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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

Chapter 11

In re:

Case No. 20-12117 (MEW)

COSMOLEDO, LLC, *et al.*¹

Jointly Administered

Debtors.

**NOTICE OF DEADLINE REQUIRING FILING OF CERTAIN
ADMINISTRATIVE CLAIMS ON OR BEFORE JANUARY 8, 2021**

**TO ALL PERSONS AND ENTITIES WITH ADMINISTRATIVE CLAIMS AGAINST
COSMOLEDO, LLC AND ITS AFFILIATED DEBTORS:**

The United States Bankruptcy Court for the Southern District of New York, having jurisdiction over Cosmoledo LLC (“Cosmoledo”) and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”), in the above-captioned chapter 11 cases (the “Chapter 11 Cases”), entered an order (the “Bar Date Order”) establishing **January 8, 2021 at 4:00 p.m. (prevailing Eastern Time)** as the last date (“Administrative Claims Bar Date”) for each person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures, and trusts) holding any right to payment constituting an actual, necessary cost or expense of administering these cases or preserving the estates, including, but not limited to, claims under

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Cosmoledo, LLC (6787); Breadroll, LLC, (3279); 688 Bronx Commissary, LLC (6515); 95 Broad Commissary, LLC (2335); 178 Bruckner Commissary, LLC (2581); 8 West Bakery, LLC (6421); NYC 1294 Third Ave Bakery, LLC (2001); 921 Broadway Bakery, LLC (2352); 1800 Broadway Bakery, LLC (8939); 1535 Third Avenue Bakery, LLC (1011); 2161 Broadway Bakery, LLC (2767); 210 Joralemon Bakery, LLC (4779); 1377 Sixth Avenue Bakery, LLC (9717); 400 Fifth Avenue Bakery, LLC (6378); 1400 Broadway Bakery, LLC (8529); 575 Lexington Avenue Bakery, LLC (9884); 685 Third Avenue Bakery, LLC (9613); 370 Lexington Avenue Bakery, LLC (0672); 787 Seventh Avenue Bakery, LLC (6846); 339 Seventh Avenue Bakery, LLC (1406); and 55 Hudson Yards Bakery, LLC (7583).

sections 365(d)(3), 365(d)(5), or 503(b)(1) through (8) of the Bankruptcy Code (except for 503(b)(9) Claims) (each, an “Administrative Claim”) that arose during the period from the September 10, 2020 (the “Petition Date”) through November 2, 2020, the date of the closing on the Debtors’ sale of substantially all of their assets, to file a request for payment of Administrative Claim in the form substantially similar to the Administrative Claim Form enclosed herewith.

1. WHO MUST FILE AN ADMINISTRATIVE CLAIM

You **MUST** file an Administrative Claim in accordance with the procedures set forth in the Bar Date Order if you hold a right to payment constituting an actual, necessary cost or expense of administering the Debtors’ Chapter 11 Cases or preserving the estates, including, but not limited to, claims under sections 365(d)(3), 365(d)(5), or 503(b)(1) through (8) of the Bankruptcy Code (except for claims under section 503(b)(9) of the Bankruptcy Code)² (*i.e.*, an “Administrative Claim”) that arose during the period from the Petition Date through November 2, 2020, and is not a claim described in Section 2 below.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word “claim” means: (a) 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) 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. An Administrative Claim is a claim of the kind described in sections 503(b)(1) through (8) of the Bankruptcy Code.

2. WHO NEED NOT FILE AN ADMINISTRATIVE CLAIM

You do **not** need to file an Administrative Claim on or before the Administrative Claims Bar Date if you are:

- (a) the U.S. Trustee, on account of claims for fees payable pursuant to 28 U.S.C. § 1930;
- (b) professionals retained by the Debtors and Creditors Committee pursuant to orders of this Court who assert administrative claims for fees and expenses subject to the Court’s approval pursuant to Bankruptcy Code sections 330, 331, and 503(b);
- (c) any person or entity whose Administrative Claim has been allowed by order of the Court entered on or before the Administrative Claims Bar Date or that has already been paid;

² Any person or entity with a claim against the Debtors that arose prior to the Petition Date (as the term “claim” is defined in section 101(5) of the Bankruptcy Code), including claims for the value of goods sold to any Debtor in the ordinary course of business and received by such Debtor within twenty (20) days before the Petition Date (each, a “503(b)(9) Claim”) must complete and file a Proof of Claim Form prior to the General Bar Date of January 8, 2021.

- (d) any Administrative Claim on account of which a request for payment of Administrative Claim has already been filed with either Donlin Recano & Company, Inc., the Debtors' claims agent ("DRC"), or the Clerk of the United States Bankruptcy Court for the Southern District of New York; or
- (e) governmental entities holding claims covered by sections 503(b)(1)(B), (C), or (D) of the Bankruptcy Code.

YOU SHOULD NOT FILE AN ADMINISTRATIVE CLAIM IF YOU DO NOT HAVE SUCH A CLAIM AGAINST ANY OF THE DEBTORS. THE FACT THAT YOU HAVE RECEIVED THIS NOTICE DOES NOT MEAN THAT YOU HAVE AN ADMINISTRATIVE CLAIM OR THAT THE DEBTORS OR THE COURT BELIEVE THAT YOU HAVE SUCH A CLAIM.

3. WHEN AND WHERE TO FILE ADMINISTRATIVE CLAIM FORMS

All Administrative Claim Forms must be *actually received* by DRC before the Administrative Claims Bar Date.

You must submit your Administrative Claim Form either (i) electronically by utilizing the Online Portal that can be accessed at the website maintained by DRC at <https://www.donlinrecano.com/Clients/mk/FileClaim> or (ii) by delivering the Administrative Claim Form either by U.S. Postal Service mail or overnight delivery or hand delivery to the following locations:

IF SENT BY UNITED STATES POSTAL SERVICE, SEND TO:

Donlin, Recano & Company, Inc.
Re: Cosmoledo, LLC, *et al.*
P.O. Box 199043
Blythebourne Station
Brooklyn, NY 11219

IF SENT BY HAND DELIVERY OR OVERNIGHT DELIVERY, SEND TO:

Donlin, Recano & Company, Inc.
Re: Cosmoledo, LLC, *et al.*
6201 15th Avenue
Brooklyn, NY 11219

IF ELECTRONICALLY:

The website established by DRC, using the interface available on such website located at <https://www.donlinrecano.com/Clients/mk/FileClaim>

Administrative Claim Forms will be deemed timely filed only if (i) the Administrative Claim Form is submitted electronically, so as to be ***actually received*** by DRC on or before Administrative Claims Bar Date, by using the Online Portal, or (ii) the Administrative Claim Form is mailed or delivered so as to be ***actually received*** by DRC, or the Court, at the locations set forth above on or before the Administrative Claims Bar Date.

ANY CREDITOR THAT ELECTRONICALLY FILES AN ADMINISTRATIVE CLAIM SHALL RETAIN SUCH ADMINISTRATIVE CLAIM (AND SUPPORTING DOCUMENTS) WITH AN ORIGINAL SIGNATURE FOR A PERIOD OF NOT LESS THAN TWO (2) YEARS FROM THE DATE THE ADMINISTRATIVE CLAIM IS ELECTRONICALLY FILED.

Except as expressly permitted in the context of electronic submission via the Online Portal, proofs of Administrative Claim Forms sent by facsimile, telecopy or electronic mail transmission will ***not*** be accepted.

4. HOW TO FILE AN ADMINISTRATIVE CLAIM FORM

Enclosed herewith is a copy of an Administrative Claim Form.

If you wish to file an Administrative Claim, you must complete a claim form substantially in the form of the Administrative Claim Form. Your filed Administrative Claim Form must (i) be **signed** with an original signature by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant; (ii) include supporting documentation (if voluminous, attach a summary) or explanation as to why documentation is not available; (iii) be in the English language; and (iv) be denominated in United States currency.

YOU SHOULD ATTACH TO YOUR COMPLETED ADMINISTRATIVE CLAIM FOR COPIES OF ANY WRITINGS UPON WHICH YOUR ADMINISTRATIVE CLAIM IS BASED.

5. CONSEQUENCES OF FAILURE TO FILE AN ADMINISTRATIVE CLAIM FORM BY THE ADMINISTRATIVE CLAIM BAR DATE

Except with respect to claims described in Section 2 above, any holder of an Administrative Claim against any Debtor with respect to the Initial Administrative Claims Period who received notice of the Administrative Claims Bar Date (whether such notice was actually or constructively received) and is required, but fails, to file an Administrative Claim Form in accordance with the Bar Date Order and this Administrative Bar Date Notice on or before the Administrative Claims Bar Date, (a) shall be forever barred, estopped, and enjoined from asserting such claim against such Debtor (or filing an Administrative Claim with respect thereto), and such Debtor and its property may upon confirmation of a chapter 11 plan with respect thereto, be forever discharged from all such indebtedness or liability with respect to such claim, and (b) shall not receive or be entitled to receive any payment or distribution of property from the Debtors or their successors or assigns with respect to such claim.

Any holder of a claim that fails to correctly complete an Administrative Claim Form, including, for example, by failing to indicate which Debtor the claim is against or indicating

that the claim is against multiple Debtors, will have such claim assigned to Cosmoledo, LLC (Case No. 20-12117).

If you are unsure about any of these matters, including whether you should file an Administrative Expense Form, you may wish to consult an attorney.

Dated: New York, New York
November 25, 2020

BY ORDER OF THE COURT