

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

In re:

BORDEN DAIRY COMPANY, *et al.*,

Debtors.¹

Chapter 11

Case No. 20-10010 (CSS)

(Jointly Administered)

Hearing Date: June 4, 2020 at 2:00 p.m. (ET)

Objection Deadline: May 28, 2020, at 4:00 p.m. (ET)

**NOTICE OF HEARING TO CONSIDER
APPROVAL OF DISCLOSURE STATEMENT**

PLEASE TAKE NOTICE that on May 8, 2020, the above-captioned debtors and debtors in possession (the “**Debtors**”), filed with the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) the *Joint Chapter 11 Plan of Borden Dairy Company and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [D.I. 590] (as may be subsequently amended, modified, or supplemented, the “**Plan**”) and the *Disclosure Statement for the Joint Chapter 11 Plan of Borden Dairy Company and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [D.I. 591] (as may be subsequently amended, modified, or supplemented, the “**Disclosure Statement**”).

PLEASE TAKE FURTHER NOTICE that the Debtors intend to present the Disclosure Statement for approval at a hearing before the Honorable Christopher S. Sontchi on **June 4, 2020, at 2:00 p.m. (ET)** convened at the United States Bankruptcy Court for the District of Delaware, 824 Market Street, 5th Floor, Courtroom No. 6, Wilmington, Delaware 19801 (the “**Disclosure Statement Hearing**”). The Disclosure Statement may be amended, modified, or supplemented at any time prior to or at the Disclosure Statement Hearing, and the Disclosure Statement Hearing may be adjourned from time to time without further notice, except for the announcement of the adjourned date(s) through the agenda for the Disclosure Statement Hearing and/or at the Disclosure Statement Hearing or any continued hearing(s).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the approval of the Disclosure Statement must: (A) be in writing; (B) state the name, address, and nature of the Claim

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Borden Dairy Company (1509); Borden Dairy Holdings, LLC (8504); National Dairy, LLC (9109); Borden Dairy Company of Alabama, LLC (5598); Borden Dairy Company of Cincinnati, LLC (1334); Borden Transport Company of Cincinnati, LLC (3462); Borden Dairy Company of Florida, LLC (5168); Borden Dairy Company of Kentucky, LLC (7392); Borden Dairy Company of Louisiana, LLC (4109); Borden Dairy Company of Madisonville, LLC (7310); Borden Dairy Company of Ohio, LLC (2720); Borden Transport Company of Ohio, LLC (7837); Borden Dairy Company of South Carolina, LLC (0963); Borden Dairy Company of Texas, LLC (5060); Claims Adjusting Services, LLC (9109); Georgia Soft Serve Delights, LLC (9109); NDH Transport, LLC (7480); and RGC, LLC (0314). The location of the Debtors’ service address is: 8750 North Central Expressway, Suite 400, Dallas, TX 75231.

or Interest of the objecting or responding party proposing a modification to the Disclosure Statement; (C) state with particularity the legal and factual basis and nature of any objection and set forth the proposed modification to the Disclosure Statement, together with suggested language; (D) be filed with the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801, together with proof of service, on or before **May 28, 2020, at 4:00 p.m. (ET)** (the “**Objection Deadline”**); and (E) be served upon the following parties so as to be received on or before the Objection Deadline: (a) the Debtors, Borden Dairy Company, 8750 North Central Expressway, Suite 400, Dallas, Texas 75231, Attn: Jason Monaco; (b) counsel to the Debtors, Arnold & Porter Kaye Scholer LLP, 70 West Madison Street, Suite 4200, Chicago, Illinois 60602, Attn: Tyler Nurnberg (Tyler.Nurnberg@arnoldporter.com), Seth Kleinman (Seth.Kleinman@arnoldporter.com), and Sarah Gryll (Sarah.Gryll@arnoldporter.com); (c) co-counsel to the Debtors, Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, Delaware 19801, Attn: M. Blake Cleary (mbcleary@ycst.com); (d) counsel to ACON Dairy Investors, L.L.C., Hogan Lovells US LLP, 390 Madison Avenue, New York, New York 10017, Attn: Christopher R. Donoho III (chris.donoho@hoganlovells.com); (e) counsel to New Laguna, LLC, Dechert LLP, Three Bryant Park, 1095 Avenue of the Americas, New York, New York 10036, Attn: Shmuel Vasser (shmuel.vasser@dechert.com), and Richards, Layton & Finger, PA, One Rodney Square, 920 N. King Street, Wilmington, Delaware 19801, Attn: Russell Silberglied (Silberglied@rlf.com); (f) counsel to the Agent, RCF Facility Lenders, and Term Loan A Facility Lenders, Blank Rome LLP, 1201 N. Market Street, Suite, 800, Wilmington, Delaware 19801, Attn: Regina Stango Kelbon (kelbon@blankrome.com), 1271 Avenue of the Americas, New York, New York 10020, Attn: Robert Stein (rstein@blankrome.com); (g) counsel to the Term Loan B Facility Lenders, King & Spalding LLP, 1185 Avenue of the Americas, 34th Floor, New York, New York 10036, Attn: Roger Schwartz (rschwartz@kslaw.com); (h) counsel to the Committee, Sidley Austin LLP, 787 7th Avenue, New York, New York 10019, Attn: Michael G. Burke (mgburke@sidley.com), and Morris James, LLP, 500 Delaware Avenue, Suite 1500, Wilmington, Delaware 19801, Attn: Eric J. Monzo (EMonzo@morrisjames.com); and (i) the Office of the United States Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, Delaware 19801, Attn: Timothy Fox, Jr. (Timothy.Fox@usdoj.gov).

PLEASE TAKE FURTHER NOTICE THAT only those objections made in writing and timely filed and received by the Objection Deadline will be considered by the Bankruptcy Court during the Disclosure Statement Hearing. If no objections to the Disclosure Statement are timely and properly filed and served in accordance with the procedures set forth herein, the Bankruptcy Court may enter an order approving the Disclosure Statement without further notice.

PLEASE TAKE FURTHER NOTICE THAT copies of the Plan and the Disclosure Statement are available for inspection during regular business hours, Monday through Friday 8:00 a.m. to 4:00 p.m. (ET), excluding federal holidays, at the office of the Clerk of the Bankruptcy Court, 3rd Floor, 824 North Market Street, Wilmington, Delaware 19801. If you should have any questions or you would like to obtain a copy of the Disclosure Statement or the Plan, you may contact Donlin Recano & Company, Inc., the Notice and Claims Agent by: (a) calling the Debtors’ restructuring hotline at (877) 295-7345 (domestic toll-free) or (212) 771-1128 (international toll) (ask for the Solicitation Group); (b) visiting the Debtors’ restructuring website at: <https://www.donlinrecano.com/Clients/bdc/Index>; and/or (c) writing to Borden Ballot Processing, c/o Donlin Recano & Company, Inc., P.O. Box 199043, Blythebourne Station, Brooklyn, NY 11219. You may also obtain copies of any pleadings filed in these Chapter 11 Cases for a fee via

PACER at: <http://www.deb.uscourts.gov>. A PACER login and password can be obtained through the PACER Service Center at <https://www.pacer.gov>.

PLEASE TAKE FURTHER NOTICE THAT THIS NOTICE IS NOT A SOLICITATION OF VOTES TO ACCEPT OR REJECT THE PLAN. VOTES ON THE PLAN WILL BE SOLICITED IF AND WHEN THE BANKRUPTCY COURT APPROVES THE DISCLOSURE STATEMENT.

Dated: May 11, 2020
Wilmington, Delaware

/s/ Betsy L. Feldman

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