

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: CBC RESTAURANT CORP., et al.,¹ Debtors.
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Chapter 11
Case No. 23-10245 (KBO)
(Jointly Administered)

Re: Dkt. No. 323

**NOTICE OF ENTRY OF BAR DATE ORDER ESTABLISHING
DEADLINES FOR FILING PROOFS OF CLAIM**

PLEASE TAKE NOTICE THAT:

On February 22, 2023 (the “Petition Date”), the above-captioned debtors and debtors-in-possession (collectively, the “Debtors”) each filed a voluntary petition commencing a chapter 11 case under title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Court”).

On April 17, 2023, the Court entered an order (the “Bar Date Order”)² establishing various bar dates for filing proofs of claim. The Court has established **May 18, 2023** (the “General Bar Date”) as the general claims bar date for filing proofs of claim (each, a “Proof of Claim”) in the Chapter 11 Cases for all persons and entities. As described below, the Bar Date Order also establishes different bar dates (each, a “Bar Date” and collectively, the “Bar Dates”) for other categories of claims.

You should not file a Proof of Claim if you do not have a claim against the Debtors. Your receipt of this Notice does not necessarily mean that you have a claim or that either the Debtors or the Court believe you have a claim.

Pursuant to the terms of the Bar Date Order, and except as otherwise provided herein, each person or entity³ (including, without limitation, each individual, partnership, joint venture, corporation, limited liability company, estate, trust, or Governmental Unit⁴) that holds or asserts a claim against one or more of the Debtors, including claims arising pursuant to section 503(b)(9) of the Bankruptcy Code (each, a “503(b)(9) Claim”), must file a Proof of Claim with an original signature, substantially conforming to the proof of claim form attached hereto, so that it is actually received by Kurtzman Carson Consultants LLC (“KCC”), the Court-approved claims and noticing agent in these Chapter 11 Cases, on or before the Bar Dates set forth below.

Proofs of Claim must be sent by *first-class mail, overnight courier, or hand-delivery* to: KCC at: Corner Bakery Claims Processing Center, c/o KCC, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245. Alternatively, Proofs of Claim may be submitted electronically through the electronic filing system available at <https://www.kccllc.net/cornerbakery>.

To be properly filed, a Proof of Claim must be filed against the specific Debtor against which the claimant holds or asserts a claim. For example, if a claimant holds or asserts a claim against Corner Bakery Holding Company, the form must specify Corner Bakery Holding Company. If a claimant wishes to assert a claim against more than one Debtor, separate Proofs of Claim must be filed against each applicable Debtor.

Proofs of Claim will be deemed timely filed only if actually received by KCC on or before the Bar Date associated

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include CBC Restaurant Corp. (0801), Corner Bakery Holding Company (3981), and CBC Cardco, Inc. (1938). The Debtors’ service address is 121 Friends Lane, Suite 301, Newtown PA 18940.

² Capitalized terms used herein but not otherwise defined herein shall have the meanings ascribed to them in the Bar Date Order.

³ “Entity” has the meaning given to it in section 101(15) of the Bankruptcy Code.

⁴ “Governmental Unit” has the meaning given to it in section 101(27) of the Bankruptcy Code.



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with such claim. Further, except with respect to the electronic filing system described above, KCC will not accept Proofs of Claim sent by facsimile, telecopy, email, or other electronic submission, and such claims will not be deemed to be properly or timely filed claims.

General Bar Date. Except as otherwise provided herein, each person or entity holding or asserting a claim (including a 503(b)(9) Claim) against the Debtors that arose prior to the Petition Date must file a Proof of Claim so that it is actually received by KCC on or before May 18, 2023 (the “General Bar Date”).

Governmental Unit Bar Date. Each governmental unit holding or asserting a claim against the Debtors that arose prior to the Petition Date must file a Proof of Claim so that it is actually received by KCC on or before August 21, 2023 (the “Governmental Bar Date”).

Amended Schedule Bar Date. If, on or after the date on which the Debtors serve this Notice, the Debtors amend or supplement their schedules of assets and liabilities or statements of financial affairs (collectively, the “Schedules”) (a) to change the amount, nature, classification or characterization of a claim, or (b) to add a new claim to the Schedules, the affected claimant, if it disagrees with the amendment, is required to file a Proof of Claim or amend any previously filed Proof of Claim in respect of the amended scheduled claim so that the Proof of Claim is actually received by KCC on or before the later of (y) the General Bar Date or (z) 21 days after the claimant is served with notice of the applicable amendment or supplement to the Schedules.

Rejection Bar Date. A Proof of Claim relating to the Debtors’ rejection of an executory contract or unexpired lease pursuant to a Court order must be filed so that it is actually received by KCC on or before the later of (a) the General Bar Date or (b) 30 days after the later of (i) the date of service of the Court order authorizing such rejection or (ii) the effective date of such rejection. For the avoidance of doubt, claims arising from the rejection of unexpired leases of the Debtors for the purposes of the Bar Date Order may include (i) any claims under such unexpired leases as of the Petition Date, and (ii) any administrative expense claims arising under such unexpired leases between the Petition Date and the Service Date, and such parties shall not be required to file Proofs of Claim or Administrative Claims with respect to such amounts unless and until such unexpired lease has been rejected.

For purposes of the Bar Date Order and this Notice, and pursuant to section 101(5) of the Bankruptcy Code, the term “claim” means (a) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) any right to an equitable remedy for breach of 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 as of the Petition Date.

For purposes of the Bar Date Order and this Notice, a “503(b)(9) Claim” is a claim for the value of any goods received by the Debtors within twenty (20) days prior to the Petition Date in which the goods have been sold to the Debtors in the ordinary course of the Debtors’ business.

The following persons and entities need NOT file a Proof of Claim:

- a) any person or entity that has already properly filed a Proof of Claim against the correct Debtor(s) with either KCC or the Clerk of the Court for the United States Bankruptcy Court for the District of Delaware in a form substantially similar to Official Bankruptcy Form B 410;
- b) any person or entity (i) whose claim is listed in the Schedules or any amendments thereto; (ii) whose claim is not described therein as “disputed,” “contingent,” or “unliquidated”; (iii) who does not dispute the amount or characterization of its claim as set forth in the Schedules; and (iv) who agrees that the claim is an obligation of the specific Debtor that listed the claim on its Schedules;
- c) any person or entity asserting a claim with respect to an unused or outstanding gift card issued by the Debtors for dining at their restaurant locations;

- d) professionals retained by the Debtors or the Committee pursuant to orders of this Court that assert administrative claims for fees and expenses subject to the Court's approval pursuant to sections 330, 331 and 503(b) of the Bankruptcy Code;
- e) any person or entity that asserts an administrative expense claim against the Debtors pursuant to section 503(b) of the Bankruptcy Code; *provided, however, that*, any person or entity that asserts a claim under section 503(b)(9) of the Bankruptcy Code on account of prepetition goods received by the Debtors within twenty (20) days prior to the Petition Date must file a Proof of Claim on or before the General Bar Date;
- f) current officers and directors of the Debtors who assert claims for indemnification and/or contribution arising as a result of such officers' or directors' prepetition or post-petition services to the Debtors;
- g) any Debtor asserting a claim against another Debtor;
- h) any person or entity whose claim against the Debtor(s) has been allowed by an order of the Court, entered on or before the Bar Dates;
- i) any person or entity who has been exempted from the requirement to file a Proof of Claim by another order entered in these Chapter 11 Cases;
- j) any person or entity whose claim has been satisfied in full prior to the applicable Bar Date;
- k) any person or entity holding a claim payable to the Court or the United States Trustee Program pursuant to 28 U.S.C. § 1930;
- l) any counterparty to an executory contract or unexpired lease whose contract or lease is assumed or assumed and assigned by the Debtors in connection with the sale of all or substantially all of the Debtors' assets currently scheduled for hearing on June 1, 2023; and
- m) any holder of a claim by SSCP Restaurant Investors, LLC ("SSCP") arising under or in connection with the Credit Facility (as defined in the First Day Declaration) or any Senior DIP Facility (as defined in the *Debtors' Emergency Motion For Entry Of An Order: (A) Authorizing The Debtors To Obtain Postpetition Financing; (B) Authorizing The Debtors To Use Cash Collateral; (C) Granting Liens And Superpriority Administrative Expense Claims; (D) Granting Adequate Protection To The Prepetition Secured Parties; (E) Modifying The Automatic Stay; And (F) Granting Related Relief* [Dkt. No. 259]; *provided that* SSCP is authorized to file a single master Proof of Claim by the General Bar Date with regard to all of the claims thereunder.

Any person or entity (including, without limitation, any individual, partnership, joint venture, corporation, limited liability company, estate, trust, or governmental unit) holding an interest in the Debtors (an "Interest Holder"), which interest is based exclusively upon the ownership of common or preferred stock in the corporation or other equity security (as defined in section 101(16) of the Bankruptcy Code), or warrants or rights to purchase, sell, or subscribe to such a security (any such security being referred to in this Notice as an "Interest") need not file a proof of interest on or before the General Bar Date; provided, however, that Interest Holders who wish to assert claims against the Debtors that arise out of or relate to the ownership or purchase of an Interest, including claims arising out of or relating to the sale, issuance, or distribution of such Interest, must file Proofs of Claim on or before the General Bar Date (or, in the case of a governmental unit, the Governmental Bar Date), unless another exception identified in the Bar Date Order applies.

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 WHO FAILS TO DO SO ON OR BEFORE THE APPLICABLE BAR DATE: (A) MAY BE FOREVER BARRED, ESTOPPED, AND ENJOINED FROM ASSERTING SUCH CLAIM AGAINST THE DEBTORS, THEIR ESTATES, OR PROPERTY OF THE

DEBTORS, OR THEREAFTER FILING A PROOF OF CLAIM WITH RESPECT THERETO IN THE CHAPTER 11 CASES, UNLESS OTHERWISE ORDERED BY THE COURT; (B) SHALL NOT, WITH RESPECT TO SUCH CLAIM, BE TREATED AS A CREDITOR OF THE DEBTORS FOR THE PURPOSES OF VOTING UPON ANY PLAN OF REORGANIZATION OR LIQUIDATION IN THESE PROCEEDINGS; AND (C) SHALL NOT RECEIVE OR BE ENTITLED TO RECEIVE ANY PAYMENT OR DISTRIBUTION OF PROPERTY FROM THE DEBTORS OR THEIR SUCCESSORS OR ASSIGNS WITH RESPECT TO SUCH CLAIM; PROVIDED, HOWEVER, THAT A CLAIMANT SHALL BE ABLE TO VOTE UPON, AND RECEIVE DISTRIBUTIONS UNDER, ANY PLAN OF REORGANIZATION OR LIQUIDATION IN THESE CHAPTER 11 CASES TO THE EXTENT, AND IN SUCH AMOUNT, AS ANY UNDISPUTED, NON-CONTINGENT, AND LIQUIDATED CLAIMS IDENTIFIED IN THE SCHEDULES ON BEHALF OF THE CLAIMANT.

The Debtors reserve the right to (a) dispute or assert offsets or defenses against any claim filed or any claim listed or reflected in the Schedules as to nature, amount, liability, classification, or otherwise; and (b) subsequently designate any claim as disputed, contingent, or unliquidated. Nothing contained in this Notice shall preclude the Debtors from objecting to any filed claim on any grounds.

Acts or omissions of the Debtors, if any, that occurred prior to the Petition Date, including acts or omissions related to any indemnity agreements, guarantees, or services provided to or rendered by the Debtors, may give rise to claims against the Debtors notwithstanding that such claims (or any injuries on which they are based) may be contingent or may not have matured or become fixed or liquidated prior to the Petition Date. Therefore, any person or entity that holds or asserts a claim or a potential claim against the Debtors, no matter how remote or contingent, must file a Proof of Claim on or before the applicable Bar Date.

You may be listed as the holder of a claim against the Debtors in the Schedules, as the same may be amended from time to time. If you hold or assert a claim that is not listed in the Schedules or if you disagree with the amount or priority of your claim as listed in the Schedules, or your claim is listed in the Schedules as “contingent,” “unliquidated,” or “disputed,” you must file a Proof of Claim. Copies of the Schedules and the Bar Date Order are available for inspection during regular business hours at the office of the Clerk of the Bankruptcy Court, United States Bankruptcy Court for the District of Delaware, 3rd Floor, 824 Market Street, Wilmington, Delaware 19801. In addition, copies of the Debtors’ Schedules and Bar Date Order may be viewed and downloaded free of charge at KCC’s dedicated website for the Debtors’ Chapter 11 Cases (<https://www.kccllc.net/cornerbakery>); or viewed and downloaded for a fee at the Bankruptcy Court’s website (<http://www.deb.uscourts.gov/>) by following the directions for accessing the ECF system on such website.

Questions concerning the contents of this Notice, the Bar Date Order, and requests for Proofs of Claim should be directed to KCC’s toll-free lines at (877) 725-7534 (U.S./Canada) or (424) 236-7243 (International), or by email to cbcinfo@kccllc.com. Please note that KCC’s staff is not permitted to give legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the completion or filing of a Proof of Claim. Nothing contained in this Notice shall preclude the Debtors from objecting to any filed claim on any grounds.

Dated: April 17, 2023
Wilmington, Delaware

/s/ Mette H. Kurth

Mette H. Kurth (DE Bar No. 6491)

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Proposed Counsel to the Debtors and Debtors In Possession