

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 10, 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 10th day of January, 2020.

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