

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE	
In re KLAUSNER LUMBER TWO, LLC, Debtor.	Case No. 20-11518 (KBO) Chapter 11 Fed. EIN: 35-2454897
NOTICE OF DEADLINES TO FILE PROOFS OF CLAIM AND REQUESTS FOR PAYMENT OF ADMINISTRATIVE EXPENSES	
Other names used by the Debtor in the past eight years:	
Attorneys for Debtor:	<p>Thomas A. Draghi (admitted <i>pro hac vice</i>) Alison M. Ladd (admitted <i>pro hac vice</i>) WESTERMAN BALL EDERER MILLER ZUCKER & SHARFSTEIN, LLP 1201 RXR Plaza Uniondale, New York 11556 Telephone: (516) 622-9200 Facsimile: (516) 622-9212</p> <p>Robert J. Dehney (No. 3578) Daniel B. Butz (No. 4227) MORRIS, NICHOLS, ARSHT & TUNNELL LLP 1201 N. Market Street, 16th Floor P.O. Box 1347 Wilmington, Delaware 19899-1347 Telephone: (302) 658-9200 Facsimile: (302) 658-3989</p>
Address of the Clerk of the Bankruptcy Court:	824 Market Street North, 3rd Floor Wilmington, DE 19801 Telephone: 302-252-2900 Hours Open: 8:00 a.m. – 4:00 p.m. Monday-Friday

PLEASE TAKE NOTICE THAT:

YOU ARE RECEIVING THIS NOTICE BECAUSE YOU MAY HAVE A CLAIM AGAINST THE DEBTOR IN THE ABOVE-CAPTIONED CHAPTER 11 CASE. THEREFORE, YOU SHOULD READ THIS NOTICE CAREFULLY AND CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS, INCLUDING WHETHER YOU SHOULD FILE A PROOF OF CLAIM.

On June 10, 2020 (the “Commencement Date”), Klausner Lumber Two, LLC, as a debtor and debtor in possession (the “Debtor”), filed a voluntary case under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

On December 15, 2020, the Bankruptcy Court, having jurisdiction over the chapter 11 case of the Debtor, entered an order (the “Bar Date Order”) establishing the following Bar Dates:

- a. **January 29, 2021 at 5:00 p.m. (prevailing Eastern Time)**, as the deadline for each person or entity (including individuals, partnerships, corporations, joint ventures, trusts, but not including governmental units (as defined in section 101(27) of the Bankruptcy Code) (“Governmental Units”)), to file a proof of claim (each, a “Proof of Claim”) in respect of a prepetition claim (as defined in section 101(5) of the Bankruptcy Code), including, for the avoidance of doubt, secured claims, unsecured priority claims, unsecured non-priority claims, and claims arising under section

503(b)(9) of the Bankruptcy Code against the Debtor (the “General Bar Date”), unless otherwise provided herein;

- b. **January 29, 2021 at 5:00 p.m. (prevailing Eastern Time)**, as the deadline for Governmental Units to file a Proof of Claim in respect of a prepetition claim against the Debtor (the “Governmental Bar Date”);
- c. **January 29, 2021 at 5:00 p.m. (prevailing Eastern Time)**, (the “Administrative Claims Bar Date”) as the deadline for each person or entity that asserts a request for payment of administrative claims arising during the period from June 10, 2020 (the “Commencement Date”) through and including December 31, 2020 (the “Administrative Claims Period”), excluding (i) claims for professional fees and expenses in this case, and (ii) claims asserting administrative priority and arising in the ordinary course of business after the Commencement Date (the “Administrative Claims”), to file a request for payment of such Administrative Claims;¹
- d. The later of (i) the General Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (prevailing Eastern Time) on the date that is 30 days from the date on which an affected claimant receives notice of a previously unfiled Schedule or an amendment or supplement to the Schedules (as defined in the Bar Date Order) as the deadline by which claimants holding claims affected by such filing, amendment or supplement must file Proofs of Claim with respect to such claim (the “Amended Schedules Bar Date”); and
- e. The later of (i) the General Bar Date or the Governmental Bar Date, as applicable, or (ii) 5:00 p.m. (prevailing Eastern Time) on the date that is 30 days following receipt by an affected claimant of an order approving rejection of any executory contract or unexpired lease of the Debtor as the deadline by which claimants asserting claims resulting from the Debtor’s rejection of an executory contract or unexpired lease must file Proofs of Claim for damages arising from such rejection (the “Rejection Damages Bar Date,” and, together with the General Bar Date, the Governmental Bar Date, the Administrative Claims Bar Date, the Amended Schedules Bar Date, and any applicable Special Bar Date (as defined herein), the “Bar Dates”).

You may be a creditor of the Debtor. The Debtor is enclosing a Proof of Claim Form for use in this case. If your claim is scheduled by the Debtor, the form also may set forth the amount of your claim as scheduled by the Debtor. You will receive a different Proof of Claim Form for each claim scheduled in your name by the Debtor. The Debtor is also enclosing a Request for Payment of Administrative Expense Claim Form for use in this case.

If you have any questions relating to this Notice, please feel free to contact Donlin, Recano & Company, Inc. (“DRC”), the claims and noticing agent for this chapter 11 case, (a) by telephone, toll free at 1 (877) 208-9540 or (b) by e-mail at klausner2info@donlinrecano.com.

NOTE: The staff of the Bankruptcy Clerk’s Office, the Office of the United States Trustee, and the Debtor’s Claims and Noticing Agent cannot give legal advice.

INSTRUCTIONS:

1. WHO MUST FILE A PROOF OF CLAIM OR AN ADMINISTRATIVE CLAIM

Except as otherwise set forth herein, the following entities holding claims against the Debtor arising prior to the Commencement Date **MUST** file Proofs of Claim or requests for payment of Administrative Claims (with respect to Administrative Claims arising during the Administrative Claim Period) on or before the applicable Bar Date:

¹ Administrative Claims filed without a notice shall not be scheduled for a hearing.

- a. any entity whose claim against the Debtor is not listed in the applicable Debtor's Schedules, or is listed as "contingent," "unliquidated," or "disputed," if such entity desires to participate in this chapter 11 case or share in any distribution in this chapter 11 case;
- b. any entity that believes that its claim is improperly classified in the Schedules or is listed in an incorrect amount and who desires to have its claim allowed in a different classification or amount other than that identified in the Schedules;
- c. any entity that believes that its claim against the Debtor is or may be an Administrative Claim that arises during the Administrative Claims Period, excluding (i) claims for professional fees and expenses in this case, and (ii) claims asserting administrative priority and arising in the ordinary course of business after the Commencement Date; and
- d. any entity who believes that its claim against the Debtor is or may be entitled to priority under section 503(b)(9) of the Bankruptcy Code.

Pursuant to section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim" means (i) 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 (ii) a 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. Further, claims include unsecured claims, secured claims, and priority claims.

Pursuant to section 101(15) of the Bankruptcy Code and as used in this Notice, the term "entity" has the meaning given to it in section 101(15) of the Bankruptcy Code, and includes all persons, estates, trusts, and governmental units. In addition, the terms "persons" and "governmental units" are defined in sections 101(41) and 101(27) of the Bankruptcy Code, respectively.

2. WHO NEED NOT FILE A PROOF OF CLAIM OR AN ADMINISTRATIVE CLAIM

The following entities whose claims would otherwise be subject to a Bar Date need not file any Proofs of Claim or requests for payment of Administrative Claims (with respect to Administrative Claims arising during the Administrative Claim Period):

- a. any person or entity whose claim is listed on the Schedules; provided that (i) the claim is not listed on the Schedules as "disputed," "contingent," or "unliquidated," and (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules,
- b. any person or entity who already has filed a signed Proof of Claim with DRC against the Debtor with respect to the claim being asserted, utilizing a claim form that substantially conforms to the Proof of Claim Form;
- c. any person or entity who holds a claim that has been allowed by order of the Court entered on or before the applicable Bar Date;
- d. any person or entity whose claim has been paid in full or will be paid in full in accordance with the Bankruptcy Code or an order of the Court;
- e. any person or entity who holds a claim for which a separate deadline has been fixed by an order of this Court entered on or before the applicable Bar Date;
- f. any person or entity who holds an equity interest in the Debtor, which interest exclusively is based upon the ownership of common or preferred stock, membership interests, partnership interests, or warrants, options, or rights to purchase, sell, or subscribe to such a security or interest; provided that if any such holder asserts a claim (as opposed to an ownership interest)

against the Debtor (including a claim relating to an equity interest or the purchase or sale of such equity interest), a Proof of Claim or an Administrative Claim, as applicable, must be filed on or before the applicable Bar Date pursuant to the Procedures set for the herein;

- g. any current officer, director, or employee of the Debtor for claims based on indemnification, contribution, or reimbursement;
- h. any entity whose claim is solely against any of the Debtor's non-Debtor affiliates;
- i. any person or entity that has an Administrative Claim for professional fees and expenses for which (i) such person or entity has been retained by an express order of the Court pursuant to section 327, 328, 363 or 1103 of the Bankruptcy Code, and (ii) such person or entity is seeking compensation for such services through filed monthly fee statements and applications in accordance with the Interim Compensation Order,² or through similar reporting mechanisms.
- j. any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense that arose on or after January 1, 2021; and
- k. The DIP Lender, on account of claims arising under the DIP Loan Documents.³

The fact that you have received this notice does not mean that you have claim or that the Debtor or the Court believe that you have a claim against the Debtor. You should not file a Proof of Claim or Administrative Claim if you do not have a claim or Administrative Claim against the Debtor.

3. INSTRUCTIONS FOR FILING PROOFS OF CLAIM AND ADMINISTRATIVE CLAIMS

Except as otherwise set forth herein, each entity that asserts a claim against the Debtor that arose before the Commencement Date **MUST** file a Proof of Claim. Except as otherwise set forth herein, each entity that asserts an Administrative Claim against the Debtor that arose during the Administrative Claim Period **MUST** file a request for payment of the Administrative Claim.

The following procedures with respect to preparing and filing of Proofs of Claim and of requests for payment of Administrative Claims will apply:

- a. Proofs of Claim must substantially conform to the Proof of Claim Form or Official Bankruptcy Form No. 410, and Administrative Claims must substantially conform to the Request for Administrative Payment Form;
- b. Proofs of Claim and requests for payment of Administrative Claims must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the

² See *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals*, entered September 14, 2020 [D.I. 235] (the "Interim Compensation Order").

³ Capitalized terms used but not defined in this paragraph 29(k) have the meanings ascribed to such terms in the *Final Order (I) Authorizing the Debtor to Obtain Post-Petition Financing Up to the Amounts Set Forth Herein, Granting Senior Post-Petition Security Interests and According Superpriority Administrative Expense Status Pursuant to Code Section 364(c) and 364(d) of the Bankruptcy Code, (II) Authorizing the Use of Cash Collateral, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief* [D.I. 212] and *Second Final Order (I) Authorizing the Debtor to Obtain Post-Petition Financing, Granting Senior Post-Petition Security Interests and According Superpriority Administrative Expense Status Pursuant to Code Sections 364(c) And 364(d) of the Bankruptcy Code, (II) Authorizing the Use of Cash Collateral, (III) Modifying the Automatic Stay, And (IV) Granting Related Relief* [378] (together, the "DIP Orders").

Commencement Date (using the exchange rate, if applicable, as of the Commencement Date); (iii) specify by name and case number the Debtor against which the claim is filed; (iv) set forth with specificity the legal and factual basis for the alleged claim; (v) include supporting documentation for the claim or an explanation as to why such documentation is not available; and (vi) be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant under penalty of perjury;

- c. with respect to any request for payment of a claim under section 503(b)(9) of the Bankruptcy Code, (i) include the value of the goods delivered to and received by the Debtor in the 20 days prior to the Petition Date, (ii) attach documentation identifying the date such goods were received by the Debtor, (iii) state whether the value of the goods asserted in the Proof of Claim represents a combination of goods and services and, if applicable, the percentage of alleged value related to services and related to goods, and (iv) attach any documentation identifying the particular invoices for which the section 503(b)(9) claim is being asserted;
- d. Proofs of Claim and requests for payment of Administrative Claims must be filed (i) electronically through the website of the Debtor's claims and noticing agent, DRC, using the interface available on such website located at <https://www.donlinrecano.com/Clients/k2/FileClaim> (the "Electronic Filing System") or (ii) by delivering the original Proof of Claim form or Request for Administrative Payment Form by hand, or mailing the original Proof of Claim form or Request for Administrative Payment Form on or before the applicable Bar Date as follows:

If sent by mail, send to:

Donlin, Recano & Company, Inc.
Re: Klausner Lumber Two LLC
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

If sent by Overnight Courier or Hand Delivery, send to:

Donlin, Recano & Company, Inc.
Re: Klausner Lumber Two LLC
6201 15th Avenue
Brooklyn, NY 11219

- e. A Proof of Claim or request for payment of an Administrative Claim shall be deemed timely filed only if it **actually is received** by DRC as set forth in subparagraph (d) above, in each case, on or before the Bar Date; and
- f. Proofs of Claim or request for payment of an Administrative Claim sent by facsimile, telecopy, or electronic mail transmission (other than Proofs of Claim filed electronically through the Electronic Filing System) **will not** be accepted.
- g. Claimants wishing to receive acknowledgment that their Proof of Claim or Administrative Claim was received by DRC must submit (i) a copy of the Proof of Claim or Administrative Claim; and (ii) a self-addressed, stamped envelope (in addition to the original Proof of Claim or Administrative Claim sent to DRC).

4. CONSEQUENCES OF FAILURE TO TIMELY FILE A PROOF OF CLAIM OR ADMINISTRATIVE CLAIM BY THE APPLICABLE BAR DATE

Pursuant to the Bar Date Order and Bankruptcy Rule 3003(c)(2), any holder of a claim who is required to timely file a Proof of Claim or an Administrative Claim on or before the applicable Bar Date as provided herein, but fails to do so:

(i) shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution in this chapter 11 case on account of such claim or Administrative Claim; and

(ii) forever shall be barred, estopped, and enjoined from asserting such claim against the Debtor and its property (or filing a Proof of Claim or an Administrative Claim with respect thereto), and the Debtor and its chapter 11 estate, successors, and property shall be forever discharged from any and all indebtedness or liability with respect to or arising from such claim.

5. THE DEBTOR'S SCHEDULES, ACCESS THERETO, AND CONSEQUENCES OF AMENDMENT THEREOF

You may be listed as the holder of a claim against the Debtor in the Debtor's Schedules of Assets and Liabilities (D.I. 76) (collectively, the "Schedules"). To determine if and how you are listed in the Schedules, please refer to the descriptions set forth on the enclosed Proof of Claim Form regarding the nature, amount, and status of your claim(s).

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtor's Schedules and if your claim is not listed in the Schedules as "disputed," "contingent," or "unliquidated," you need not file a Proof of Claim. Otherwise, or if you decide to file a Proof of Claim, you must do so before the Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Schedules may be examined by interested parties on the Court's electronic docket for the Debtor's chapter 11 case, which is posted (i) on the website established by DRC for the Debtor's case at <https://www.donlinrecano.com/Clients/k2/Index> and (ii) on the Court's website at www.deb.uscourts.gov. (A login and password to the Court's Public Access to Electronic Court Records ("PACER") are required to access the information on the Court's website and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov). Copies of the Schedules also may be examined between the hours of 8:00 a.m. and 5:00 p.m. (Eastern Time) Monday through Friday at the Office of the Clerk of the Bankruptcy Court, 824 North Market Street, 3rd Floor, Wilmington, DE 19801. Copies of the Debtor's Schedules also may be obtained by written request to the Debtor's claims agent, DRC, at the address and telephone number set forth below:

Donlin, Recano & Company, Inc.
Re: Klausner Lumber Two LLC
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219
Tel: 1 (877) 208-9540

In the event that the Debtor amends or supplements its Schedules subsequent to date of entry of the Bar Date Order, the Debtor shall give notice of any amendment or supplement to the holders of claims affected by such amendment or supplement within ten (10) days after filing such amendment or supplement, and such holders must file a Proof of Claim **by the later of (a) the General Bar Date or the Governmental Bar Date, as applicable, or (b) 5:00 p.m. (Eastern Time) on the date that is 30 days from the date on which the Debtor provides notice of a previously unfiled Schedule or an amendment or supplement to the Schedules**, or be forever barred from so doing, and such deadline shall be contained in any notice of such amendment or supplement of the Schedules provided to the holders of claims affected thereby.

6. RESERVATION OF RIGHTS

Nothing contained in this Notice is intended to or should be construed as a waiver of the Debtor's right to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to

the nature, amount, liability, or classification thereof; (b) subsequently designate any scheduled claim as disputed, contingent, or unliquidated; and (c) otherwise amend or supplement the Schedules.

If you require additional information regarding the filing of a Proof of Claim or Administrative Claim, you may contact the Debtor's Claims and Noticing Agent directly at: Donlin, Recano & Company, Inc., the claims and noticing agent for this chapter 11 case, (a) by telephone at: 1 (877) 208-9540 or (b) by e-mail at klausner2info@donlinrecano.com

A holder of a possible claim against the Debtor should consult an attorney if such holder has any questions regarding this Notice, including whether the holder should file a Proof of Claim or Administrative Claim.

Dated: Wilmington, Delaware
December 16, 2020

BY ORDER OF THE COURT

WESTERMAN BALL EDERER MILLER
ZUCKER & SHARFSTEIN, LLP

/s/ Thomas A. Draghi
Thomas A. Draghi (admitted *pro hac vice*)
1201 RXR Plaza
Uniondale, New York 11556
Telephone: (516) 622-9200
Facsimile: (516) 622-9212
Email: tdraghi@westermanllp.com

Robert J. Dehney (No. 3578)
Daniel B. Butz (No. 4227)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street, 16th Floor
P.O. Box 1347
Wilmington, Delaware 19899-1347
Telephone: (302) 658-9200
Facsimile: (302) 658-3989
Email: rdeheny@mnat.com
Email: dbutz@mnat.com

Attorneys for Debtor and Debtor in Possession