

*Laurel E. Babero*

Honorable Laurel E. Babero  
United States Bankruptcy Judge



Entered on Docket  
August 15, 2018

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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA**

<p>In re:</p> <p>GUMP'S HOLDINGS, LLC</p> <p><input type="checkbox"/> Affects this Debtor.</p> <hr/> <p><input checked="" type="checkbox"/> Affects all Debtors.</p> <hr/> <p><input type="checkbox"/> Affects Gump's Corp.</p> <hr/> <p><input type="checkbox"/> Affects Gump's By Mail, Inc.</p>	<p>Case No.: BK-S-18-14683-leb Chapter 11</p> <p><i>Jointly administered with:</i></p> <p>No. BK-S-14684 (In re Gump's Corp.) No. BK-S-14685 (In re Gump's By Mail, Inc.)</p> <p>Date: August 9, 2018 Time: 2:00 p.m. Location: 300 Las Vegas Blvd. South Las Vegas, NV 89101 Courtroom 3</p>
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**ORDER PURSUANT TO 11 U.S.C. §§ 102, 105, AND 502(b)(9), BANKRUPTCY  
RULES 2002, 3003(c)(3), 9007, AND 9036 AND LOCAL RULES 1007, 2002(c),  
AND 3003: (I) AUTHORIZING THE ESTABLISHMENT OF CERTAIN NOTICE  
PROCEDURES; (II) ESTABLISHING BAR DATES FOR FILING CERTAIN PROOFS**

**OF CLAIM; (III) ESTABLISHING PROCEDURES RELATING THERETO; (IV) APPROVING THE FORM AND MANNER OF THE NOTICE OF THE BAR DATES AND THE NOTICE OF BANKRUPTCY CASE, MEETING OF CREDITORS AND DEADLINES; AND (V) APPROVING THE PUBLICATION NOTICE**

Gump's Holdings, LLC ("Holdings"), a Nevada limited liability company, Gump's Corp. ("Retail"), a California corporation, and Gump's By Mail, Inc. ("Direct"), a Delaware corporation (collectively, "Gump's" or "Debtors"), debtors and debtors-in-possession, filed the *Motion for Order Pursuant to 11 U.S.C. §§ 102, 105 and 502(b)(9), Bankruptcy Rules 2002, 3003(c)(3), 9007, and 9036 and Local Rules 1007, 2002(c), and 3003: (I) Authorizing the Establishment of Certain Notice Procedures; (II) Establishing Bar Dates for Filing Certain Proofs of Claim; (III) Establishing Procedures Relating Thereto; (IV) Approving the Form and Manner of the Notice of the Bar Date and the Notice of Bankruptcy Case, Meeting of Creditors and Deadlines; and (V) Approving the Publication Notice*<sup>1</sup> (the "Motion") on August 7, 2018.<sup>2</sup>

The Motion came on for hearing before the above-captioned Court and Debtors appeared by and through their proposed counsel, the law firm of Garman Turner Gordon LLP, and all other appearances were noted on the record. The Court reviewed the Motion and the other pleadings and papers on file and heard and considered the argument of counsel at the hearing on the Motion. It appearing that notice and an opportunity for a hearing on this Motion has been given and is appropriate under the circumstances surrounding these Chapter 11 Cases and that no other or further notice need be given; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and it appearing that venue in this judicial district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and after due deliberation and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED** as follows:

1. The Motion is granted as set forth in this Order.

<sup>1</sup> Case No. 18-14683-leb, ECF No. 13; Case No. 18-14684-leb, ECF No. 7; Case No. 18-14685-leb, ECF No. 7.

<sup>2</sup> All undefined, capitalized terms shall have the meaning ascribed to them in the Motion.

2. The Notice Procedures, substantially in the form attached hereto as **Exhibit A**, are approved and shall govern the Chapter 11 Cases, except as otherwise ordered by the Court.

3. The Notice Procedures shall be served upon all parties on the Master Mailing List within three (3) business days after the later of (i) the Court's entry of this Order, and (ii) the date on which the United States trustee fixes the date for the first meeting of creditors pursuant to Section 341(a).

4. The Notice Agent is authorized to establish a case website at <https://www.donlinrecano.com/gumps> where, among other things, key dates, documents and information about the Debtors' Chapter 11 Cases, including electronic copies of all papers filed in the Chapter 11 Cases, will be posted and may be viewed by the public free of charge. In addition, notice of the commencement of the Chapter 11 Cases and link to the case website shall be provided on the Debtors' website, [www.gumps.com](http://www.gumps.com).

5. Any person, including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts, but not including governmental units, asserting a prepetition claim (as defined in Section 101(5)) against any of Debtor shall file a Proof of Claim in the Chapter 11 Case of each Debtor against which such person or entity asserts a claim so that it is received by the Notice Agent on or before October 2, 2018 at 4:00 p.m. (Pacific Time) (the "General Bar Date").

6. Any governmental unit (as defined in Section 101(27)) asserting a claim (as defined in Section 101(5)) against one or more Debtors shall file a Proof of Claim so that it is received by the Notice Agent on or before January 30, 2019 at 4:00 p.m. (Pacific Time) (the "Governmental Bar Date").

7. If any Debtor rejects an executory contract or an unexpired lease pursuant to Section 365, the Proof of Claim on account of any alleged damages resulting from such rejection of such executory contract or unexpired lease shall be filed so that it is received by the Notice Agent on or before the later of (i) the General Bar Date, and (ii) the date that is thirty (30) days after the entry of any order of this Court authorizing Debtors' rejection of an executory contract or unexpired lease (the "Rejection Damages Bar Date").

8. If Debtors serve notice of an amendment or supplement to one or more of their Schedules to (a) designate a claim as disputed, contingent, unliquidated or undetermined, (b) change the amount of a claim reflected therein, (c) change the priority or secured status of a claim reflected therein, or (d) add a claim that was not listed on the Schedules as the deadline (any such date, a "Supplemental Bar Date" together with the General Bar Date, the Governmental Bar Date and the Rejection Damages Bar Date, the "Bar Dates") any holder of a claim so designated, changed or added must file a Proof of Claim on or before the later of (i) the General Bar Date and (ii) thirty (30) days after the date such claim is designated, changed or added.

9. Neither the Bar Dates nor any other deadline established in this Order applies to requests for the payment of administrative expenses arising in this case under Sections 503, 507(a)(2), 507(b), 330(a), 331, and/or 364.

10. Proofs of Claim sent to the Notice Agent *via* first-class mail shall be addressed to:

Donlin, Recano & Company, Inc.  
Re: Gump's Holdings, LLC, et al.  
P.O. Box 199043  
Blythebourne Station  
Brooklyn, NY 11219

11. Proofs of Claim sent to the Notice Agent *via* hand delivery or overnight courier shall be addressed to:

Donlin, Recano & Company, Inc.  
Re: Gump's Holdings, LLC, et al.  
6201 15th Avenue  
Brooklyn, NY 11219

12. Proofs of Claim mailed or delivered to the Notice Agent shall be deemed timely filed only if actually received by the Notice Agent on or before the applicable Bar Date at the address listed above.

13. The Notice Agent shall not be required to accept Proofs of Claim sent *via* facsimile, telecopy, e-mail or other electronic submission.

14. The following persons or entities shall not be required to file Proofs of Claim:

- a. any person or entity that has already properly filed a Proof of Claim against the applicable Debtor(s) on or before the General Bar Date with the Clerk of the Court for the United States Bankruptcy Court for the District of Nevada 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 in the Schedules as “disputed,” “contingent,” or “unliquidated,” and (iii) who does not dispute the amount or characterization of its claim (including on grounds that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules) in the Schedules;
  - c. any professionals retained by Debtors pursuant to orders of this Court who assert administrative claims for fees and expenses subject to the Court’s approval pursuant to Sections 330, 331 and 503(b);
  - d. any person or entity that asserts an administrative expense claim against Debtors pursuant to Section 503(b);
  - e. any Debtor asserting a claim against another Debtor;
  - f. any person or entity whose claim against Debtors has been allowed by an order of the Court entered on or before the General Bar Date;
  - g. any holder of a claim for which specific deadlines have previously been fixed by the Court;
  - h. any person or entity whose claim against Debtors has been paid in full by any of Debtors pursuant to an order of the Court entered on or before the General Bar Date; and
  - i. any entity holding an interest in any Debtor whose interest is based solely upon the ownership of common or preferred stock in a corporation, a membership interest in a limited liability company, warrants or rights to purchase, sell or subscribe to such a security or interest, need not file a proof of interest on or before the General Bar Date; *provided, however*, that interest holders that wish to assert claims against any of Debtors that arise out of or relate to the ownership or purchase of an interest, including claims arising out of or relating to the purchase, sale, issuance, or distribution of an interest, must file Proofs of Claim on or before the General Bar Date, unless another of the exceptions enumerated above applies.
15. Any person or entity that is required to file a Proof of Claim but fails to timely or properly file a Proof of Claim, shall (i) not be treated as a creditor with respect to any such claims for the purposes of voting and distribution, and (ii) not receive or be entitled to receive

1 any payment or distribution of property from Debtors or their successors or assigns with respect  
2 to such claim.

3 16. The Proof of Claim Form, in substantially the form attached hereto as **Exhibit B**,  
4 the Commencement Notice, in substantially the form attached hereto as **Exhibit C**, and the Bar  
5 Date Notice, in substantially the form attached hereto as **Exhibit D**, are hereby approved in all  
6 respects.

7 17. The Commencement Notice relating to the Chapter 11 Cases replaces and  
8 supersedes in its entirety any "Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors &  
9 Deadlines" entered in the Chapter 11 Cases.

10 18. The Notice Procedure, Bar Date Notice, and the Commencement Notice shall be  
11 deemed good, adequate, and sufficient notice of the relief granted by this Order to all known  
12 creditors of Debtors if it is served, together with a Proof of Claim form, by being deposited in  
13 first-class U.S. mail, postage prepaid (or in such other manner generally authorized for service  
14 by the Court in the Chapter 11 Cases) no later than three (3) business days following the later of  
15 (i) the entry of this Order; and (ii) the date on which the United States trustee fixes the date for  
16 the meeting of creditors pursuant to Section 341(a), upon all Notice Parties.

17 19. Debtors shall publish the Publication Notice, substantially in the form attached  
18 hereto as **Exhibit E** (with appropriate modification for publication), once in the San Francisco  
19 Chronicle, Nevada Legal News, and the DeSoto Times-Tribune no later than twenty (21) days  
20 prior to the General Bar Date, which Publication Notice is hereby approved in all respects and  
21 which shall be deemed good, adequate, and sufficient notice of the Bar Dates upon: (i) those  
22 creditors to whom no other notice was sent and who are unknown or not reasonably ascertainable  
23 by Debtors, including purchasers or holders of Gift Cards or store credits for whom Debtors do  
24 not have valid contact information or for whom the notice pursuant to Bankruptcy Rule  
25 2002(a)(1) is returned as undeliverable; (ii) purchasers or holders of Gift Cards or store credits of  
26 *de minimis* amounts (less than \$20.00); and (iii) creditors with potential claims unknown by  
27 Debtors (the "Publication Notice Parties").

28

1           20. Nothing in this Order shall prejudice the right of Debtors or any other party-in-  
2 interest to, among other things, object to any Proof of Claim on any grounds, dispute or assert  
3 offsets or defenses to any claim listed on the Schedules as to amount, liability, characterization  
4 or otherwise, and to subsequently designate any claim as disputed, contingent or unliquidated.

5           21. Debtors are authorized to take all actions necessary to implement the relief  
6 granted in this Order.

7           22. This Court shall retain jurisdiction to hear and determine all matters arising from  
8 or related to implementation of this Order.

9           **IT IS SO ORDERED.**

10          Prepared and Submitted by:

11          GARMAN TURNER GORDON LLP

12  
13          By: /s/ Gabrielle A. Hamm  
14               WILLIAM M. NOALL  
15               GABRIELLE A. HAMM  
16               MARK M. WEISENMILLER  
17               650 White Drive, Suite 100  
18               Las Vegas, Nevada 89119  
19               Attorneys for Debtors  
20  
21  
22  
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**LR 9021 CERTIFICATION**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- ☐ The court waived the requirement of approval under LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated in the order.

Edward McDonald	Office of the United States Trustee	APPROVED
Judith Ross	Counsel for Sterling Business Credit, LLC	APPROVED
Steven Fox	Counsel for the Contractual Joint Venture Formed by Hilco Merchant Resources, LLC and Gordon Brothers Retail Partners, LLC	WAIVED

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objection to the form or content of the order.

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# EXHIBIT A

# EXHIBIT A

GARMAN TURNER GORDON LLP  
 WILLIAM M. NOALL  
 Nevada Bar No. 3549  
 E-mail: wnoall@gtg.legal  
 GABRIELLE A. HAMM  
 Nevada Bar No. 11588  
 E-mail: ghamm@gtg.legal  
 MARK M. WEISENMILLER  
 Nevada Bar No. 12128  
 E-mail: mweisenmiller@gtg.legal  
 650 White Drive, Suite 100  
 Las Vegas, Nevada 89119  
 Telephone (725) 777-3000  
 Facsimile (725) 777-3112  
*Attorneys for Debtor*

**UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA**

In re:  GUMP'S HOLDINGS, LLC  <input type="checkbox"/> Affects this Debtor. <hr/> <input checked="" type="checkbox"/> Affects all Debtors. <hr/> <input type="checkbox"/> Affects Gump's Corp. <hr/> <input type="checkbox"/> Affects Gump's By Mail, Inc.	Case No.: BK-S-18-14683-leb Chapter 11  <i>Jointly administered with:</i>  No. BK-S-14684 (In re Gump's Corp.) No. BK-S-14685 (In re Gump's By Mail, Inc.)  Location: 300 Las Vegas Blvd. South Las Vegas, NV 89101 Courtroom 3
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**PROCEDURES FOR PROVIDING NOTICING IN THE CHAPTER 11 CASES**

**I. INTRODUCTION**

Orders for relief were entered in the chapter 11 cases (the "Chapter 11 Cases") of the above-captioned debtors (the "Debtors") on August 3, 2018.

On August 3, 2018, the Court entered an order (the "Notice Procedures Order") pursuant to 11 U.S.C. §§ 102 and 105, Rules 2002, 9007, and 9036 of the Federal Rules of Bankruptcy Procedure, and Rule 2002 of the Local Rules of Bankruptcy Practice for the United States Bankruptcy Court for the District of Nevada approving the notice procedures (the "Notice Procedures"). These Notice Procedures apply only in the Chapter 11 Cases and not to any adversary proceedings relating to the Chapter 11 Cases.

1 All documents filed in the Chapter 11 Cases, including the Notice Procedures Order, are  
2 publicly available at:

3 [https:// www.donlinrecano.com/gumps](https://www.donlinrecano.com/gumps)

4 Such documents are also available, for a nominal fee, through the PACER system on the Court's  
5 website at <http://www.nvb.uscourts.gov/case-info/> or by visiting the Clerk's Office during  
6 normal business hours.

7 Pursuant to the Notice Procedures Order, all notices, motions, applications, briefs,  
8 memoranda, exhibits, affidavits, declarations, objections, responses, replies, and other documents  
9 filed in the Chapter 11 Cases are subject to the Notice Procedures. Additionally, while the  
10 Bankruptcy Code, Bankruptcy Rules, and the Local Bankruptcy Rules apply to the Chapter 11  
11 Cases, to the extent there is a conflict between the foregoing and the Notice Procedures, the Notice  
12 Procedures shall govern in all respects. **Accordingly, all parties in interest are strongly  
13 encouraged to review these Notice Procedures in their entirety and consult their own legal  
14 counsel with respect to any of the matters discussed herein prior to filing any documents in  
15 the Chapter 11 Cases.**

## 16 **II. FILING PROCEDURES**

17 All notices, motions, applications, and other requests for relief, briefs, memoranda,  
18 exhibits, affidavits, declarations, replies, and other documents filed in support of such papers  
19 seeking relief (collectively, the "Requests for Relief"), and all objections and responses to such  
20 Requests for Relief (collectively, the "Objections," and together with the Requests for Relief and  
21 all other filed documents, the "Court Filings") filed in the Chapter 11 Cases shall be filed  
22 electronically with the Court on the docket of the case styled *In re Gump's Holdings, LLC*, Case  
23 No. BK-S-18-14683-leb, by registered users of the Court's Case Management/Electronic Case  
24 Files (CM/ECF) filing system (the "Electronic Filing System") or as otherwise permitted by  
25 Local Rule 5005 or other applicable rules. Pursuant to Local Rule 9014(e)(2), courtesy copies of  
26 Court Filings relating to matters set for hearing must be delivered to the clerk's office no later  
27 than two (2) business days after filing; except for matters set on shortened time, which must be  
28 delivered to the court no later than (1) business day after filing. The address for courtesy copies  
is as follows:

Chambers of Hon. Laurel E. Babero  
U.S. Bankruptcy Court, District of Nevada  
Foley Federal Building  
300 Las Vegas Boulevard South  
Las Vegas, NV 89101

Proofs of claim shall *not* constitute Court Filings and shall be filed with Donlin, Recano &  
Company, Inc. (the "Notice Agent") at the addresses set forth in the "Notice of Chapter 11  
Bankruptcy Case, Meeting of Creditors & Deadlines" approved by the Notice Procedures Order  
and provided herewith.

## 29 **III. NOTICE AND SERVICE PROCEDURES.**

Service of all Court Filings shall be effected within two (2) business days after the filing

thereof, in the manner set forth in these Notice Procedures. Notice and service accomplished in accordance with these Notice Procedures shall be deemed adequate in all respects pursuant to the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules.

**A. Service Lists.**

**1. The Master Mailing List.**

Debtors shall prepare, submit, and maintain a master mailing list in accordance with Local Rule 1007(b) (the “Master Mailing List”). To the extent that any person or entity on the Master Mailing List submits a writing to Debtors’ counsel or the Notice Agent requesting that the person or entity no longer receive notices relating to the Chapter 11 Cases, such person or entity may be removed from the Master Mailing List by Debtors’ counsel and/or the Notice Agent.

**2. The Core Service List.**

Notice Agent shall maintain a core service list (the “Core Service List”). The Core Service List shall be made available by (i) accessing the Case Website, (ii) contacting Notice Agent directly, or (iii) contacting the Debtors’ counsel directly. The Core Service List shall include the following parties:

- (i) Gump’s Holdings, LLC, Gump’s Corp., and Gump’s By Mail, Inc., 135 Post Street, San Francisco, CA 94108, Attn: Tony Lopez;
- (ii) counsel to Debtors, Garman Turner Gordon LLP, 650 White Drive, Ste. 100, Las Vegas, NV 89119, Attn: William M. Noall, Esq.;
- (iii) counsel to Sterling Business Credit, LLC, Law Offices of Judith W. Ross, 700 North Pearl Street, Suite 1610, Dallas, TX 75201, Attn: Judith W. Ross, Esq. (judith.ross@judithwross.com);
- (iv) Sterling Business Credit, LLC, 8401 N. Central Expressway, Suite 600, Dallas, TX 75225, Attn: Laurel Varney (lvarney@snb.com);
- (v) Hilco Merchant Resources, LLC (“Hilco”), 5 Revere Drive, Suite 206, Northbrook, IL 60062, Attn: Ian S. Fredericks;
- (vi) Gordon Brothers Retail Partners, LLC (“GB”), Prudential Tower, 800 Boylston Street, Boston, MA 02119, Attn: Mackenzie Shea;
- (vii) counsel for Hilco and GB, Riemer Braunstein LLP, Seven Times Square, Suite 2506, New York, New York 10036, Attn: Steven Fox, Esq., (SFox@riemerlaw.com);
- (viii) Corporate Partners II, Limited, 45 Rockefeller Plaza, Suite 2626, New York, NY 10111, Attn: Jonathan Kagan;
- (ix) The Office of the United States Trustee for the District of Nevada (the “United States Trustee”), United States Trustee, 300 Las Vegas Blvd. South #4300, Las Vegas, NV 89101;
- (x) counsel to any statutory committee of unsecured creditors (the “Creditors Committee”), or, until such time as any committee is appointed, the

- 1 entities listed on the consolidated list of twenty (20) largest creditors filed  
by the Debtors in the Chapter 11 Cases at the addresses indicated thereon;
- 2 (xi) Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346;<sup>1</sup>
- 3 (xii) United States Attorney's Office, Attn: Civil Process Clerk, 333 Las Vegas  
4 Blvd. South, Suite 5000, Las Vegas, NV 89101;
- 5 (xiii) Social Security Administration, Office of the Regional Chief Counsel,  
Region IX, 160 Spear Street, Suite 800, San Francisco, CA 94105-1545;
- 6 (xiv) Secretary of State, State of California, 1500 11th Street, Sacramento, CA  
7 95814;
- 8 (xv) California Department of Tax and Fee Adm., Account Information Group,  
MIC: 29, PO Box 942879, Sacramento, CA 94279-0029;
- 9 (xvi) Franchise Tax Board, Bankruptcy Section, MS A340, P.O. Box 2952,  
Sacramento, CA 95812-2952;
- 10 (xvii) Employment Development Department, Attn: MIC 53800, Capitol Mall,  
11 Sacramento, CA 95814;
- 12 (xviii) Labor Commissioner, State of California, 1515 Clay Street, Room 801,  
Oakland, CA 94612;
- 13 (xix) Nevada Department of Taxation, Bankruptcy Section, 555 E. Washington  
Ave., #1300, Las Vegas, NV 89101;
- 14 (xx) Mississippi Department of Revenue, Bankruptcy Section, P.O. Box 22808,  
15 Jackson, MS 39225-2808;
- 16 (xxi) Mississippi Attorney General, 550 High Street, Suite 1200, Jackson, MS  
39205;
- 17 (xxii) California Attorney General's Office, Consumer Law Section, Attn:  
18 Bankruptcy Notices, 455 Golden Gate Avenue, Suite 11000, San  
Francisco, CA 94102-7004;
- 19 (xxiii) Social Security Administration, Office of the General Counsel, Region IV,  
20 61 Forsyth Street, SW, Suite 20T45, Atlanta, GA 30303;
- 21 (xxiv) Zillah A. Frampton, Bankruptcy Administrator, Division of Revenue/  
Bankruptcy Services, Carvel State Office Building, 8th floor, Wilmington,  
22 Delaware 19801.

### 23 3. The 2002 List.

24 The Notice Agent shall maintain a list of all parties that have filed a request to receive  
25 service of Court Filings pursuant to Bankruptcy Rule 2002 (the "2002 List," and, together with  
the Core Service List, but not the Master Mailing List, the "Limited Service Lists"). The 2002  
26 List shall be made available by (i) accessing the Case Website; (ii) contacting the Notice Agent

27 <sup>1</sup> Together with the United States Trustee and the addresses that follow, these are the addresses required for service  
28 as listed in the "Register of Mailing Addresses of Federal and State Governmental Units" in the applicable  
jurisdictions.

1 directly; or (iii) contacting Debtors' counsel directly.

2 (i) **Filing Requests for Documents Requires Email Address.** A request for  
 3 service of Court Filings pursuant to Bankruptcy Rule 2002 (each, a "2002 Notice  
 4 Request") filed with the Court shall be deemed proper only if it includes the  
 5 following information with respect to the party filing such request: (a) name; (b)  
 6 street address; (c) name of client(s), if applicable; (d) telephone number; (e)  
 7 facsimile number; and (f) email address. A 2002 Notice Request containing an  
 8 email address shall be deemed (1) an agreement between such entity and any  
 9 person giving notice in the Chapter 11 Cases via email to the email address  
 10 indicated for all purposes with respect to the Chapter 11 Cases under Bankruptcy  
 11 Rule 2002(g)(4); (2) a request for noticing to such email address pursuant to  
 Bankruptcy Rule 9036; and (3) a written consent to service by electronic means  
 for the purposes of Rule 5(b)(E) of the Federal Rules of Civil Procedure. This  
 provision shall apply to 2002 Notice Requests received prior to and after the date  
 of entry of the Notice Procedures Order. It is each party's responsibility to ensure  
 that an email containing the phrase "BK-S-18-14683-leb" in the subject line is  
 exempted from any "spam" or similar email filter.

12 (ii) **Certification Opting Out of Email Service.** Any party filing a 2002 Notice  
 13 Request who does not maintain (and cannot practicably obtain) an email address  
 14 and cannot receive service by email must include in the 2002 Notice Request a  
 15 certification to that effect (a "Certification"). A Certification shall include a  
 16 statement certifying that the party (a) does not maintain an email address; and (b)  
 cannot practicably obtain an email address at which the party could receive  
 service. Such party will thereafter receive paper service in lieu of email service  
 under these Notice Procedures.

17 (iii) **Email Address Required.** If a 2002 Notice Request fails to include an email  
 18 address or a Certification, such party shall not be added to the 2002 List or served  
 19 with copies of Court Filings unless such Court Filings directly affect such party or  
 20 unless such Court Filings are made on the Master Mailing List and such party is  
 21 listed on the Master Mailing List. To the extent a 2002 Notice Request was filed  
 22 prior to entry of the Notice Procedures Order, Debtors shall request an email  
 23 address. If no email address or Certification is provided in response to such  
 request, such party shall not be added to the 2002 List or served with copies of  
 Court Filings unless such Court Filings directly affect such party or unless such  
 Court Filings are made on the Master Mailing List and such party is listed on the  
 Master Mailing List.

24 (iv) **Changes in Information.** Each party submitting a 2002 Notice Request is  
 25 responsible for filing with the Court an updated 2002 Notice Request as necessary  
 26 to reflect changes to any notice information and must serve a copy of such  
 updated 2002 Notice Request upon the Debtors.

#### 27 **4. Service List Maintenance and Access.**

28 At least every 30 days, Notice Agent shall update the Service Lists by making any

1 necessary additions and deletions and post the updated Service Lists on the Case Website.  
 2 Notice Agent shall post the 2002 List on the Case Website commencing as of the date that is no  
 3 later than ten (10) days from the date of entry of the Notice Procedures Order.

4 **A. Service Generally.**

5 Other than (i) service of a summons and complaint in an adversary proceeding; (ii)  
 6 documents filed under seal; and (iii) proofs of claim, which shall be filed with the Notice Agent,  
 7 all Court Filings shall be filed electronically with the Court using the Court's Electronic Filing  
 8 System and such Court Filings shall be served *via* email on the Limited Service Lists, which  
 9 shall be deemed to constitute proper service for all parties who are sent such email service;  
 10 *provided, however*, that the notice of hearing related to any Request for Relief and the first (1)  
 11 page of any Objection shall also be served on the Core Service List by first class mail. Anytime  
 12 the Notice Procedures require that service be made by any means other than email, the Court  
 Filing may be printed doubled-sided, the print-size may be reduced, and/or each page of the  
 mailing may contain more than one page of the Court Filing. Service by email may be  
 effectuated by filing a document through the Court's Electronic Filing System and having that  
 system generate a notice that includes a link to such document. All other service by email shall  
 be effectuated through a separate email sent by or on behalf of the noticing party in accordance  
 with the rules set forth below:

13 (i) **Email Subject Line and Content.** With respect to the email service of any  
 14 Court Filing, the subject line of the email shall be "Notice Bankr. D. Nev. 18-  
 15 14683-leb" The body of the email shall contain (i) the summary description of the  
 16 document(s) being served (as appears on the Court's docket) and/or (ii) the full  
 title of the document(s) being served and the name of the party filing such  
 document(s).

17 (ii) **Email Attachment.** The Court Filings served by email shall be attached to the  
 18 email in PDF.

19 Notwithstanding anything else set forth in these Notice Procedures or other applicable  
 20 rules, certificates of service and 2002 Service Requests need only be filed on the Court's  
 Electronic Filing System and shall not be served by email or otherwise.

21 **B. Limitations on Service on all Creditors; Service on Particular Affected Parties.**

22 Except as otherwise specifically provided herein, with respect to any Court Filing that is  
 23 required to be served on all creditors, the parties shall serve the notice of hearing with respect to  
 24 such Requests for Relief or the first page of such Objection only on (i) the Limited Service Lists;  
 and (ii) the persons specified under the applicable circumstances (in each applicable  
 circumstance, an "Affected Party") as follows:

25 (i) in the case of any use, sale, lease, or abandonment of less than  
 26 substantially all of the Debtors' property, on each party asserting an  
 interest in that property;

27 (ii) in the case of any relief from or modification of the automatic stay, on  
 28 each party asserting a lien or other interest in the affected property;



- (iii) in the case of the use of cash collateral or obtaining of credit, on each party asserting an interest in the cash collateral or a lien or other interest in property upon which a lien or other interest is proposed to be granted;
- (iv) in the case of a motion under Bankruptcy Rule 9019, on all parties to the relevant compromise and settlement, or that may be directly affected by such compromise or settlement;
- (v) in the case of assumption, assignment, or rejection of an executory contract or an unexpired lease, on each party to the executory contract or the unexpired lease;
- (vi) any objection, opposition, response, reply, or further document filed directly in response to another party's Court Filing, on such other party; and
- (vii) all other parties as directed by the Court.

Service upon any Affected Party not included in a Limited Service List shall be effected by first class mail, private mail service, or hand delivery. Service upon any Affected Party included in a Limited Service List shall be effected as otherwise permitted in these Notice Procedures for service upon a Limited Service List.

The limitations set forth above in this Section B above shall not apply to Court Filings made pursuant to the following Bankruptcy Rules (the "Excluded Court Filings"):

- (i) Bankruptcy Rule 2002(a)(1) (meeting of creditors pursuant to Bankruptcy Code section 341);
- (ii) Bankruptcy Rule 2002(a)(2) (any proposed use, sale, or lease of property of the estate other than in the ordinary course of business), but only to the extent that such proposed use, sale or lease concerns all or substantially all of the Debtors' assets;
- (iii) Bankruptcy Rule 2002(a)(4) (hearing on the dismissal of a case or cases or the conversion of a case to another chapter);
- (iv) Bankruptcy Rule 2002(a)(5) (time fixed to accept or reject a proposed modification of a chapter 11 plan);
- (v) Bankruptcy Rule 2002(a)(7) (time fixed for filing a proof of claim pursuant to Bankruptcy Rule 3003(c));
- (vi) Bankruptcy Rule 2002(b)(1) (time fixed for filing objections to and any hearing to consider approval of a disclosure statement);
- (vii) Bankruptcy Rule 2002(b)(2) (time fixed for filing objections to and any hearing to consider confirmation of a chapter 11 plan);
- (viii) Bankruptcy Rule 2002(f)(1) (entry of an order for relief);
- (ix) Bankruptcy Rule 2002(f)(2) (dismissal or conversion of a case to another chapter of the Bankruptcy Code);



- (x) Bankruptcy Rule 2002(f)(3) (time allowed for filing claims pursuant to Bankruptcy Rule 3002);
- (xi) Bankruptcy Rule 2002(f)(6) (waiver, denial, or revocation of a discharge as provided in Bankruptcy Rule 4006);
- (xii) Bankruptcy Rule 2002(f)(7) (entry of an order confirming a chapter 11 plan); and
- (xiii) Bankruptcy Rule 2002(f)(8) (summary of the trustee's final report and account should a case be converted to chapter 7 of the Bankruptcy Code).

Service of Excluded Court Filings shall be made on all persons identified on the Master Mailing List as well as all equity security holders to the extent required by Bankruptcy Rule 2002(d). Where required, service on any such person not included in a Limited Service List shall be effected by first class mail, private mail service, or hand delivery; *provided, however*, that service of the Excluded Court Filings shall be limited as follows: (i) with respect to Requests for Relief, only service of the notice of hearing is required; and (ii) with respect to Objections, only service of the first page of the Objection is required. Service upon any such person included on the Limited Service List shall be effected as otherwise permitted in these Notice Procedures for service upon the Limited Service List.

**C. Service of Orders.**

All parties submitting orders in accordance with applicable Bankruptcy Rules and Local Rules shall, within two business days after entry thereof, serve a copy of the entered order on (i) the Limited Service Lists, (ii) any Affected Party, and (iii) Notice Agent. Notice Agent shall post all orders on the Case Website.

# EXHIBIT B

# EXHIBIT B

**Fill in this information to identify the case:**

Debtor \_\_\_\_\_

United States Bankruptcy Court for the District of Nevada

Case number \_\_\_\_\_

**NOTICE TO CLAIMANT:** Once complete, this form must be sent via first class mail, overnight courier, or hand delivery to:

**If Proof of Claim is sent by mail, send to:**  
 Donlin, Recano & Company, Inc.  
 Re: Gump's Holdings, LLC, et al.  
 P.O. Box 199043  
 Blythebourne Station  
 Brooklyn, NY 11219

**If Proof of Claim is sent by overnight courier or hand delivery, send to:**  
 Donlin, Recano & Company, Inc.  
 Re: Gump's Holdings, LLC, et al.  
 6201 15th Avenue  
 Brooklyn, NY 11219

## Official Form 410

## Proof of Claim

Proofs of Claim sent by facsimile or electronic mail transmission will **not** be accepted.

04/16

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of 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. That date is on the notice of bankruptcy (Form 309) that you received.**

### Part 1: Identify the Claim

<b>1. Who is the current creditor?</b> _____ Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____		
<b>2. Has this claim been acquired from someone else?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____		
<b>3. Where should notices and payments to the creditor be sent?</b>  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b> Name _____ Number _____ Street _____ City _____ State _____ ZIP Code _____ Contact phone _____ Contact email _____ Uniform claim identifier for electronic payments in chapter 13 (if you use one) _____	<b>Where should payments to the creditor be sent? (if different)</b> Name _____ Number _____ Street _____ City _____ State _____ ZIP Code _____ Contact phone _____ Contact email _____
	<b>4. Does this claim amend one already filed?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on ____ / ____ / ____	
	<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2:** Give Information About the Claim as of the Date the Case Was Filed

<b>6. Do you have any number you use to identify the debtor?</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
<b>7. How much is the claim?</b>	\$ _____ <b>Does this amount include interest or other charges?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
<b>8. What is the basis of the claim?</b>	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.  _____
<b>9. Is all or part of the claim secured?</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.  <b>Nature of property:</b> <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____  <b>Basis for perfection:</b> _____ 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.)  <b>Value of property:</b> \$ _____ <b>Amount of the claim that is secured:</b> \$ _____  <b>Amount of the claim that is unsecured:</b> \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)  <b>Amount necessary to cure any default as of the date of the petition:</b> \$ _____  <b>Annual Interest Rate</b> (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
<b>10. Is this claim based on a lease?</b>	<input type="checkbox"/> No <input type="checkbox"/> Yes. <b>Amount necessary to cure any default as of the date of the petition.</b> \$ _____
<b>11. Is this claim subject to a right of setoff?</b>	<input type="checkbox"/> No <input type="checkbox"/> 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 one:*

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

**Amount entitled to priority:**

\$ \_\_\_\_\_

☐ Up to \$2,850\* 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 \$12,850\*) 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 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

A claim may be partly priority and partly nonpriority. For example in some categories, the law limits the amount entitled to priority.

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

*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 acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**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.**

I have examined the information in this *Proof of Claim* and have a 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) \_\_\_\_\_

X \_\_\_\_\_  
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

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

# EXHIBIT C

# EXHIBIT C

**Information to identify the case:**

Chapter 11 cases for the below-listed debtors (the “Debtors”) were filed in the **United States Bankruptcy Court for the District of Nevada** on **August 3 , 2018**. The Debtors’ cases are jointly administered for procedural purposes under Case No. 18-BK-14683-leb.

Gump’s Holdings, LLC -- EIN 20-0748101 -- BK-18-14683-leb  
 Gump’s Corp. -- EIN 22-3236243 -- BK-18-14684-leb  
 Gump’s By Mail, Inc. -- EIN 94-3222698 -- BK-18-14685-leb

## Official Form 309F (For Corporations or Partnerships)

### Notice of Chapter 11 Bankruptcy Case

12/17

For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor’s property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney’s fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk’s office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk’s office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk’s office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

<b>1. Debtors' full names</b>	The Debtors' full names are as stated in the table entitled "Information to identify the cases"	
<b>2. All other names used in the last 8 years</b>	Gump's San Francisco Gump's	
<b>3. Address</b>	135 Post Street San Francisco, CA 94108	
<b>4. Debtor's attorney</b>	Garman Turner Gordon LLP 650 White Drive, Suite 100 Las Vegas, NV 89119 Attn: William M. Noall	Contact phone: (725) 777-3000 Contact email: wnoall@gtg.legal
<b>5. Bankruptcy clerk's office</b> You may inspect all records file in this case at this office or online at <a href="http://www.donlinrecano.com/gumps">www.donlinrecano.com/gumps</a> (at no cost) or <a href="http://www.pacer.gov">www.pacer.gov</a> (registration required). Filing in the bankruptcy case is governed by the Court's order enclosed herewith and the applicable Local Rules	U.S. Bankruptcy Court District of Nevada Foley Federal Building 300 Las Vegas Boulevard South Las Vegas, NV 89101	Hours of Operation: 9:00 am - 4:00 pm, Monday - Friday, closed Federal Holidays. Contact phone: (702) 527-7000
<b>6. Meeting of creditors</b> Debtors must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.	Date: September 6, 2018 Time: 4:00 p.m.	Location: U.S. Bankruptcy Court District of Nevada, Rm. #1500 Foley Federal Building 300 Las Vegas Boulevard S. Las Vegas, NV 89101

For more information, see page 2 ►

Debtor \_\_\_\_\_ Case number (if known) \_\_\_\_\_  
 Name \_\_\_\_\_

**7. Proof of claim deadline****Deadline for filing proof of claim:**

**October 2, 2018 at 4:00 pm** for all persons and entities *other than* governmental units (as defined in section 101(27) of the Bankruptcy Code); and  
**January 30, 2019 at 4:00 pm** for governmental entities.

**If Proof of Claim is sent by mail, send to:**

Donlin, Recano & Company, Inc.  
 Re: Gump's Holdings, LLC, et al.  
 P.O. Box 199043  
 Blythebourne Station  
 Brooklyn, NY 11219

**If Proof of Claim is sent by overnight courier or hand delivery, send to:**

Donlin, Recano & Company, Inc.  
 Re: Gump's Holdings, LLC, et al.  
 6201 15th Avenue  
 Brooklyn, NY 11219

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office.

Your claim will be allowed in the amount scheduled unless:

- ☐ your claim is designated as *disputed, contingent, or unliquidated*;
- ☐ you file a proof of claim in a different amount; or
- ☐ you receive another notice.

If your claim is not scheduled or if your claim is designated as *disputed, contingent, or unliquidated*, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.

You may review the schedules at the bankruptcy clerk's office or online at [www.pacer.gov](http://www.pacer.gov).

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**8. Exception to discharge deadline**

The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.

You must start a judicial proceeding by filing a complaint if you want to have a debt excepted from discharge under 11 U.S.C. § 1141(d)(6)(A)

**Deadline for filing the complaint:**

None \_\_\_\_\_

**9. Creditors with a foreign address**

If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**10. Filing a Chapter 11 bankruptcy case**

Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.

**11. Discharge of debts**

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge and § 523(c) applies to your claim, you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.



# EXHIBIT D

EXHIBIT D

GARMAN TURNER GORDON LLP  
 WILLIAM M. NOALL  
 Nevada Bar No. 3549  
 E-mail: wnoall@gtg.legal  
 GABRIELLE A. HAMM  
 Nevada Bar No. 11588  
 E-mail: ghamm@gtg.legal  
 MARK M. WEISENMILLER  
 Nevada Bar No. 12128  
 E-mail: mweisenmiller@gtg.legal  
 650 White Drive, Suite 100  
 Las Vegas, Nevada 89119  
 Telephone (725) 777-3000  
 Facsimile (725) 777-3112  
*Attorneys for Debtor*

**UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF NEVADA**

In re:  GUMP'S HOLDINGS, LLC  <input type="checkbox"/> Affects this Debtor.  <input checked="" type="checkbox"/> Affects all Debtors.  <input type="checkbox"/> Affects Gump's Corp.  <input type="checkbox"/> Affects Gump's By Mail, Inc.	Case No.: BK-S-18-14683-leb Chapter 11  <i>Jointly administered with:</i>  No. BK-S-14684 (In re Gump's Corp.) No. BK-S-14685 (In re Gump's By Mail, Inc.)  Location: 300 Las Vegas Blvd. South Las Vegas, NV 89101 Courtroom 3
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**NOTICE OF DEADLINE AND PROCEDURES FOR FILING PROOFS OF CLAIM**

**PLEASE TAKE NOTICE** that on August \_\_, 2018, the United States Bankruptcy Court for the District of Nevada (the "Bankruptcy Court") entered an order (the "Bar Date Order") fixing the following dates as the last date for all persons, including all individuals, partnerships, corporations, estates, trusts, and governmental units, who have or assert, or believe they may have or asserts any claim against the above-captioned debtors ("Debtors") to file proofs of claim against the estates of the Debtors on account thereof:

- a. General Bar Date: October 2, 2018 at 4:00 p.m. prevailing Pacific Time (the "General Bar Date").
- b. Governmental Bar Date: January 30, 2019 at 4:00 p.m. prevailing Pacific Time (the "Governmental Bar Date").
- c. Amended Schedules Bar Date: The later of (i) the General Bar Date and (ii) the date that is 30 days from the date on which the Debtors provide notice of an

amendment to the Schedules to the affected party (with respect to any amendment, the “Amended Schedules Bar Date”).

- d. Rejection Damages Bar Date: To the later of (i) the General Bar Date; and (ii) the date that is thirty (30) days after the entry of any order of this Court authorizing a Debtor’s rejection of an executory contract or unexpired lease (with respect to any such objection, the “Rejection Damages Bar Date,” and, together with the General Bar Date, the Governmental Bar Date, and the Amended Schedules Bar Date, the “Bar Date”).

Under Section 101(5), and as used in this notice, the word “claim” means: (a) 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) 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 (a “Claim”).

**The Bar Dates and the procedures set forth below for filing Proofs of Claim apply to all Claims that arose before August 3, 2018** (each such claim, a “Prepetition Claim”). The Bar Date Order also establishes certain other potential bar dates for the rejection of executory contracts and leases or if the Debtors amend their Schedules.

### **1. WHO MUST FILE A PROOF OF CLAIM.**

YOU MUST FILE A PROOF OF CLAIM in the Chapter 11 Cases of the Debtors if you have a Prepetition Claim against the Debtors, no matter how remote or contingent, unless your Prepetition Claim is of a type described in paragraphs 2 or 3 below, whether such Prepetition Claim is of a general unsecured, priority, or secured status, and notwithstanding that such Prepetition Claim may not have matured or become fixed or liquidated prior to August 3, 2018 (the “Petition Date”). Any person or entity (a) whose claim: (i) is not listed in the schedule of liabilities filed with the Court, or any amendments thereto (as may be amended, the “Schedules”); (ii) is listed in the Schedules but believed by such person or entity to be in an incorrect amount or in an improper class; or (iii) is listed as “disputed,” “contingent,” or “unliquidated” in the Schedules; and (b) who desires to participate in these Chapter 11 Cases and share in any distribution, must file a proof of claim on or before the applicable Bar Date.

### **2. WHO MAY FILE A PROOF OF CLAIM, BUT IS NOT REQUIRED TO.**

YOU MAY, BUT ARE NOT REQUIRED TO, FILE A PROOF OF CLAIM if your Prepetition Claim: (a) is correctly listed on the Debtors’ Schedules; (b) is not listed as “contingent,” “unliquidated,” or “disputed” (*provided that* no such Claim may be allowed in an amount exceeding the amount as listed on the Schedules unless a Proof of Claim for a higher amount is filed and subsequently allowed); and (c) is accurately scheduled as to its amount or classification.

### **3. WHO SHOULD NOT FILE A PROOF OF CLAIM.**

YOU SHOULD NOT FILE A PROOF OF CLAIM if (a) you have already properly filed a proof of claim with the Court; (b) the Court has already entered an order allowing your Claim; (c) you have no Prepetition Claim; (d) your claim arises after the Petition Date whether or not

1 your Claim is entitled to administrative expense status under Sections 503(b) or 507(a) (except  
2 with respect to the holder of a Claim arising under Section 503(b)(9)); or (e) your Claim  
previously has been paid or otherwise satisfied pursuant to an order of the Court.

3  
4 **4. WHEN AND WHERE TO FILE.**

Each Proof of Claim must be filed by the applicable Bar Date. Each Proof of Claim,  
5 including appropriate supporting documentation, must be filed so as to be actually received by  
Donlin, Recano & Company, Inc. ("Donlin") on or before the applicable Bar Date at the  
6 following addresses:

7 Proofs of Claim sent to Donlin *via* first-class mail shall be addressed to:

8 Donlin, Recano & Company, Inc.  
9 Re: Gump's Holdings, LLC, et al.  
P.O. Box 199043  
10 Blythebourne Station  
Brooklyn, NY 11219

11 Proofs of Claim sent to Donlin *via* hand delivery or overnight courier shall be addressed to:

12 Donlin, Recano & Company, Inc.  
13 Re: Gump's Holdings, LLC, et al.  
6201 15th Avenue  
14 Brooklyn, NY 11219

15 Only original Proof of Claim submitted to Donlin will be deemed acceptable for purpose of  
16 claims administration. Proof of Claim sent by facsimile or electronic mail will not be accepted.

17 **5. WHAT TO FILE.**

18 If you file a Proof of Claim, your Proof of Claim must (i) conform to the approved Proof  
19 of Claim Form enclosed herewith; (ii) be written in the English language; (iii) be denominated in  
20 lawful currency of the United States as of the Petition Date; (iv) set forth with specificity the  
legal and factual basis for the alleged Claim; (v) include supporting documentation for the Claim  
21 or an explanation as to why such documentation is not available; (vi) be signed by the claimant  
or an authorized agent thereof; (vii) specify the Debtor against whom the Claim is asserted; and  
22 (viii) be filed in accordance with the instructions provided by the Bankruptcy Court and available  
on the website for the Chapter 11 Cases, <https://www.donlinrecano.com/gumps>.

23 **6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY**  
24 **THE APPLICABLE BAR DATE.**

25 Except for creditors that are excused from filing a Proof of Claim as and to the extent  
26 provided in paragraphs 2 and 3 above, with respect to any creditor who fails to file a Proof of  
Claim on or before the applicable Bar Date, (a) such creditor shall be forever barred, estopped,  
27 and enjoined from asserting such Claim against the Debtors (or filing a proof of claim with  
respect thereto); (b) such creditor shall be forever barred, estopped, and enjoined from asserting  
28 that such person or entity has any Claim that (i) is in an amount that exceeds the amount, if any,

1 that is set forth in the Schedules, or (ii) is of a different nature or in a different classification; (c)  
2 the Debtors and their assets shall be forever discharged from any and all indebtedness or liability  
3 with respect to such Claim; and (d) such creditor shall not be permitted to vote to accept or reject  
4 any chapter 11 plan of reorganization filed in the Chapter 11 Cases, or participate in any  
distribution in such cases on account of such claim, or to receive further notices regarding the  
claim.

5 **7. ACCESS TO SCHEDULES.**

6 Copies of the Debtors' Schedules will be available for inspection at  
7 <https://www.donlinrecano.com/gumps>. Copies of the Schedules may also be examined by  
8 interested parties during regular business hours Monday through Friday at the Office of the Clerk  
of the United States Bankruptcy Court for the District of Nevada, 300 Las Vegas Blvd. South,  
Las Vegas, Nevada 89101.

9 **8. FURTHER INFORMATION.**

10 Questions regarding the filing of proof of claim should be directed to  
11 [gumpsinfo@donlinrecano.com](mailto:gumpsinfo@donlinrecano.com) or by accessing the Case Website:  
12 [www.donlinrecano.com/gumps](http://www.donlinrecano.com/gumps). Attorneys to Debtors are unable to provide you with legal  
13 advice concerning your claim.

14 **9. RECEIPT OF THIS NOTICE DOES NOT GUARANTEE THAT YOU  
HOLD A CLAIM AGAINST ANY DEBTOR.**

15 THIS NOTICE IS BEING SENT TO PERSONS AND PARTIES THAT HAVE HAD SOME  
16 RELATIONSHIP WITH OR HAVE DONE BUSINESS WITH THE DEBTORS BUT MAY  
17 NOT HAVE AN UNPAID CLAIM AGAINST THE DEBTORS. THE FACT THAT YOU  
18 HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE A CLAIM OR  
THAT THE DEBTORS OR THE BANKRUPTCY COURT BELIEVE THAT YOU HAVE A  
CLAIM.

19 **EACH PERSON RECEIVING THIS NOTICE IS ADVISED TO CONSULT AN  
20 ATTORNEY REGARDING ANY OTHER INQUIRIES, SUCH AS WHETHER SUCH  
21 PERSON SHOULD FILE A PROOF OF CLAIM.**

EXHIBIT E

EXHIBIT E

[TEXT OF PUBLICATION NOTICE]

**NOTICE OF BANKRUPTCY.** On August 3, 2018, the United States Bankruptcy Court for the District of Nevada entered an order for relief under chapter 11 of the U.S. Bankruptcy Code against the following entities (the “Debtors”): (i) Gump’s Holdings, LLC, a Nevada limited liability company; (ii) Gump’s Corp., a California corporation; and (iii) Gump’s By Mail, Inc., a Delaware corporation. Debtors’ bankruptcy cases are jointly administered as Bankr. D. Nev. Case No. BK-S-18-14683-leb. If you hold a claim against any Debtor, your rights will be affected by these bankruptcy cases. **THE DEADLINE FOR FILING CLAIMS AGAINST DEBTORS IS OCTOBER 2, 2018, AT 4:00 P.M. (PACIFIC TIME)** (unless you are a governmental entity under 11 U.S.C. § 101(27), in which case the deadline for filing claims is **January 30, 2019, AT 4:00 P.M. (PACIFIC TIME)**). Further information, including instructions for filing claims against Debtors, may be obtained by accessing [www.donlinrecano.com/gumps](http://www.donlinrecano.com/gumps) or emailing Debtors’ claims agent at [gumpsinfo@donlinrecano.com](mailto:gumpsinfo@donlinrecano.com). **FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE DEADLINE MAY RESULT IN YOUR CLAIM BEING FOREVER BARRED, DISCHARGED, AND RENDERED UNENFORCEABLE AGAINST DEBTORS OR THEIR ASSETS AND PRECLUDE YOU FROM PARTICIPATING IN DEBTORS’ BANKRUPTCY CASES.**