance with the authority granted to this Court by the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure and is necessary for the prompt and efficient administration of the Bankruptcy Case; that notification of the relief granted by this Order in the manner proposed by the Debtor, as set forth herein, is fair and reasonable and will provide good, efficient, and proper notice to all creditors of their rights and obligations in connection with claims they may have against the Debtor; that the relief sought in the Motion is in the best interests of the Debtor, its estate, and its creditors; and that good and sufficient cause exists for such relief.

ACCORDINGLY, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motion is GRANTED as set forth herein.
2. Each person or entity (including, without limitation, each governmental unit, individual, partnership, joint venture, corporation, estate, and trust) that asserts a claim (as defined in Section 101(5) of the Bankruptcy Code) against the Debtor (a) that arose prior to June 17, 2019 (the “**Petition Date**”); (b) for payment pursuant to 11 U.S.C. § 503(b)(9) based on the value of goods received by the Debtor within twenty (20) days prior to the Petition Date; and/or (c) that arises from the rejection of an executory contract or unexpired lease (unless otherwise provided in the order rejecting such contract or lease) shall file an original, written proof of such claim that substantially conforms to the form attached as **Exhibit 1** hereto (the “**Proof of Claim**”).
3. All Proofs of Claim must be received by KCC LLC, the Debtor’s claims agent (the “**Claims Agent**”), on or before (a) **5:00 p.m. (Eastern) on March 11, 2020**, at the following address:

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

4. **Proofs of Claim shall be deemed timely filed only if actually received by the Claims Agent on or before 5:00 p.m. (Eastern) on the Bar Date. Proofs of Claim may be delivered to the Claims Agent in hard copy or filed electronically on the Claims Agent's website at <https://epoc.kccllc.net/valmieraglassusa>. Proofs of Claim may not be sent by facsimile, telecopy or other electronic means.**

5. The rights of all parties in interest to challenge the accuracy or propriety of the Debtor's designation of claims as set forth on the Debtor's Schedules are hereby reserved.

6. The following persons or entities are not required to file a Proof of Claim on or before the Bar Date:

(a) any person or entity that has already properly filed with the Claims Agent or the Clerk of the Court a proof of claim using a claim form that substantially conforms to Form B10 (Official Form No. 10);

(b) any person or entity: (i) whose claim is listed on the Debtor's Schedules; (ii) whose claim is not described as "unknown," "disputed," "contingent" or "unliquidated;" and (iii) who does not dispute the amount or priority of its claim as set forth in the Debtor's Schedules;

(c) any person asserting a claim under Section 507(a)(2) of the Bankruptcy Code as an administrative expense of the Debtor's Chapter 11 case, **EXCEPT** for those parties asserting a claim pursuant to 11 U.S.C. § 503(b)(9), which claims must be filed as set forth herein;

(d) any director, officer or employee of the Debtor as of the Petition Date that has or may have claims against the Debtor for indemnification, contribution, subrogation or reimbursement; and

(e) any person or entity that holds a claim arising prior to the Petition Date that has been allowed by an order of the Court entered on or before the Bar Date.

7. To be properly filed pursuant to this Order, each Proof of Claim shall: (i) be signed, (ii) be written in the English language; (iii) be denominated in lawful currency of the United States; (iv) conform substantially to the proof of claim form attached hereto as **Exhibit 1**; and (v) be

submitted with copies of any supporting documents (or a summary if voluminous) or an explanation of why any such documentation is not available.

8. Any person or entity required to file a Proof of Claim in the form and manner specified by this Order and that fails to do so on or before 5:00 p.m. (Eastern) on the Bar Date shall not, with respect to such claim, be treated as a creditor of the Debtor for the purpose of voting upon any plan(s) of reorganization for the Debtor; shall not receive or be entitled to receive any payment or distribution of property from the Debtor, its estate, or its successors or assigns with respect to such claim; and shall be barred from asserting such claim against the Debtor, its estate, or its successors or assigns.

9. Notice of the entry of this Order and of the Bar Date in a form substantially similar to the notice attached hereto as **Exhibit 2** (the “**Bar Date Notice**”), which notice is hereby approved in all respects, constitutes good, adequate and sufficient notice if it is served, together with the Proof of Claim form attached hereto as **Exhibit 1**, which Proof of Claim form is hereby approved in all respects, by being deposited in the United States mail, first-class postage prepaid, promptly following entry of this Order upon:

- (a) the Office of the United States Trustee;
- (b) all parties shown on the Debtor’s creditor matrix filed with the Clerk on the Petition Date;
- (c) all known potential holders of claims listed on the Debtor’s Schedules at the addresses stated therein;
- (d) the Internal Revenue Service at its designated address for service; and
- (e) all parties that have filed a request for notices in the case.

10. Nothing in this Order shall prejudice the right of the Debtor or any party in interest to dispute, or to assert offsets or defenses to, any claim reflected on the Debtor’s Schedules as to

amount, liability, classification or otherwise, and to subsequently designate any claim as disputed, contingent or unliquidated.

11. The Debtor is hereby authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

12. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

[END OF DOCUMENT]

Prepared and presented by:

SCROGGINS & WILLIAMSON, P.C.

By: /s/ Ashley R. Ray
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Counsel for the Debtor

Exhibit 1

Proof of Claim Form

Fill in this information to identify the case:

Debtor P-D Valmiera Glass USA Corp.
United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division
 Case number 19-59440

**Modified Form 410
 Proof of Claim**

04/19

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

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

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

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

Part 1: Identify the Claim

1. **Who is the current creditor?**
 Name of the current creditor (the person or entity to be paid for this claim) _____
 Other names the creditor used with the debtor _____
 Corporate Tax ID _____

2. **Has this claim been acquired from someone else?**
 No
 Yes. From whom? _____

3. **Where should notices and payments to the creditor be sent?**

| | |
|---|--|
| <p>Where should notices to the creditor be sent?</p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</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>Where should payments to the creditor be sent? (if different)</p> <p>Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Country _____</p> <p>Contact phone _____</p> <p>Contact email _____</p> |
|---|--|

4. **Does this claim amend one already filed?**
 No
 Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**
 No
 Yes. Who made the earlier filing? _____

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: ___ ___ ___ ___

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).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
 Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
 Limit disclosing information that is entitled to privacy, such as health care information.

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature of property:
 Real estate: If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____
Basis for perfection: _____
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (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

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

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:

Amount entitled to priority

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).

\$ _____

Up to \$3,025* 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 \$13,650*) 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 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of this claim entitled to allowance as an administrative expense 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, including but not limited to relevant invoices and confirmation of delivery including delivery date.

For each delivery of goods received by the Debtor between May 28, 2019 and June 17, 2019, please state the following:

(Attach additional pages as needed)

| | Date each shipment left claimant's loading dock, factory, warehouse, pier, etc. | Date each shipment delivered to Debtor's facility | Amount of Claim for each shipment | All available documents relating to each shipment are attached to this Request Form (Yes/No) |
|---|---|---|-----------------------------------|--|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| | | Total 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 _____

COMPLETED PROOF(S) OF CLAIM SHOULD BE SENT TO THE FOLLOWING ADDRESS BY MAIL, OVERNIGHT OR HAND DELIVERY:

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

Alternatively, proof(s) of claim can be filed electronically on KCC's website at <https://epoc.kccllc.net/valmieraglassusa>.

Instructions for Proof of Claim

United States Bankruptcy Court

04/19

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

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

How to fill out this form

- Fill in all of the information about the claim as of the date the case was filed.
- Fill in the caption at the top of the form
- If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- Attach any supporting documents to this form.
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)
Also attach redacted copies of any documents that show perfection of any security interest or any assignments or transfers of the debt. In addition to the documents, a summary may be added. Federal Rule of Bankruptcy Procedure (called "Bankruptcy Rule") 3001(c) and (d).
- Do not attach original documents because attachments may be destroyed after scanning.
- If the claim is based on delivery health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.

PLEASE SEND COMPLETED PROOF(S) OF CLAIM TO:

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

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

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

Confirmation that the claim has been filed

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

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 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

Bar Date Notice

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) **CHAPTER 11**
)
P-D VALMIERA GLASS USA CORP.,) **CASE NO. 19-59440-pwb**
)
Debtor.)
)
_____)

**NOTICE REQUIRING FILING OF PROOFS OF CLAIM
INCLUDING REQUESTS FOR PAYMENT OF ADMINISTRATIVE
EXPENSE CLAIMS UNDER 11 U.S.C. § 503(b)(9)**

**TO ALL CREDITORS AND PARTIES IN INTEREST OF P-D VALMIERA GLASS USA
CORP., PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. On June 17, 2019 (the “**Petition Date**”), P-D Valmiera Glass USA Corp., (the “**Debtor**”) filed a voluntary petition for relief with the United States Bankruptcy Court for the Northern District of Georgia, Atlanta Division (the “**Court**”) under Chapter 11 of the Bankruptcy Code. The Debtor is authorized to operate its business as a debtor in possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code.
2. On or about July 8, 2019, an Official Committee of Unsecured Creditors (the “**Committee**”) was appointed in this case. No request for a trustee or examiner has been filed in the case.
3. On January [___], 2020, the Court entered an order (the “**Bar Date Order**”) establishing **5:00 p.m. (Eastern) on March 11, 2020**, as the last date for the filing of proofs of claim, including any requests for payment of administrative expense claims under 11 U.S.C. § 503(b)(9) and claims arising from rejection of an executory contract or unexpired lease (unless the rejection order provides otherwise) against the Debtor (the “**Bar Date**”).
4. Pursuant to the terms of the Bar Date Order, other than the parties listed in the exceptions outlined in Paragraph 9 below, each person or entity (including, without limitation, each governmental unit, individual, partnership, joint venture, corporation, estate, and trust) that wishes to assert a claim against the Debtor arising or deemed to have arisen prior to the Petition Date, including claims arising from the rejection of an executory contract or unexpired lease (unless otherwise stated in the order authorizing rejection), or any person or entity asserting a claim for payment pursuant to 11 U.S.C. § 503(b)(9) based on the value of goods received by the Debtor within twenty (20) days prior to the Petition Date, is required to file an original, separate, completed and executed proof of claim (a “**Proof of Claim**”) with KCC, LLC, the Debtor’s claims agent (the “**Claims Agent**”), substantially in conformity with the Proof of Claim form attached hereto, on or before 5:00 p.m. (Eastern) on the Bar Date, at the following address:

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

www.kccllc.net/ValmieraGlassUSA

Proofs of claim may be filed in hard copy or in electronic format on the Claims Agent's website shown above. Proofs of claim may not be sent by facsimile, telecopy or other electronic means. Proofs of Claim will be deemed timely filed only if actually received by the Claims Agent on or before 5:00 p.m. (Eastern) on the Bar Date.

5. For purposes of the Bar Date Order and this notice, the term "claim" means: (i) any right to payment, whether or not such right is reduced to judgment, liquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (ii) right to an equitable remedy for breach or 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.

6. Acts or omissions of the Debtor that occurred prior to the Petition Date, including any acts or omissions related to any indemnity agreements, guarantees or services provided to or by the Debtor, may give rise to claims against the Debtor notwithstanding the fact that such claims (or the injuries on which they are based) may be contingent or may not have matured or become fixed or liquidated prior to such date. Therefore, any creditor having a claim or potential claim against the Debtor, no matter how remote or contingent, must file a proof of claim on or before 5:00 p.m. (Eastern) on the Bar Date.

7. Any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease must file a Proof of Claim based on such rejection on or before 5:00 p.m. (Eastern) on the Bar Date, unless otherwise stated in the order authorizing such rejection.

8. Any person or entity that holds a claim that arises from the delivery of goods to the Debtor within the twenty days prior to the Petition Date pursuant to 11 U.S.C. § 503(b)(9) must file a Proof of Claim based on such claim on or before 5:00 p.m. (Eastern) on the Bar Date

9. Notwithstanding the foregoing, the following persons and entities need not file a proof of claim by the Bar Date:

- (a) any person or entity that has already properly filed with the Claims Agent or the Clerk of the Court a proof of claim using a claim form that substantially conforms to Form B10 (Official Form No. 10);
- (b) any person or entity: (i) whose claim is listed on the Debtor's Schedules (as defined below); (ii) whose claim is not described as "unknown," "disputed," "contingent" or "unliquidated;" and (iii) who does not dispute the amount or priority of its claim as set forth in the Debtor's Schedules;

- (c) any person asserting a claim under Section 507(a)(2) of the Bankruptcy Code as an administrative expense of the Debtor's Chapter 11 cases, **EXCEPT** for those parties asserting a claim pursuant to 11 U.S.C. § 503(b)(9), which claims must be filed as set forth herein;
- (d) any director, officer or employee of the Debtor as of the Petition Date that has or may have claims against the Debtor for indemnification, contribution, subrogation or reimbursement; and
- (e) any person or entity that holds a claim arising prior to the Petition Date that has been allowed by an order of the Court entered on or before the Bar Date.

10. Any person or entity that is required to file a timely Proof of Claim in the form and manner specified by the Bar Date Order and that fails to do so on or before 5:00 p.m. (Eastern) on the Bar Date shall not, with respect to such claim, be treated as a creditor of the Debtor for the purpose of voting upon any plan(s) of reorganization for the Debtor; shall not receive or be entitled to receive any payment or distribution of property from the Debtor, its estate, or its successors or assigns with respect to such claim; and shall be barred from asserting such claim against the Debtor, its estate, or its successors or assigns.

11. Each Proof of Claim filed must: (i) be signed; (ii) be written in the English language; (iii) be denominated in lawful currency of the United States; (iv) conform substantially to the Proof of Claim form attached hereto; and (v) be submitted with copies of any supporting documents (or a summary if voluminous) or an explanation of why any such documentation is not available.

12. Holders of claims against the Debtor are listed in the Debtor's Schedules of Assets and Liabilities (the "**Schedules**"). Copies of the Debtor's Schedules and the Bar Date Order are available for inspection during regular business hours at the office of the Clerk of the Court, United States Bankruptcy Court, Room 1340, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303. Information about claims listed in the Debtor's Schedules also is available at the Claims Agent's website: www.kcclcc.net/ValmieraGlassUSA.

13. THE FACT THAT YOU RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM AGAINST THE DEBTOR. YOU SHOULD NOT FILE A PROOF OF CLAIM IF YOU DO NOT HAVE A CLAIM AGAINST THE DEBTOR. YOU SHOULD CONSULT WITH YOUR OWN ATTORNEY IF YOU HAVE QUESTIONS, SUCH AS TO WHETHER YOU HOLD A CLAIM AND WHETHER YOU SHOULD FILE A PROOF OF CLAIM.

This ____ day of January, 2020.

SCROGGINS & WILLIAMSON, P.C.

4401 Northside Parkway
Suite 450
Atlanta, Georgia 30327
T: (404) 893-3880
F: (404) 893-3886
E: rwilliamson@swlawfirm.com
aray@swlawfirm.com
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J. ROBERT WILLIAMSON
Georgia Bar No. 765214
ASHLEY R. RAY
Georgia Bar No. 601559
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