

Fill in the below information to identify the case:

Debtor name: \_\_\_\_\_

United States Bankruptcy Court for the District of Delaware

Case number: 20-\_\_\_\_\_

**Proof of 503(b)(9) Claim**

**Read the instructions before filling out this form.** Pursuant to an Order of the Bankruptcy Court in the above-referenced chapter 11 cases (see Docket No. 180), to have claims allowed as an administrative expense under 11 U.S.C. § 503(b)(9), this form must be filed with upon Donlin, Recano & Company, Inc., so as to be received by July 24, 2020 at 4:00 p.m. (Prevailing Eastern Time), the 503(b)(9) Claim Filing Deadline in the above-referenced cases.

**Do not use this form to make a request for payment of an administrative expense other than a claim arising under 11 U.S.C. § 503(b)(9).**

**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.

**Part 1: Identify the Claim****1. Who is the current creditor?**

Name of the current creditor (the person or entity to be paid for this claim) \_\_\_\_\_

Other names the creditor used with the debtor \_\_\_\_\_

**2. Has this claim been acquired from someone else?**☐ No☐ Yes. From whom? \_\_\_\_\_**3. Where should notices and payments to the creditor be sent?****Where should notices to the creditor be sent?****Where should payments to the creditor be sent? (if different)**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Contact Phone \_\_\_\_\_

Contact Phone \_\_\_\_\_

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

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

Uniform claim identifier for electronic payments in chapter 13 (if you use one): \_\_\_\_\_

**4. Does this claim amend one already filed?**☐ No☐ Yes. Claim number on court claims registry (if known) \_\_\_\_\_Filed on \_\_\_\_\_  
MM / DD / YYYY**5. Do you know if anyone else has filed a Section 503(b)(9) proof of claim for this claim?**☐ No☐ Yes. Who made the earlier filing? \_\_\_\_\_**Part 2: Give Information About the Claim**

<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 identification number used to identify the debtor: _____
<b>7. How much is the section 503(b)(9) 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. Basis for claim:</b>	Good delivered within 20 days prior to the commencement of the case. 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. Date(s) of Delivery:</b>	_____ Name of Carrier: _____ Place of Delivery: _____
<b>10. Brief Description of Claim:</b>	_____ Describe Goods Sold: _____

### Part 3: Sign Below

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

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**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.**

*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 503(b)(9) *Proof of Claim* serves as an acknowledgment that: (i) the goods for which payment is sought hereby, were sold to the debtor in the ordinary course of the Debtor's business as required by 11 U.S.C. § 503(b)(9); and (ii) when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

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 \_\_\_\_\_  
MM / DD / YYYY

\_\_\_\_\_  
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

**Facsimile, email, or electronic submissions will not be accepted. Claims shall be deemed filed when actually received by Donlin, Recano, & Company, Inc., as provided in the Instructions. To receive an acknowledgment of the timely submission of your claim, enclose a stamped, self-addressed envelope and copy of this Proof of Section 503(b)(9) Claim form.**

## INSTRUCTIONS FOR FILING SECTION 503(b)(9) PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, there may be exceptions to the general rules.

Debtors	Case No.	Definitions	
LVI Intermediate Holdings, Inc.	20-11413	<b>Section 503(b)(9) Claim:</b> Any claim entitled to treatment in accordance with Section 503(b)(9) of the Bankruptcy Code. Specifically, Section 503(b)(9) Claims are those claims for the "value of any goods received by the debtor, within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor's business." 11 U.S.C. § 503(b)(9)	<b>Section 503(b)(9) Bar Date:</b> By Order of the United States Bankruptcy Court, all requests for allowance of a 503(b)(9) Claim must be submitted so as to be received at the address set forth below no later than 4:00 p.m., Prevailing Eastern Time on July 24, 2020.  <b>If by U.S. Mail to:</b>  Donlin, Recano & Company, Inc. Re: LVI Intermediate Holdings, Inc., et al. P.O. Box 199043 Blythebourne Station Brooklyn, NY 11219  <b>If by Overnight Courier or Hand Delivery, send to:</b>  Donlin, Recano & Company, Inc. Re: LVI Intermediate Holdings, Inc., et al. 6201 15th Avenue Brooklyn, NY 11219
Total Vision Institute, LLC	20-11414		
QualSight, LLC	20-11415		
The LASIK Vision Institute, LLC	20-11416		
Cataract Vision Institute, LLC	20-11417		
Healthcare Marketing Services, LLC	20-11418		
LVI Missouri, LLC	20-11430		
Cataract Vision Institute Florida, LLC	20-11419		
TLC Vision Center Holdings, LLC	20-11420		
TLC Whitten Laser Eye Associates, LLC	20-11421		
TLC Vision Centers, LLC	20-11422		
TruVision, LLC	20-11423		
TruVision Contacts, LLC	20-11424		
Laser Eye Surgery, LLC	20-11425		
TLC Laser Eye Centers (Refractive I), LLC	20-11426		
TLC The Laser Center (Pittsburgh) L.L.C.	20-11427		
TLC The Laser Center (Indiana) LLC	20-11428		
TLC The Laser Center (Institute), LLC	20-11429		

1. Please read this Proof of 503(b)(9) Claim form carefully and fill it in completely and accurately. Print legibly.
2. Attach additional pages on 8-1/2 x 11" paper if more space is required to complete this Proof of 503(b)(9) Claim form.
3. This form should only be used by a claimant asserting a Section 503(b)(9) claim. It should not be used for any claims that are not entitled to priority in accordance with 11 U.S.C. § 503(b)(9).
4. Fill in the caption at the top of the form. You must fill in the specific Debtor name and case number against which your claim is being asserted. If you are asserting claims against more than one Debtor, you MUST file a separate 503(b)(9) proof of claim for each debtor.
5. **ANY DOCUMENTS RELIED UPON BY ANY 503(b)(9) CLAIMANT TO SUPPORT ITS SECTION 503(b)(9) CLAIM, INCLUDING ALL DOCUMENTS THAT PURPORT TO ESTABLISH THAT SUCH CLAIMANT SUPPLIED THE DEBTOR "GOODS" WITHIN THE 20 DAY PERIOD BEFORE MAY 29, 2020, THE "VALUE" OF SUCH GOODS AND THAT SUCH GOODS WERE "SOLD TO THE DEBTOR IN THE ORDINARY COURSE OF THE DEBTOR'S BUSINESS," SHOULD BE ANNEXED TO THIS PROOF OF 503(b)(9) CLAIM FORM. IF ANY SUCH DOCUMENTS ARE UNAVAILABLE, PLEASE PROVIDE AN EXPLANATION AS TO WHY.**
6. **To be considered timely filed, this Section 503(b)(9) Claim Form must be actually received by DONLIN, RECANO & COMPANY, INC. by 4:00 p.m. (Prevailing Eastern Time) on July 24, 2020, and should include appropriate documents/materials establishing the claimants entitlement to an allowed Section 503(b)(9) Claim and the amount of the asserted claim.**